



# Constitution of the Kenbrink Residents Association

## 1. Name

The name of the Association will be the Kenbrink Residents Association.

## 2. Area

The Association will operate in the areas known as Bryanbrink, Danielbrink and Kensington B. The area is bounded on the east by businesses fronting on to Hendrik Verwoerd, on the south by Burke Street, Milner Road and Brink Street, on the west by Milner Road and Shepherd Avenue, and on the north by Chester Road.

## 3. Aim & Purpose

The Association will be an organised and duly constituted non-political body which, with the aid of financial contributions from residents and businesses within the Area, will aim to improve the quality of life of all legal and law-abiding residents in the following ways:

- 3.1 By providing representation for the residents at local, provincial and national government level so as to ensure a satisfactory level of service to residents
- 3.2 Securing the lives and property of all residents within the Area by way of privately funded pro-active policing systems and good liaison and co-operation with the RCPF and SAPS
- 3.3 Fostering a spirit of co-operation amongst residents
- 3.4 Increasing the value of the property in the area by creating a safe, clean, orderly and aesthetic environment
- 3.5 Protecting the environment in the Area from anything that is destructive or hazardous to health and/or residents' sense of well-being, to include such matters as the overpopulation of premises, traffic volume and conduct, noise, litter and other pollution, illegal occupation and/or the misuse of property, street lighting



#### **4. Membership**

Any person who owns or is legally responsible for a residence in the area is eligible to be a member of the Association. Only fully paid-up members will be entitled to vote at General Meetings.

#### **5. Annual General Meeting**

AGM's and SGM's (General Meetings) will be convened upon written notice to all members. Two weeks' notice will be given and such notices will contain an agenda. At any such meeting any matter whatsoever may be raised, discussed and decided upon and this constitution may be changed.

The quorum at General Meetings shall be a minimum of fifty percent (50%) of Committee Members.

#### **6. The Committee**

A Committee shall be established consisting of not less than seven and not more than fifteen Members.

The members of the Committee shall be elected annually at the AGM and will be the following: Chairperson, Chairperson's Deputy, and Treasurer—and each will have the tasks assigned to them by the Committee from time to time. At no time will any two of these offices be held by members of the same family.

The property shall elect a Chairperson from their number. That election will take place at the meeting of the Committee next following the AGM.

All property and funds of the Association will vest in the Committee which shall hold such property and funds in trust on behalf of the members of the Association for the time being. The Chairperson, the Treasurer, and one other member of the Committee shall be the signatories of the trust banking account and the Chairperson and Treasurer will each be entitled to appoint alternative signatories from members of the Committee. The Association's bankers will be instructed to act on the signatures of any two signatories.

The Committee shall have the power:

- To prescribe procedures for meetings of the Committee, but the Chairperson shall have a casting vote in addition to a deliberative vote



should there otherwise be a quorum. Three Committee members shall form a quorum.

- Three Committee members may, on giving four business days written notice to the Chairperson—or if not available, to the remainder of the Committee members—demand that a meeting of the Committee be held on a date, at a time, at a venue, and for the purposes specified in such notice.
- To convene General Meetings.
- To co-opt members for special duties (e.g., Street Representatives).
- To appoint sub-committees for special purposes, when the chairperson of such sub-committee shall be a member of the Committee and other members of sub-committees shall be Members of the Association.
- To buy, sell, let or hire, exchange, transfer, receive by way of donation or otherwise moveable or immovable property and to invest the funds in banks registered under the Banks Act, and generally to deal with the property and funds of the Association for the aim and purpose of the Association.

Provided always that all funds raised by the Association, whether by means of subscriptions, sponsorships, solicitations or donations, will be used solely for the purposes of the Association, and in respect of expenditures authorised by the Committee.

The Committee also has the authority to decide upon annual subscription fees and revise the same.

## **7. Meetings of the Committee**

Unless otherwise agreed from time to time by the Committee, the Committee shall meet no less frequently than once every six weeks.



By his or her election to the Committee member agrees to be bound by the Constitution.

Agreed minutes will be taken at each Committee meeting. Any discussions that take place at a Committee meeting that remain unminuted are confidential and will not be disclosed other than to Committee members.

## **8. Meeting of the Association**

Meetings of the Association shall be held no less frequently than once every six months.

The Chairperson of the Association, or in his or her absence, any member elected by the meeting, shall act as chairperson of a General Meeting and shall prescribe the procedure to be followed.

All matters shall be decided by a show of hands unless the chairperson of the meeting decides in his or her absolute discretion that voting should be by ballot.

A member shall have the right to appoint a proxy to attend and vote at meetings. Proxy forms attached to notices of meetings will be the only recognised proxies.

If there would otherwise be an equal vote, the chairperson shall have a casting vote in addition to his or her deliberative vote.

Only one vote per residence will be recognised.

## **9. Miscellaneous**

Any Association-related notices delivered to the residence of a Member of the Association shall be deemed for all purposes to have been received by such Member on the date of delivery.

The accidental omission to serve notice of any meeting to any Member shall not invalidate the proceedings of that meeting.

Every Member of the Association shall be entitled at all reasonable times to inspect all the books of account and other documents of the Association.



Any committee member or member of the committee shall be entitled to be paid for any task performed by the committee if approval is obtained from the Committee before any such services are rendered.