

EAST BENCH COMMUNITY COUNCIL BYLAWS

(Updated April 20, 2011)

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CITY RECORDER

Article I: Name

The name of this organization is The East Bench Community Council (EBCC), a not-for-profit corporation under the laws of the State of Utah, with boundaries as follows:

North: South side of 1300 South to Wasatch Drive, northeast on Wasatch Drive to Crestview Drive, northeast on Crestview Drive to Sunnyside Avenue to the east
City boundary
East: Salt Lake City Municipal Boundary
South: North of Hwy. I-80
West: East side of Foothill Drive

Article II: Purpose

The purpose of the EBCC is to involve citizens in identifying issues, plans, and projects that enhance the beauty, safety, vibrancy, and retain the character of East Bench neighborhoods, businesses, historical, and natural resources. The EBCC sponsors, supports, and provides a voice on such issues to governing bodies, public and private service agencies, the community at large, and any other organization or individual that may directly affect the vitality of the East Bench area and its residents.

Article III: Membership

3.1 Any resident, property owner, or owner of a licensed business operating in the East Bench Community which is situated within the boundaries listed above in section 1, and is 18 years of age or older is a member of the EBCC.

3.2 A person shall cease to be a member of the EBCC if that person is not a resident, property or business owner in the EBCC district.

3.3 No person shall be denied membership in the EBCC on the basis of race, color, sex, religion, ancestry, national origin, or sexual orientation.

Article IV: Dues or fees

No dues, fees or assessments may be assessed on the membership. There shall be no prohibition as to the payment of voluntary contributions.

Article V: Meetings

5.1 Annual Meeting: The Annual Meeting shall be held in April unless otherwise agreed in advance at a prior monthly meeting.

5.2 Monthly meeting: The EBCC shall meet on the third Wednesday of each month except in December and July when there will be no meetings, or unless otherwise agreed in advance at a prior monthly meeting. The EBCC will meet a minimum of one time each quarter.

5.3 Special meetings: Special meetings of the EBCC may be held at a time and place designated by the Chairperson when business matters arise requiring prompt attention.

5.4 Quorum: A quorum for any meeting shall consist of not less than 10 members in attendance. Once a quorum has been attained, any and all business may be conducted as long as the number in attendance is 6 or more. Once the number of members in attendance at a meeting of the EBCC is less than 6 no votes may be taken on any business; however, discussion and reports on business may continue.

5.5 Meeting cancellation: The Chairperson may cancel any regular meeting other than the Annual Meeting when there are no agenda items or other action required.

5.6 Conduct: (a) All meetings shall be held in compliance with the Open Meeting Laws of Salt Lake City and the State of Utah. (b) Roberts Rules of Order will govern the EBCC meetings at all times. (c) No disorderly conduct will be permitted at any of the EBCC meetings. Violators will be requested to leave the meeting.

5.7 Minutes: Minutes of the monthly meetings and the Annual Meeting will be taken and made available to the public in a timely manner.

Article VI: Agenda:

6.1 The Chairperson will be responsible to prepare the monthly meeting agenda and will determine the items to be included on the agenda.

6.2 A copy of the planned agenda will be posted at least 7 days prior to the monthly meetings.

Article VII: Voting

7.1 Any community matter or business that will be brought to a vote must be on the monthly meeting agenda.

7.2 Any resident, property owner, or owner of a licensed business operating in the EBCC situated within the boundaries listed above in section 1, and is 18 years of age or older is eligible

to vote except that business owners are limited to one vote per business.

7.3 Members must be present to vote. There shall be neither absentee nor proxy voting.

7.4 Members are eligible to vote either by voice, raising of the hands, or by paper ballot in elections and on all issues of business presented before the EBCC. The paper ballot votes will be counted by a three-member Committee selected at random from the members present by the Chairperson. In the case of election for officers, the Members of this committee may not be nominated for any elective office.

7.5 All matters coming before any meeting of the EBCC shall be determined by the majority vote of the members present with a complete vote (including total votes cast and outcome) reported in the minutes.

7.6 In the event of a tie, when there are only two persons seeking office, the winner will be determined by a single coin toss. The candidate with the first letter of his surname in alphabetical order will call the toss.

7.7 Any community matter or business that will be brought to a vote must be on the meeting agenda.

Article VIII: Officers of the EBCC in general

8.1 **Officers/Executive Board:** The officers of the EBCC shall be the Chair, the First Vice Chair, the Second Vice Chair, the Treasurer, the Secretary, and three (3) Members at Large. All of these individuals, including the Members at Large, constitute the Executive Board (Board), and are voting members of the Board.

8.2 **Terms:** The elective officers of the Board shall hold office from the date of their election until their successors are duly elected and qualified. No Officer shall hold the same office for more than two consecutive terms of two years.

8.3 **Vacancy in the office of Chair:** If a vacancy occurs in the office of Chair, the First Vice Chair shall become Chair for the balance of the term. If the First Vice Chair is unable to fill such vacancy in the office of the Chair, the Executive Board shall appoint a Chair Pro Tem to fill the unexpired term of the Chair.

8.4 **Vacancies in other Board offices.** If a vacancy occurs in the offices of First Vice Chair, Second Vice Chair, Treasurer, Secretary, or Member at Large, the Board shall appoint an EBCC member by majority vote of Board members to serve until the following Annual Meeting when the position would then be filled at the annual election of officers.

8.5 Removal from office: Officers of the EBCC may be removed:

(a) If an officer attends no meetings of the Board or the EBCC monthly meetings during the first three months after election, or attends less than 50 percent of the meetings of the Board and the EBCC monthly meetings six months or more after election, the other members of the Board may, by majority vote, declare that officer's position vacant, with the vacancy to be filled according to section 8.3 or 8.4.

(b) Should an officer be accused of malfeasance, charges shall be proffered against the accused in writing by at least 10 members of the EBCC. The allegations of misconduct shall be presented to the Board. The Board shall call a Special Meeting of the EBCC membership to address the allegations of misconduct of a Board member. The Board member shall receive a copy of the allegations and written notification of the time and place of such special meeting no less than 10 days in advance. A vote of two-thirds of the EBCC membership present at the Special Meeting will be sufficient to sustain the charges and declare the position of the Board Member vacant. Officers removed shall still be members of the EBCC.

Article IX: Duties of the Officers:

9.1 Chair: The Chair shall preside at all meetings of the EBCC and of the Board. The Chair shall plan and supervise the activities of the EBCC, shall enforce the rules, and shall be the executive officer of the EBCC. The Chair shall act for the EBCC in addressing issues and concerns as a representative of the EBCC reflecting the majority opinion at public hearings.

9.2 First Vice Chair: The First Vice Chair shall assist the Chair in the performance of the Chair's duties to the extent the Chair requests. In the absence of the Chair, the Vice Chair shall perform the Chair's duties.

9.3 Second Vice Chair: The Second Vice Chair shall assist the Chair and First Vice Chair in the performance of their duties to the extent the Chair or First Vice Chair requests. In the absence of the First Vice Chair, the Second Vice Chair shall perform the First Vice Chair's duties.

9.4 Treasurer: The Treasurer shall administer the funds of the EBCC and be answerable to the Board and the EBCC. The Treasurer shall give an annual account of the EBCC's financial status to be presented at the Annual Meeting. The treasurer shall be responsible to prepare all necessary tax returns for the EBCC in a timely manner.

9.5 Secretary: The Secretary shall assist the Chair and Vice Chairs in the performance of their duties to the extent requested. The Secretary shall keep a record of the monthly meeting of the EBCC which will be posted prior to the next meeting. The minutes shall include but not be limited to attendance, issues discussed, and results of any action taken.

9.6 Members at large: The three Members at Large shall represent the EBCC general

membership, and shall perform such duties as assigned by the Chair.

Article X: Election of Officers:

10.1 Nominating Committee: On or before the first day of February each year, the Chair shall appoint, subject to the approval of the Board, a nominating committee of three members who shall report at the Annual Meeting its nomination for all offices to be filled. The Nominating Committee shall consist of members of the EBCC.

10.2 Additional nominations: At each Annual Meeting further nominations for each vacant office may be made from the floor by any member of the EBCC who meets the requirements of Article III. No nomination from the floor may proceed unless the individual nominated is present, agrees to the nomination, and meets the membership requirements of Article III.

10.3 Election: (a) The election of EBCC officers shall be held at the Annual Membership meeting. (b) The EBCC Officers shall be elected by the EBCC membership and must be a member of the EBCC according to the provisions of Article III. (c) Officers shall be elected by written ballot. (d) A simple majority of votes cast by the members present at the Annual Meeting shall elect the Officers.

10.4 Continuity of Office: The election of Officers shall be staggered to provide a stronger continuity of the EBCC. The Officers shall be elected in the following order: (a) The offices of Chair, First Vice Chair, Treasurer, Secretary, and Member at Large #1 shall be elected at the Annual Meeting in even numbered years. (b) The offices of Second Vice Chair, together with Members at Large #2 and #3 shall be elected at the Annual Meeting in odd numbered years.

Article XI: Committees

11.1 Creation: The Board may decide from time to time what standing committees will benefit the EBCC in achieving its goals, and may direct the creation and termination of ad hoc committees as the occasion may require.

11.2 Membership: The Board has discretion to appoint the members of any committee, whose membership must comply with Article III.

11.3 Advisory power only: Committees shall only have advisory power and all recommendations must be submitted in writing to the Board for appropriate action.

11.4 Reports: The Chair of each committee shall submit to the Board a short written report of the activity they were empowered to perform. These reports shall be made available to the membership of the EBCC at the monthly council meetings.

Article XII: Amendments

These by-laws may be amended at the Annual Meeting by a majority vote of the members of the EBCC present at voting, provided that any proposed amendment shall first have been approved by a majority of the Board and a written notice of the proposed amendments made available to the EBCC for comment to the Board.

Original By-laws adopted April 13, 2006.

Updated April 20, 2011


Gene Moffitt

Chairman, East Bench Community Council