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# CONSTITUTION

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Devtraco Residents Association Community Eighteen Tema (DRACET)



SEPTEMBER 9, 2018  
DRACET  
Devtraco Villas, Comm. 18, Tema

**Devtraco Residents Association Community Eighteen Tema (DRACET)**  
**Constitution adopted at General Meeting of September 09, 2018**

**Article 1. NAME**

The name of the Association shall be known and called DEVTRACO RESIDENTS ASSOCIATION COMMUNITY EIGHTEEN TEMA (DRACET)

**Article 2. AIMS**

- 1) To ensure the security of properties and of persons within the estate;
- 2) To address social and environmental matters through collaborations with municipal authorities and other relevant institutions;
- 3) To forge friendship and unity amongst residents of the estate;
- 4) To observe practices that conduce to and maintain the communal spirit of peace, goodwill, neighborliness and support through educational and other activities such as sports, organized amongst the residents;
- 5) To support activities that would add value to the residents, properties and the estate in general;
- 6) To foster good and businesslike relations with the appointed Estate Management service provider appointed in conjunction with Devtraco.
- 7) To maintain needed relationship with the original developer (Devtraco) of the estate for the benefit of the estate and its residents and properties.

**Article 3. MEMBERSHIP**

- 1) The Association shall comprise residents within the Villas, be they property owners or tenants. Membership shall be compulsory and any changes in residency shall be notified to the secretary within a month of the change and updated on the residents' database.

**Article 4. EXECUTIVE COUNCIL AND OFFICERS**

- 1) The Association shall be governed by the Executive Council, consisting of a minimum of four (4) and a maximum of seven (7) members and shall have the following officers:
  - a) President (or Chairperson)
  - b) Vice-President (or Vice Chairperson)
  - c) Secretary

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d) Welfare Officer

e) Treasurer

f) Co-opted Member

g) Co-opted Member

2) The Executive Council shall in the discharge of its responsibilities hire persons or entities directly or indirectly, permanently or temporally to discharge such duties as required either as employees, agents or contractors as the case might be.

Article 5. **DUTIES OF OFFICERS**

1) **President**

a) Shall be the Chairman at all executive meetings

b) Shall be responsible for the overall management of the Association in consultation with the Executive Council

c) Shall be the Chairperson at meetings of the Association and shall exercise powers associated with the President of an Association

d) Shall act as the main liaison between the Association and other parties such as the "Estate Management Service Provider" or the "Original Estate Developer" (Devtraco).

e) Shall approve expenses and / or disbursements of funds of the Association.

2. **Vice-President**

a) Shall act in the absence of the President and shall carry out any additional assignments given by the President.

b) Shall be responsible for major initiatives that do not fall under the responsibilities of the other Executive members

c) Shall also be responsible for keeping track of implementation decisions at the executive meetings and the period between executive meetings.

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**3. Secretary**

- a) Shall be responsible for the preparations for meetings of the Association, inclusive of bookings and provision of other logistics.
- b) Shall record and disseminate minutes of meetings of the Association to all members, and carry out Public Relational duties for the Association.
- c) Shall ensure the availability of a database of residents which is updated promptly with movements in residency.

**4. Welfare Officer**

- a) Shall keep himself informed of all occasions, activities, celebrations of any kind that involve residents of the Villas, and to which the Association has been formally invited, and represent the Association at such gatherings.
- b) Shall organize the Association to make presentations to celebrants, or to the sick, or to such persons and for such causes as the Association determines qualify for welfare acknowledgment.
- c) Shall assist the secretary as necessary

**5. Treasurer**

- a) Shall receive and deposit monies in approved bank accounts of the Association.
- b) Shall advice on the investment of funds of the Association.
- c) Shall prepare annual and other report on the finances of the Association for presentation at its meetings.

**Article 6: ELECTION OF OFFICERS**

- 1. Officers of the Association shall be elected by a simple majority at a General Meeting of the Association called for that purpose.
- 2. Voting shall be conducted by show of hands, and the officers voted for would be deemed to be officers elected into office by the Association.
- 3. In the event of any of the following happening, there will be elections at a general meeting convened to fill in a vacancy subject to the minimum number of executives required:

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- a) When an executive officer resigns, is transferred, or leaves the estate;
- b) When, by two-thirds majority, a General Meeting of the Association votes out an executive officer on a motion of "No Confidence".
- c) When the elected executive tenure of office ends.

**Article 7: TENURE OF OFFICE**

The executive shall be in office for a term of three (3) years, and thereafter shall be eligible for re-election for another term of three (3) years only.

**Article 8: MEETINGS**

- a) The Executive Council shall decide on their meeting days.
- b) General Meetings of the Association shall be held on the last Sunday of each quarter unless this is waived by a decision of the Executive Council.
- c) Notwithstanding the above, there shall be a minimum of two (2) General Meetings of the Association every year

**Article 9: QUORUM**

- a) For an executive meeting, the president and any three (3) members shall constitute a quorum.
- b) For a general meeting, any sufficient number of adult residents who, in the President's view, can successfully deliberate on matters and take a decision, shall constitute a quorum.

**Article 10: PLACE OF MEETING**

Meetings of the Association shall be held at such place as the President designates for meetings.

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**Article 11: ACCOUNTS**

1. Residents shall pay levies decided on at general meetings.
2. The Association shall open and operate Bank Accounts with accredited Banks.
3. There shall be three (3) signatories to the bank account of which any two (2) shall constitute a mandate. The signatories shall be the President, Treasurer and Secretary.

**Article 12: SUB COMMITTEES**

1. The following Sub Committees shall be established on need basis to further the objectives of the Association:
  - a) Welfare and Security
  - b) Environment
  - c) Others
2. Sub Committees may be permanent or ad hoc and shall be created by the Executive Council when required. Membership of such sub committees shall be drawn from the Association's Membership.

**Article 13: FUNCTIONS OF THE SUB COMMITTEES**

- a) Welfare and Security: To deliberate, recommend report or act with respect to the specific social, security and infrastructure issues of the estate referred to it by the Executive Council.
- b) Environment: To deal with the matters bothering on general environment, cleanliness, sanitation, health, common areas and beautification of the estate as referred to it by the Executive Council.
- c) Others: As established

**Article 14: AUDIT**

The Accounts of the Association shall be audited annually and a report submitted at a general meeting. Auditors shall be appointed at a general meeting.

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**Article 15: MAINTENANCE OF PROPERTY**

1. Residents must consult and make needed submissions to the Estate Management Service Provider for eventual approval before undertaking any constructional, developmental work or placing any structure on the premises. The Estate Management Service Provider on receiving this will conduct the needed consultation with Devtraco and/or the Executive Council as required.
2. Residents shall be held liable for any destruction caused to properties or other common interests in the public spaces in the Estate or to the property of other residents.
3. Residents should keep their environs clean and in a sanitary condition, ensure that vegetation and flowerbeds are kept in shape and attractive; where a tree has overgrown into another resident's premises and causes a nuisance, the aggrieved resident should first complain to the offender for resolution. If a resolution is not found, the estate management service provider should be informed. Final escalation will be to the Executive Council.
4. Burning of rubbish and vegetation is prohibited; any type of waste should be disposed of in a bin bag for collection by the garbage company. Proper dustbins on wheels are to be used as receptacles for solid refuse only and shall be kept well covered at all times. The Estate Management Service Provider shall arrange with a Waste Management Company for dustbins to be emptied once a week (or as necessary) from the Estate. The dustbins shall be placed in front of the front wall of their premises and not on the streets or the common areas.
5. Residents shall not carry out any business or operate a shop on their property; neither is it permissible to place advertisement, notices, posters and bills on the exterior of the property without prior approval of the Estate Management Service Provider.
6. Residents should desist from depositing stones, sand, black soil, etc. on the public spaces of the Estates. Any debris or remnants from approved construction works should be properly disposed.

**Article 16: PAYMENT OF DUES**

1. Residents shall pay a monthly fee as agreed between the Association and the Estate Management Service Provider in exchange for the provision of agreed services to the estate.
2. Payment of fees are compulsory and shall be made promptly.

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3. The Executive Council shall decide what sanctions will be metered out to residents for non-payment or non-prompt payment of fees.
4. Absentee landlords of unoccupied properties shall be responsible for fee payments
5. The Executive Council shall decide the most effective method of collecting fees
6. Where circumstances require the imposition of an additional levy as a special levy to deal with a special condition that has arisen, this shall be decided on at both executive and general meeting for approval.

**Article 17: NUISANCE AVOIDANCE and GENERAL SECURITY**

In the spirit of good neighbourliness, Residents should observe the following:

- a) Avoid any immoral, unlawful or embarrassing conduct that shall be a nuisance or offensive to another resident;
- b) Seek written permission from the Estate Management Service Provider at least one (1) week before a scheduled event (hosting a party or such other function) which should end no longer than 10:00 pm on a weekday or weekend.
- c) Desist from playing loud music, or engaging in loud or unruly behaviour that shall be a nuisance to others. The Estate Management Service Provider shall decide what sanctions to be metered out to residents who violate this provision.
- d) Residents are advised not to honk their vehicles unreasonably and, after 8 pm, not to honk at all except where extremely necessary.
- e) Residents who take their regular pets (e.g. dogs and cats) for a stroll should clean up after the pets.
- f) No domestic animals for consumption should be routinely kept in the estate on the ground that they often carry diseases that may cause unnecessary health problems to humans.
- g) Regular pets like dogs or cats must not be allowed to roam about; any such dogs or cats shall be impounded and disposed of by the Estate Management Service Provider, and any such pet that destroys anything belonging to another resident shall have its owner paying for the damage.



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h) As members of the Residents Association, all residents agree it is compulsory to provide their addresses, names and telephone numbers to the security post of the estate.

i) The Security Post of the estate is authorized to:

- request and document the names and other relevant details of visitors / guests to the Estates;
- confirm with visited residents concerning all visitors, at all times, day or night, before allowing such visitors permission to enter the estate.

j) Visitors departure time to be noted for record purposes upon exit.

k) Security posts to demand the positive confirmation of visited residents in the event of departing visitors exiting the estate with certain items considered unusual.

**Article 18: SPEED LIMITS**

Maximum speed limit within the estates is twenty (20) km per hour. Residents should comply with this directive to ensure safety of pedestrians within the estate. Notices should be posted at vantage points within the estate to this effect and to warn visitors.

**Article 19: DISPUTE SETTLEMENT**

In the event of the violation of this Constitution, an aggrieved party shall notify the Executive Council as soon as possible. A meeting shall be convened for the purpose of resolving the matter.

**Article 20: ADOPTION AND AMMENDMENTS**

1. The adoption of this Constitution shall be made by two-thirds majority at general meeting.

2. Proposed amendments shall be tabled by any member at the previous general meeting of the Association to enable members to be aware of the intentions behind the amendments.

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**Article 21: PUBLICATION**

The publication of this Constitution shall be achieved through

- a) The electronic circulation (email; whatsapp etc) or sharing to members of the Association.
- b) Exhibition of hard copies at the security post for viewing only
- c) Sale of printed and bound copies to the membership at the security post at subsidized price.

**Article 22: SANCTIONS FOR VIOLATIONS**

In the event of the violation of the provisions under this Constitution, the Executive Council shall decide the appropriate sanctions to be metered out to the resident, except for violations already dealt with in other sections.