

# STAR CITY ATV CLUB

BY-LAWS



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## ARTICLE I

### NAME AND LOCATION

Sec. 1 The name of the corporation shall be the STAR CITY ATV CLUB.

Sec. 2 Location: Presque Isle, Maine

## ARTICLE II

### PURPOSES

The purposes of said corporation are to provide for the mutual assistance, enjoyment, entertainment, and improvement for ATV operators, socially and physically, by sponsoring recreational activities and programs for members; to promote good will between ATV operators, landowners, and law enforcement officers and agencies; and generally to sponsor programs and activities for the pleasure and recreation for ATV operators; to purchase, lease, or otherwise acquire, hold, own, use, manage, operate, enjoy, improve, and develop property, both real and personal, and to sell, convey, mortgage, lease or otherwise dispose of the same for the benefit of exempt purpose; but not, however, to operate at a profit or for the benefit of the exempt purpose of any member of said corporation; and in general to have and exercise all of the powers granted this non-profit corporation under the statutes of the State of Maine and not to have or exercise any right, power, or privilege for any purpose for which corporations are not permitted to be formed under the general laws of Maine as provided in Title 13, Chapter 81, of the Revised Statutes of Maine and acts amendatory thereof or additional thereto; and to do all things necessary, suitable and proper for the accomplishment of any of the foregoing purposes.

Notwithstanding anything here to the contrary, the corporation shall exercise only such powers as may promote the social and recreational welfare of the members as are in furtherance of the exempt purposes of organizations set forth in Section 501(c) (3) of the Internal Revenue Code or as hereafter may be amended. No part of the activities of the corporation shall include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office.

This corporation is not organized for profit, and no part of the net earnings, if any, of the corporation shall inure to the benefit of any private member or individual. In the event of liquidation or dissolution of the corporation, whether voluntary or involuntary, no member shall be entitled to any distribution or division of its remaining property or its proceeds, and the balance of all money and other property received by the corporation from any source, after the payment of all debts and obligations of the corporation, shall be used and distributed exclusively for the purposes within those set forth above and within the intent of Section 501(c) (3) of the Internal Revenue Code and its regulations as the same now exist or as hereafter amended.

## ARTICLE III

### SINGLE/FAMILY MEMBERSHIP

Sec. 1 Membership is open to any persons of good character and upon acceptance; they shall be eligible for active membership in this corporation with privileges thereof.

Sec. 2 Membership shall consist of single/family members.

Sec. 3 Family membership is available to all persons who qualify. All members 18 years of age and older are entitled to one vote each. Family members upon reaching their eighteenth birthday will be required to pay dues to retain their membership.

Sec. 4 All applications for membership will be accepted upon receipt of membership dues.

Sec. 5 A board member may resign from the corporation at any time upon written notice to the Secretary.

Sec. 6 All corporate members shall be responsible for the upkeep, protection and cleanliness of the club property.

Sec. 7 If a corporate member, while wearing the insignia of the Corporation or while operating an ATV with the insignia of the corporation attached, shall commit a violation of the State of municipal law or regulation, the board of Directors shall automatically refer said member to the disciplinary committee for investigation.

If a corporate member, while wearing the corporate insignia or while operating an ATV with the corporate insignia attached, is found littering, committing willful acts of destruction to property, trespassing or being obnoxious at a corporate meeting or in the corporate hall, or in public uses alcoholic beverages to the point where he becomes disorderly, obnoxious, violent or if his actions malign, degrade or could reflect on the integrity of the corporation upon complaint to the Board of Directors, he shall be referred to the disciplinary committee for investigation.

Sec. 8 At any club function (i.e.: BBQ's, parades and club rides), all children under the age of 16 (sixteen) shall be under the direct supervision of a parent or guardian. The club takes no liability at club functions.

## ARTICLE IV

### BUSINESS MEMBERSHIP

Sec. 1 Business membership is open to any Business.

Sec. 2 All applications for membership will be accepted upon receipt of membership dues.

## ARTICLE V

### DUES

Sec. 1 The dues for memberships will be set annually at the meeting in February.

Sec. 2 Annual dues shall be paid on or before May 1st.

## ARTICLE VI

### GOVERNMENT

Sec. 1 The government of the Corporation shall be vested in the Board of Directors, consisting of at least 8 corporate members chosen by the members of the Corporation. At the first annual meeting the members shall elect by plurality vote, two directors to serve for two years, and three directors to serve for one year. At all subsequent annual meetings following the first annual meeting, the members shall elect by plurality vote as many directors as shall be necessary to fill vacancies, resulting from expired terms, and each director so elected shall serve for a term of two years. The immediate past president is an honorary board member with voting privileges.

Sec. 2 The President, Vice-President, Secretary, Treasurer and Trail master shall be elected by a majority vote of the membership present at the meeting.

Sec. 3 Vacancies in the Board of Directors shall be filled by a 2/3 vote of the Board of Directors.

Sec. 4 All elected officers shall take office immediately upon election and hold office for one year or until their successor has been elected.

Sec. 5 Any officer or director who misses three consecutive or 70% of the scheduled monthly meetings shall be considered for dismissal from their office.

Sec. 6 Any officer or director may be removed from office by a 2/3 vote of the Board of Directors. Written notice of said proceedings shall be mailed to the officer or director at least 10 days prior to said meeting.

Sec. 7 The Roberts Rules of Order, Revised, shall be used to preside at all meetings of this corporation.

Sec. 8 All issues by Board of Directors, made within the month, will be brought up at the next monthly meeting before the Membership, for vote on the next meeting, by all members in attendance.

## ARTICLE VII

### DUTIES OF OFFICERS

Sec. 1 The President shall preside at all meetings, shall appoint such committees as authorized by the Board of Directors, shall be a member ex officio of all committees and shall carry on those other responsibilities assigned to him by the By-Laws and the Board of Directors. The President shall have the authority to disburse funds under the direction of the Board of Directors, and shall have the power to execute deeds or mortgage deeds, or documents of title by which corporate property will be conveyed or transferred and to incur debts on behalf of the Corporation when authorized by the Board of Directors. The President shall have no voting privileges unless as in the case of a tie.

Sec. 2 The Vice-President, during the absence or temporary incapacity of the President, shall perform the duties and have the powers of the President.

Sec. 3 The Secretary shall keep all of the corporate records, other than financial, including minutes of meetings, lists of committees and their members and discharge all of the usual secretarial functions of the office required by the By-Laws or by the Board of Directors.

Sec. 4 The Treasurer/membership secretary shall keep the accounts of the corporation and have charge of its funds. He/she shall keep all of the corporate funds in a bank approved by the Board of Directors and in the name of the corporation subject to withdrawal by checks signed in such manner as may be approved by the Board of Directors. He/she may disburse the funds of the corporation only with the approval of the Board of Directors. A Treasurer's report shall be prepared for each regular Board meeting and an annual audit shall be prepared for the annual meeting in February of each year, to be reviewed and approved by the Club President. He/she will maintain a roster of all members and receive all applications for membership.

Sec. 5 The Trail master shall be responsible for overseeing and coordinating all trail development and maintenance subject to the approval of the elected Board members. All trail logs and permits from landowners will be turned in to the Trail Master.

Sec. 6 All officers shall have such other powers and duties as may be required by law.

Sec. 7 The President shall appoint Committee members. Subject to approval of the elected Board members

Sec. 8 The president has the right to approve up to \$500.00 purchases, within a 30-day period, without board approval.

## ARTICLE VIII

### MEETINGS

Sec. 1 Annual meetings of this corporation shall be held on or about Feb. 1st of each year, and notice of such meetings shall be mailed to each member at his last known address at least ten (10) days prior to the date of said meeting.

Sec. 2 The Corporation shall hold, unless otherwise voted by the membership, monthly meetings on the 1st Wednesday of each month, excluding December, at a specified location at 6:30 p.m.

Sec. 3 Meetings of the Board of Directors shall be held at such time and place as the Board of Directors may determine, or at the call of the President at all meetings of the Board of Directors. 2/3rds of the Directors and officers, but in no case less than eight members, shall constitute a quorum for the transaction of business. On voting issues, one more than half present to pass the issue being voted on.

## ARTICLE IX

### COMMITTEES

Sec. 1 Chairpersons shall be responsible to the following committees:

Special Events Committee

Refreshment/Social Committee

Building Committee

Clean-up and Custodial Committee

Public Relations Committee

Disciplinary Committee

Membership Committee

Laws and Regulations Committee

Trails Maintenance Committee

Parade Committee

Fundraising Committee

DUTIES OF THE COMMITTEES ARE:

Sec. 1 The Special Events Committee shall be responsible for the production of all events and shall take care of all the incidentals that are necessary for the production of an event.

Sec. 2 The Refreshment/Social Committee shall be responsible for refreshments at regular meetings and the sale of refreshments at all public and private functions of the Corporation. The committee shall be responsible for all BBQ's. The committee shall produce and supervise the productions of all social events.

Sec. 3 The Building Committee shall make all arrangements for a place to hold club meetings, checking facilities seating, menus, decorations, etc.

Sec. 4 The Clean-up and Custodial Committee shall be responsible for keeping the place of meeting, and all corporate property clean and in order.

Sec. 5 The Public Relations Committee shall concern itself with the material and media by which the public shall receive a true knowledge of the corporation objects and ideals and the programs of achievements of the corporation.

Sec. 6 The Disciplinary Committee shall be five in number, they shall have the duty of investigating complaints against members and making a report to the Board of Directors.

Sec. 7 The Laws and Regulations Committee shall consider all proposed amendments to the corporation By-Laws and shall submit its recommendations on these to the Board of Directors before this corporation takes action. The Committee shall also cooperate with the Board of Directors in interpreting the spirit of the corporation's By-Laws and in securing the proper observance of all obligations, standards, and practices, including the adjustment of any grievances.

Sec. 8 The Trails Maintenance Committee, under the direction of the Trail master, shall be responsible for opening new trails and also for the upkeep and improvement of all existing trails, with approval from the Board of Directors.

Sec. 9 The Parade Committee shall be responsible for gathering and organizing members to promote the existence of the club and to promote safety and awareness by participating in parades.

Sec. 10 The fundraising committee shall be responsible for raising funds through organized fundraisers, approved by the Board of Directors.

Sec. 12 The nominating committee shall consist of three members appointed by the President. The committee shall be responsible in acquiring names of members to be placed on a ballot and the committee shall be responsible in notifying all members of the names of candidates for the annual elections. (Repealed 08/06/14)



## ARTICLE X

### PROPERTY

Sec. 1 Special use of the corporate property shall be in accordance with the organization's exempt purpose.

## ARTICLE XI

### ELECTIONS

Sec. 1 Not less than thirty (30) days prior to the annual election, the President shall appoint, with the approval of the Board of Directors, a nominating committee of not less than three (3) members. ( Repealed 08/06/14 )

Sec. 2 The nominating committee shall, not less than ten (10) days prior to the annual election, notify the members in writing, of the names of candidates for election. ( Repealed 08/06/14 )

Sec. 3 No member of the nominating committee shall be eligible for any office by action of the nominating committee. ( Repealed 08/06/14 )

Sec. 4 Additional names may be placed in nomination at any time from the floor prior to balloting for each office.

Sec. 5 Voting shall be by individual secret ballot and no person shall cast more than one ballot. Proxies will not be recognized.

Sec. 6 In order to be either an officer or member of the Board of Directors of the Star City ATV club, Inc. a family member must have a currently registered ATV and be reasonably active as an ATV member.

Sec. 7 These By-Laws may be amended, altered or repealed, by a 2/3 vote of the membership present at any regular or special meeting, providing that notification was made and posted at least thirty (30) days prior to the date of such meeting.

Sec. 8 All Past presidents shall serve as members of the Advisory Board. The immediate past president shall serve as the chairman, the Advisory Board shall have as one of its main responsibilities the task of advising new officers of their duties.

## ARTICLE XII

### AMENDMENTS

Sec. I These By-Laws may be amended, altered or repealed, by a 2/3 vote of the membership present at any regular or special meeting, providing that notification was made and posted at least (30) days prior to the date of such meeting.

Article IX Sec 1, # 12 Repealed ( 08 / 06 / 2014 )

Article XI Sections 1,2,3, Repealed ( 08 / 06 / 2014 )