

Information re the East Montclair Neighborhood Association:

Articles of Incorporation signed August 9th, 1972; Certificate of Incorporation as a Colorado Nonprofit Corporation issued by Byron A. Anderson, Secretary of State, on August 15th, 1972.

Federal Tax I.D. (EIN) issued by the Internal Revenue Service as a nonprofit 501(c)(4) corporation: 23-7257740.

Mailing Address: P.O. Box 201273, Denver, CO 80220-1273.

The following Revised By-Laws were published in the March/April 1989 issue of the EMNA newsletter and approved at the next General Membership Meeting.

EAST MONTCLAIR NEIGHBORHOOD ASSOCIATION
BY-LAWS

ARTICLE I
NAME AND OBJECTIVE

SECTION 1. This organization shall be known as the East Montclair Neighborhood Association, Inc. whose boundaries shall be Quebec Street through Syracuse Street and 11th Avenue through 23rd Avenue; Syracuse Street through Yosemite Street and 11th Avenue through Montview Boulevard.

SECTION 2. The objective of this organization shall be to build and maintain an organization where all members, residents and businesses alike can participate in the discussion of the betterment and welfare of the neighborhood; to promote a format for communication between the Association and the City Government; to advance the interests and concerns of the neighborhood; to elect representation and to encourage friendship and cooperation among all people within the Association area.

ARTICLE II
MEMBERSHIP AND DUES

SECTION 1. ELIGIBILITY. Membership is open to anyone having attained the age of 18 years. There shall be two types of membership.

- a. Household membership shall include those individuals residing at the same address, but shall be limited to two (2) votes per household.
- b. Business membership shall be limited to two (2) votes per business.

SECTION 2. DUES. Membership dues shall be determined by the Board of Directors and shall be stated on an application for membership form approved by the Board of Directors.

- a. Dues shall be due and payable on or before January 31st of each calendar year.
- b. Dues may be waived under certain circumstances by the Board of Directors.

ARTICLE III
MEETINGS

SECTION 1. The fiscal year of the Association shall be from January 1 through December 31.

SECTION 2. All meetings of the membership and/or Board of Directors shall be held on a date and at a time and place as designated by the Board.

SECTION 3. Special meetings of the membership shall be called by a majority vote of the Board. Special meetings of the Board may be called by the President or Acting President. Notification of such meetings shall state the nature of business and no other business shall be conducted.

SECTION 4. Special meetings of the Association must be called by the Board upon receipt of a written petition signed by ten (10) voting members.

SECTION 5. At least six (6%) percent of the total eligible voters must be present to constitute a quorum at any meeting.

SECTION 6. No proxy votes shall be permitted.

ARTICLE IV
ELECTION OF OFFICERS, TERMS OF OFFICE AND DUTIES

SECTION 1. The officers of the Association shall be nominated and voted upon at the December meeting and take office on January 1 of the following year. The Board of Directors shall select a nominating committee consisting of three members and one alternate. One committee member, but not more than one, shall be a member of the Board of Directors. The committee shall submit a report of nominations to the membership at the October meeting and their report shall be published in the December Association newsletter. Additional nominations may be made from the floor at the December meeting.

SECTION 2. The officers of the Association shall serve for a one-year term and may serve until their respective successors are elected. All officers may succeed themselves except the President who may not be elected to serve more than two successive terms. A simple majority vote of those eligible voters in attendance shall elect.

SECTION 3. Vacancies occurring on the Board during the fiscal year shall be filled by the Board of Directors, subject to ratification by a majority vote of the membership at the next scheduled membership meeting.

SECTION 4. All officers shall serve without pay, but shall be reimbursed for normal expenses incurred in the performance of their duties.

SECTION 5. General management of the Association's affairs shall be entrusted to the Board of Directors. The President shall make a bimonthly report to the membership of actions taken by the Board of Directors.

SECTION 6. BOARD OF DIRECTORS. The Board shall be comprised of the President, Vice-President, Secretary, Treasurer and two Directors, all to be elected by the membership. The immediate Past President will continue to serve as a director for one year or until a new President takes office. In the event the immediate Past President no longer lives in the area or is unwilling or unable to serve, a third Director will be elected for a one-year term.

- a. The two elected Directors shall be elected to serve two-year terms so they overlap with one Director being elected each year. In order to implement this, it will be necessary to elect one Director for a one-year term and one Director for a two-year term the first election after these By-Laws are approved and become effective.
- b. All past officers shall be Directors-at-Large and shall serve in a non-voting advisory capacity to the elected Board.

SECTION 7. DUTIES. The Association's elected officers shall serve in their respective capacities both with regard to the Association and its meetings and the Board and its meetings.

- a. The President shall preside at all meetings of the Association and the Board and shall have the duties and powers normally pertinent to the office of President in addition to those particularly specified in these By-Laws. He or she shall have power to appoint such committees as may be necessary subject to Board approval. He or she shall represent the Association at all levels of community exposure, personally or through his or her appointed agent. He or she shall listen to all complaints and suggestions of the membership and bring such complaints and suggestions to the attention of the Association in order that they may be acted upon for the improvement of the community. He or she shall supervise the bimonthly newsletter, but not necessarily edit it.
- b. The Vice-President shall exercise the powers and perform the duties of the President in case of the President's death, absence, incapacity, resignation or removal.
- c. The Secretary shall keep a record of all meetings of the Association and the Board and of all matters of which a record shall be ordered by the Association. He or she shall keep a roll of the members of the Association with their addresses and phone numbers based upon information provided by the Treasurer.
- d. The Treasurer shall collect and receive all monies due or belonging to the Association and shall deposit same in a bank satisfactory to the Board in the name of the Association. The Treasurer shall make reports at the membership meetings, at the meetings of the Board and shall render an account of all monies received and expended during the fiscal year at the annual election meeting. He or she shall advise the Secretary and the Newsletter Editor at least monthly of any changes in membership.
- e. Directors shall attend Board meetings and membership meetings. They shall have such other duties as may be directed by the President.

SECTION 8. VACANCIES. Any vacancies occurring on the Board during the year shall be filled for the unexpired term of office from nominees made by the President by a majority vote of all remaining members of the Board at its first regular meeting following the creation of such a vacancy. Should the office vacated be that of President, the Vice-President automatically fills the vacancy and proceeds to fill the office of Vice-President as described in this Section.

SECTION 9. REMOVAL FROM OFFICE. In the event an elected officer or appointed member of the Board is unable or unwilling to perform the duties of his or her office, the Board, by majority vote, may request his or her resignation from that office through the Secretary. At the next regularly scheduled meeting of the Board, the Board, by unanimous vote, may declare the office vacant if the resignation is not received by the Secretary. The vacancy shall then be filled in accordance with the provisions of Article IV, Section 8.

ARTICLE V COMMITTEES

The President shall each year appoint such standing and special committees as are deemed necessary to promote the best interests of the neighborhood which the Association represents, subject to the approval of the Board. These committees should include, but not necessarily be limited to the following:

Zoning, Newsletter, Crime Prevention and Program.

The President may appoint a Sergeant or Sergeants at Arms to officiate at Association meetings to serve for a period of one year beginning on February 1st.

ARTICLE VI AMENDMENTS

The Articles of Incorporation and/or these By-Laws may be altered, amended, or repealed or new Articles or By-Laws adopted as hereby set forth. Such alteration, amendment, repeal or new Articles and/or By-Laws may be proposed by the Board to the general membership. Before a membership vote on such change may be called for, it must be placed on an announced agenda and such change must be published in the newsletter at least two weeks prior to the meeting at which the vote will be taken.

ARTICLE VII
DISSOLUTION

In the event of dissolution or abandonment, all assets of the Association shall be donated to the United Way Fund. Such dissolution must follow the procedure for dissolution provided by the Colorado Statutes.

ARTICLE VIII
ORDER OF BUSINESS

SECTION 1. At membership meetings of the Association in which business is to be transacted, the order of business, so far as the character and nature of the meeting may permit, shall be as follows:

Minutes of the last meeting.
Report of the President.
Report of the Secretary.
Report of the Treasurer.
Report of Committees.
Election of Officers (Annual Meeting).
Unfinished Business.
New Business.
Adjournment.

SECTION 2. At meetings of the Board, the order of business, unless otherwise directed by majority vote of those present, shall be as follows:

Same as above, except substitute for Election of Officers:
Approval of President's Appointments, if any.

ARTICLE IX
PARLIAMENTARY AUTHORITY

The rules contained in Roberts' Rules of Order, Revised, shall govern the Association's conduct of business in all cases to which they are applicable, and in which they are not inconsistent with the By-Laws of the Association.

ARTICLE X
GENERAL PROVISIONS

SECTION 1. The Association shall issue no capital stock and the rights and privileges of all members shall be equal. No loans shall be made in the name of the Association except by vote of the membership. Any other loan is the personal responsibility of the person(s) making the loan. The books and records may be inspected by any paid-up member, or his(her) agent/attorney at a reasonable time and place.

SECTION 2. Except as otherwise provided, either in the Articles of Incorporation or in these By-Laws, which collectively take precedence in the event of an inconsistency, the Association shall operate under and by virtue of the provisions of the applicable Colorado Revised Statutes.

SECTION 3. These By-Laws replace and supercede all previously adopted By-Laws of this Association.

SUBSEQUENT REVISIONS TO THE EMNA BY-LAWS

Due to the closure and development of the Lowry Air Force Base and the Stapleton Airport, two revisions were made. Both revisions were for the purpose of temporarily expanding our boundaries in order to receive notices from the City of proposed zoning changes adjacent to our neighborhood. As you will see both changes expired according to their nature and wording on October 24, 2004. They are attached to the 1989 Amended By-Laws for continuity and clarity only.

On October 24, 1994, the following wording was added to Section 1 which describes our boundaries:

“The southern boundary of EMNA will be expanded to 6th Avenue for a period of 10 years.”

The December 12, 2000, amendment temporarily expanded our northern boundary to 27th Avenue as follows:

“This organization shall be known as the East Montclair Neighborhood Association, Inc. whose temporary boundaries shall be Quebec Street through Yosemite Street and 6th Avenue through 27th Avenue until October 24, 2004, when the south boundary shall revert back to 11th Avenue and the north boundaries shall revert back to 23rd from Quebec to Syracuse and Montview Boulevard from Syracuse to Yosemite, unless further action is taken.”