

# **CONSTITUTION AND BY-LAWS**

## **YORK COUNTY AMATEUR RADIO CLUB**

### **Constitution**

#### **Preamble and Purpose**

The organization which calls itself the York County Amateur Radio Club (YCARC), banding together to enhance the benefits and pleasures of amateur radio, constitute ourselves and enact these Articles and By-Laws as our governing law. It shall be our purpose to further the exchange of amateur radio information and cooperation between club members and the community, to promote amateur radio knowledge, individual operating efficiency, friendship, and to grow the Amateur Radio Service as defined in FCC 47 CFR §97. We will strive to conduct programs and activities that will advance the general interest and welfare of amateur radio, and to encourage and assist non-licensed members in obtaining their FCC amateur radio license. All references to "The Club" within this document will be defined to mean the York County Amateur Radio Club as defined by the Articles and By-Laws which follow.

#### **Article I. Membership**

Membership shall be open to any person who supports the purpose of The Club.

#### **Article II. Leadership**

Section 1. Only active members of The Club are eligible to be an officer in The Club. The officers of The Club shall be filled through a nomination and vote by the active members. Nominations will be made in the month of December. Elections will take place in January. If there are no nominations, an active member may nominate his/herself and/or volunteer for an officer position. An officer will be confirmed if he/she receives a majority vote of the active members present at the January regularly scheduled meeting. Officers running unopposed can be declared winners by acclamation if there are no objections by a majority of active members present at a regularly scheduled meeting.

Section 2. The officers of The Club shall be President, Vice-President, Secretary, and Treasurer. If there is no Treasurer, there will be an Account Custodian as defined in Article III.

Section 3. The officers will be elected on a staggered basis in the month of January. Elections for the President and the Secretary shall be held on odd calendar years, and elections for the Vice-President and Treasurer shall be held on even calendar years. To provide for a smooth transition, the officers will be elected in the year that these Articles and By-Laws are first adopted by The Club's membership. The initial set of officers will serve either for a one or two-year term until their offices are up for re-election per the schedule outlined in this section. Any officer position vacated before its regular term shall be filled as soon as possible in accordance with Section 1 of this Article and will hold the office for the remainder of the term for that office as specified in this section.

Section 4. In the event that officer positions cannot be filled, The Club can operate for no more than a period of three months with an alternative leadership structure so long as there are two different active members serving as signatories on The Club banking account. In such cases, it is possible that there could be two Account Custodians as described in Article III. The active membership shall decide the temporary alternative leadership structure it wishes to employ. If after three months of using an alternative leadership structure permanent officer positions are not filled, The Club must consider dissolution or merger as delineated in Article VI.

Section 5. A club call sign Trustee is not an officer in The Club, but is required by the Federal Communications Commission (FCC) if The Club wants a club call sign. The club call sign Trustee will ensure that use of The Club call sign and its applicability and validity are in accordance with FCC rules and regulations. The Trustee will be an FCC licensed amateur radio operator and an active member of The Club. Should the Trustee decide to step down, any FCC licensed amateur radio operator and active member of The Club may volunteer to be the Trustee. Should there be no volunteer, The President will take the appropriate measures according to FCC regulations to be the Trustee if The Club wishes to continue having a club call sign.

### Article III. **Officer Duties**

**President:** The President shall conduct and lead the Club's membership in accordance with these Articles and By-Laws, decide all questions of order, set the agenda for monthly club membership meetings, and perform other duties customary to the office of President, such as determining times and frequencies for Club radio nets, creating committees, and

seeking volunteers for special activities. The President shall define the duties of such committees and volunteers as is necessary. The President will conduct and preside over elections. The President will be named on The Club's checking account, will ensure the checking account is with a local and reputable banking institution, and provide the necessary documentation necessary for the banking institution to maintain the Club's checking account. Upon leaving office, the President will assist their successor in any transition of the Club's checking account documentation as is necessary for meeting the banking institution's requirements. The President will seek membership approval for all expenditures of the Club's funds; a simple majority of active members present at a regularly scheduled meeting favoring a proposed expenditure meets the definition of membership approval.

**Vice-President:** The Vice-President will assume the duties of the President in the absence of the President. The Vice-President shall also perform tasks assigned by the President within the framework of these Articles and By-Laws.

**Treasurer:** The Treasurer will be named on The Club's checking account, and the Treasurer's address will be used on this account. The Treasurer will keep an accurate account of all monies received by The Club and all monies spent by The Club in accordance with accepted accounting practices, such as the date when money is received and from whom, and when money is spent and for what purpose. Receipts for payment will be provided to members paying their dues if the member so requests. Other income, such as donations, will also be accounted for, and donors, if not anonymous, also will be provided receipts if they so request. The Treasurer will only use Club funds for approved expenditures as specified in the President's duties and will in all cases receive receipts for such expenditures. The Treasurer will report The Club's checking account balance, income, and expenditures at the regularly scheduled meetings. The Treasurer's records will be maintained for a period of seven years unless otherwise necessary. Upon leaving office, the Treasurer shall turn over all Club financial records and account access information in their possession to their successor and assist in any transition as is necessary.

**Secretary:** The Secretary shall maintain the records of the Club, keep minutes of the regularly scheduled membership meetings, and ensure that the minutes are available to the Club's active members. Prior to the publication of the meeting minutes, the Secretary will have whomever presided over the membership meeting (usually The President) proofread

the minutes for any errors or omissions and will make any corrections as necessary. The Secretary will maintain an accurate record of the active Club membership, and will take measures to ensure the accuracy of this record, such as working with the Treasurer in order to determine which members have paid their dues, or having sign-in sheets to determine membership participation at club activities. All secretarial records will be maintained for a period of seven years unless otherwise necessary. Upon leaving office, the Secretary shall turn over all Club records in their possession to their successor and assist in any transition as necessary.

**Account Custodian:** If there is no Treasurer, The Club shall vote in an Account Custodian on an interim basis in order to maintain The Club checking account with the President. The Account Custodian will have none of the other duties associated with the Treasurer's duties except to turn over all Club financial records to his/her successor and to assist them in such a transition. When there is an Account Custodian, the President will take over the remainder of the duties of the Treasurer.

#### Article IV. **Bank Account**

The Club will maintain a bank account if it has any cash assets. Both the President and the Treasurer, (or Account Custodian), will be signatories on the account. If The Club decides to eliminate cash assets, a majority vote of a quorum of active members present at a regularly scheduled meeting will determine the disposition of the cash. If The Club decides to have no cash assets, the office of Treasurer, (or Account Custodian), will not be necessary, and the President's responsibilities related to the bank account are not applicable.

#### Article V. **Meetings – Quorum**

Regularly scheduled monthly in-person club meetings will be held at a time and place agreed to by a majority vote of a quorum of active members. Such meetings will be open to active members and guests. The Club will have no less than nine regularly scheduled meetings per year.

Robert's Rules of Order shall govern in-person proceedings.

The President will set the agenda for regularly scheduled meetings and will ensure that the agenda is available to the active membership.

For purposes of these Articles and By-Laws, at in-person meetings, a minimum of 25% of the active membership being present constitutes a quorum.

#### **Article VI. Dissolution - Merger**

The Club can be dissolved, or merged with another organization, if a majority of 75% of the active members so vote. Voting for dissolution or merger may be done at a regularly scheduled meeting, or, if 75% of the active members are not present, the President will determine an alternative way of voting for the proposal, such as having the Secretary call and poll individual members, or mailing ballots to active members that must be returned by a specified date. Ballots not returned by the specified date will be deemed a vote in favor of dissolution or merger.

Dissolution because these Articles and By-Laws cannot be fulfilled will be done administratively by the President, or by the alternative leadership structure, at a regularly scheduled meeting.

Dissolution/merger proposals/requisites will also delineate the disposition of all Club assets.

### **BY-LAWS**

#### **Section 1 – Constitution and By-Laws**

The Secretary will have available for view these Articles and By-Laws at all regularly scheduled meetings. If The Club has a website, these Articles and By-Laws shall be published there.

These Articles and/or Bylaws may be amended by a majority vote of a quorum of the active members present at a regularly scheduled meeting. Proposals for amendments shall be submitted in writing to the President at a regularly scheduled meeting and shall be voted on at the next regularly scheduled meeting.

When these Articles and/or By-Laws are amended, the Secretary will note on the Articles and By-Laws document the date the amendments were made and to which Articles/Sections were amended. Previous versions of the Articles and By-Laws will be kept in perpetuity by the Secretary for historical and comparison purposes.

## Section 2 - **Membership**

Membership shall be issued to an individual following the completion of The Club's membership application and payment of dues, if applicable, and after receiving a simple majority vote of active members present at a regularly scheduled meeting. No secret ballots shall be cast. Applicants who have received their FCC amateur radio license less than a year prior to their application to The Club are exempt from paying dues for their first year of membership in The Club.

Information requested on The Club new membership application form will be determined by a majority vote of the active members present at a regularly scheduled meeting. Those under age 18 that desire membership in The Club must have their parent(s) or guardian(s) permission and are exempt from paying dues until age 19. New applicants will attest to their willingness to abide by these Articles and By-Laws.

A member may only be removed from The Club for actions contrary to the purpose of the Club by a majority vote of a quorum of the active members present at a regularly scheduled meeting. The President will be notified when a member is being considered for removal and what specific violation of The Club's purpose is alleged. Prior to a vote for removal, the member being considered for removal from The Club will be notified by the President of why he/she is being considered for removal, and will be given an opportunity at a regularly scheduled meeting to explain any circumstances for why they should not be removed.

For the purposes of these Articles and By-Laws, an active member is defined as a member whose dues have been paid. If The Club decides that dues are not necessary, an active member is defined as a Club member who has participated in at least four Club activities over the previous 12 months. Club activities include, but are not limited to Club meetings and/or planned Club activities such as on-the-air activities using The Club call sign.

Renewing Club members need only to pay their dues, if applicable, to the Treasurer, and to notify the Secretary if there is any change in their contact information.

## Section 3 – **DUES**

The amount of annual dues, if any, will be determined at the December regularly scheduled meeting by a majority vote of a quorum of the active members present. Dues are payable in January. Members joining The Club and paying their dues in the last quarter of the calendar year will be deemed paid through the next calendar year. A member's dues will be considered in arrears if they are not paid by March 1<sup>st</sup>. If in arrears, the member is deemed inactive and not eligible to vote or hold office, and will be removed from any active membership notifications and Club responsibilities. Once in arrears, if the individual wishes to rejoin The Club, he/she must re-apply for membership as if he/she were a new applicant as specified in Section 2 of these By-Laws.

A majority vote of active members present at a regularly scheduled meeting can decide to waive part or all of any active Club member's dues for any reason. A motion for waiver of dues can be made by any active member.

#### **Section 4 – Ratification**

We, the members of the YCARC, ratify these Articles and By-Laws on November 3, 2024 in accordance with The Club's By-Laws adopted on November 10, 2016 and revised on November 6, 2022 and October 6, 2024. These Articles and By-Laws now supersede all previous YCARC Constitutions, Articles and/or By-Laws.