

North Brevard Amateur Radio Club

BY-LAWS

ARTICLE I. NAME

As stated in the Articles of incorporation, the name of this organization shall be **NORTH BREVARD AMATEUR RADIO CLUB INC.** Hereinafter referred to as the “**Club**” or “**NBARC.**”

ARTICLE II. MEMBERSHIP

Section 1: Membership in the Club shall be open to all persons interested in promoting Amateur Radio.

- (a) There shall be no restrictions as to race, creed, color or gender.
- (b) Membership shall be by an application and election upon such terms the club shall provide in its By- Laws.

Section 2: Classes of Membership and Dues Schedule:

- (a) There shall be five (5) classes of membership:
 - (1) Full Member – Any FCC licensed radio amateur 18 years of age or older.
 - (2) Junior Member – Any FCC licensed radio amateur under 18 years of age.
 - (3) Family Member – Any member of a family of a Full Member, residing at the same address as the Full Member.
 - (4) Snow Bird Member – Any person residing outside of the State of Florida.
 - (5) Associate Member – Any person who is not a FCC licensed radio amateur. Includes all club privileges except for the right to hold office and vote for club officers.
- (b) The amount of dues shall be set by the Board of Directors and shall take effect when confirmed by a majority of voting members present at a regular meeting. Prior to said meeting, the Board shall cause a notice of such dues vote to be sent to each member of record at least one week in advance of said meeting.
- (c) Dues shall be due and payable on January first of each calendar year. Said dues shall be for membership for the calendar year. Initial dues for first-time members joining the Club after June Thirtieth in any calendar year shall be one-half of the annual dues of the membership class for such first-time member. The fiscal Year shall begin on January 1st and end on December 31st
- (d) Honorary life membership - The Members may nominate a person to Honorary life Membership for outstanding service to the NBARC or the community, no matter where the nominee may reside. The final decision shall be made by a two-thirds majority vote of the NBARC membership. An Honorary Life Member shall have all Club privileges held before appointment and shall pay no dues.

Section 3: A “member in good standing” is one whose dues are paid and who abides by the bylaws of the Club. A member whose dues are in arrears two (2) months or more, will be considered inactive and dropped from the membership roll. In order to be reinstated to membership, an inactive member must pay the full annual dues.

Section 4: A “voting member” is any member in good standing who holds a valid amateur radio operator’s license and whose dues have been paid up to date.

Section 5: Any member may be expelled from NBARC for misconduct by a vote of two-thirds of the members present at a meeting. Any such motion must be reviewed by the Board of Directors before being posted. A notice that there is a motion to expel a member must be included in the notice of any meeting at which such action is to be consider.

Misconduct is defined as any willing and repeated infraction of the rules and regulations of the FCC, any other laws pertaining to amateur service, convicted Felons or public misconduct so as to reflect unfavorably upon NBARC or its members.

ARTICLE III. MEETINGS

Section 1: Meetings. Regular meetings shall normally be held each calendar month. Special meetings may be called by the President upon the request of any five club members. Notices shall be sent to members concerning special meetings and the business to be transacted. Only such business as designated shall be transacted. Such notices shall be sent by first by first class mail or sent by electronic transmission (e-mail) so that they arrive not less than 24 hours before the meeting.

Section 2: Meeting Dates. The regular meeting of the Club shall be held on the 2nd Thursday of each month.

Section 3: Right to Vote. Each voting member (as defined in Article II) shall be eligible to vote and to cast

one ballot in person or by written proxy appointed in writing by the member. Such Proxy shall be filed with the Secretary before or at the time of the next meeting.

Section 4: Voting Procedure. Voting shall be by printed ballot unless otherwise determined by the President or presiding officer at the meeting. Printed ballots shall be distributed to voting members after validation of their membership by the membership chairperson.

Section 5: Quorum. At any meeting, as defined in Section 1, Five (5) members shall constitute a quorum.

Section 6: Voting. A Majority those present.

Note: Although not part of these By-Laws, the NBARC mission statement appears at the end of this document.

ARTICLE IV. BOARD OF DIRECTORS

Section 1: As provided in the articles of incorporation, all business and affairs of the Club shall be under the direction and control of the Board of Directors, herein referred to as the "Board." Duties of the individual directors shall include responsibility for serving as committee chairpersons and performing such other administrative and/or technical functions as may be agreed between them and the President.

Section 2: All members of the Board shall be members of the Club in good standing and shall hold a valid Amateur Radio operator's license issued by the Federal Communications Commission.

Section 3: The Board shall consist of Five (5) members, of whom Four (4) shall be the Officers specified in Article V and One (1) Director-at-large. The Directors-at-large shall be, with his concurrence, the immediate past president of the Club, unless he shall be a current Officer. If for any reason the past president is unable to serve on the Board of Directors, an elected member shall take his/her place.

Section 4: Term of Office. Each Officer and Director-at-large shall hold office for a period of one year, and until resigned, re-elected or replaced by a successor.

Section 5: Quorum. Three (3) members of the Board shall constitute a quorum.

Section 6: Vacancies. A vacancy on the Board shall be filled by appointment by the Board of a qualified individual for the unexpired term involved.

Section 7: Action Taken Between Board Meetings. In case an action required or permitted to be taken by the Board must be taken by the Board between meetings, such action shall be by consent of all of the Board Members, individually or collectively, by electronic transmission (e-mail) in writing, to such action. Such written consent or consents shall be filed in the minute book of the Board. For purposes of this section.

Section 8: Standing Rules Adopted by Board. The Board may prescribe by adoption of standing rules, not in conflict with the law or these By-laws, any procedures necessary for carrying out the Board's responsibilities. For example, the Board may adopt a standing rule prescribing the conduct of a meeting by conference communications equipment, as long as all Board members participating in such a meeting can hear one another. Participation in such a meeting, pursuant to all other By-laws requirements for Board meetings, shall constitute presence in person at such meeting.

ARTICLE V. OFFICERS

Section 1: Officers

President.

The President shall preside at all meetings of the Club, shall be chairman of the Board, and shall be an ex officio member of all of the committees, except the nominating committee(s).

Vice President.

The Vice President shall preside at all meetings in the absence of the President and shall assume the President's duties during the President's absence. He or she shall perform such other duties that the President or Board may request in a manner which does not conflict with duties of other Officers.

Secretary.

The Secretary shall keep a record of the proceedings of all meetings, maintain a roster of members, carry on all necessary Club correspondence and mail written notices to members announcing special meetings of the Club. He or she shall be responsible for the safekeeping of the official copies of the By-laws, which shall be available for inspection by members, upon request, at reasonable times. He or she shall compile, update yearly and publish a list of standing rules which shall have been adopted by the Board.

Treasurer.

The Treasurer shall be specifically responsible for all monies of the Club. He or she shall pay all bills approved by the President or Vice President in the President's absence, and in accordance with the Board's policy for reimbursement of expenses reasonably incurred in the course of Club business, collect all monies, handle banking, and keep adequate financial records of all such transactions and of other types of records which reflect the net worth and financial position of the Club. He or she shall retain a copy of the inventory of Club property, and retain a current estimate of the value of such property, prepare budgets for the Board's approval, and keep the Board currently informed concerning expenditures in relation to budgeted items. The Treasurer shall be responsible for the correct and timely performance of any accounting services secured by the Club pursuant to Board action.

ARTICLE VI. ELECTIONS

Section 1: Officers and Directors shall be elected by a majority of votes duly cast by the voting members at the annual meeting of the Club, held in November of each year or, if a quorum is not present, then at the next regular or special meeting called for the purpose., notice of any such meeting having been mailed to each voting member in advance of the meeting.

Section 2: A nominating committee appointed by the President with concurrence of the Board, shall meet prior to the election to consider and submit the names of qualified candidates for nomination as officers and directors, at the October Club meeting next preceding the election and to all voting members in writing in advance of the election. Additional nominations may be made from the floor prior to the election.

Section 3: A newly elected Officer or Directors shall take office, on January first of the term for which elected, unless appointed to fill a vacancy, in which case he or she shall take office immediately upon his or her appointment.

Section 4: Removal or Resignation. Any Officer or Director may be removed from office by an affirmative vote of two-thirds of the voting members present at a regular meeting. Any Officer or Director may resign by written notice to the Board mailed to the usual address of the Club. Such resignation is effective upon receipt by the Club at its usual address. Acceptance of such notice is not necessary to make it effective.

ARTICLE VII. STANDING COMMITTEES

The following committees shall be Standing Committees of the Club and shall report directly to the Board:

A Ways of Means Committee for financing special projects as approved by the Board;

A Emergency operations Committee. The standing Emergency Operations Committee shall establish a plan to operate the club station on any frequency band required and under emergency power when requested in an emergency. This plan shall include a roster of qualified operators, a call out procedure, operator scheduling, traffic handling procedures, and reporting requirements. The committee shall define training requirements to the Education Coordinator who shall establish classes as necessary and define operator certification/qualification criteria.

A Property Management Committee which shall be responsible for the storage, maintenance, and accounting of all Club property and equipment, maintaining a current inventory of Club equipment, including its location and operational status and recommending to the Board the acquisition, repair, replacement or disposal of said property and equipment;

A Program Committee which is responsible for planning, organizing and implementing a balanced calendar of speakers, demonstrations, entertainment, and other activities for regular monthly and special meetings, so as to cater to the interests and needs of the general membership. They may call upon any member to assist them in their various projects.

A Finance Committee for preparing the Club's budget, advising the Board on financial matters and assisting the Treasurer.

Special Committees necessary to conduct the affairs of the Club, as from time to time the President shall propose and the Board shall agree. The Board shall from time to time review each such committee and determine if it still serves its intended purpose. If the Board shall determine a special committee is no longer necessary to the conduct of Club affairs, such committee shall be dissolved. The charter of each Special Committee shall be published as part of the Club's Standing Rules.

ARTICLE VIII. APPOINTMENTS

Except as to the above-named Officers who are members of an Executive Committee, the President may, with the concurrence of the Board, appoint committee chairpersons, committee members, and such other appointive officers as may be deemed advisable, with such responsibilities and terms as may be determined. Such appointments may, but need not be, limited to members of the Board, so long as at least two Board members are appointed to such committee and unless otherwise specified by these By-laws.

ARTICLE IX. TRUSTEES

Section 1: The Board shall appoint such a Trustee or Trustees as shall be necessary to conduct negotiations with the Federal Communications Commission (FCC) on any and all matters pertaining to the issuance and maintenance of Amateur Radio Station licenses issued to the Club. The Trustee(s) shall be responsible for the Club's compliance with the rules and regulations prescribed by the Federal Communications Commission relative to the operation of the Club's radio station(s) and equipment, and shall have sole authority over the use of said equipment where FCC regulations pertain. He or she shall act as the Club's liaison with the ARRL and coordinating councils concerning Amateur Radio frequency spectrum allocation and use. All actions of the Trustee(s) shall be under the direction and control of the Board.

Section 2: A Trustee shall hold office until the expiration date of the Club station license for which he or she is responsible, or until he or she is no longer willing or able to serve and a successor is appointed.

ARTICLE X. DISBURSEMENT AUTHORIZATION

Checks drawn on any checking account of the Club and any withdrawal orders on any savings account of the Club shall bear the signature of the Treasurer and of the President or Executive Vice President. In the absence of the Treasurer, the signatures of the President and the Executive Vice President shall be required. In the absence of the Treasurer and the President, the Treasurer and the Executive Vice President, or the President and the Executive Vice President, the signature of the Secretary shall be required as a substitute for the absent Treasurer, President or Executive Vice President. All expenditures shall be accounted for by check with the exception of Petty Cash, which shall be accounted for by voucher for all expenditures.

ARTICLE XI. RULES OF ORDER

Roberts Rules of Order shall be used as a guide for governing proceedings of the Club in all cases to which they apply and in which they are not inconsistent with these By-laws.

ARTICLE XII. AMENDMENTS

These By-laws may be amended at any regular meeting of the Club by a two-thirds majority of the votes duly cast by voting members, notice of the proposed amendment having been submitted in writing at a previous regular meeting and mailed by first class mail and/or sent by electronic transmission (e-mail) to each voting member in advance of the meeting at which it is to be voted upon.

Section 1: NOTIFICATION. The membership shall be notified of proposed by-law changes by mail at least 7 days prior to the meeting at which the vote on the amendment(s) is to be taken. A voting member may request an absentee ballot from the Secretary, which shall be returned to the Secretary prior to the commencement of the meeting at which the vote is to be taken.

Section 2: TIME OF EFFECT. Unless otherwise noted, any amendments to these by-laws shall be effective immediately upon passage.

History: The amended By-laws Article XIV Section 4 (A) was adopted by Action of the voting Members on 12/29/02 ratified by majority of voting members at a special called meeting on December 29, 2002. All Members were present.

History: The amended By-laws Article IV Section 3 was adopted by Action of the voting Members on 05/08/03 ratified by majority of voting members at the regular meeting on May 8, 2003. Majority of the Members were present.

History: The amended By-Laws Article III Section 6 was adopted by Action of the voting Members on 01/08/04 ratified by majority of voting members at the regular meeting on January 8, 2004

History: The amended By-Laws Article II Section 2, c, add d, Section 3, 5, Article III Section 1, 3, Article IV Section 3, 7, Article VII, Article XII section 1, Article XIV (A), add Article XV, add Article XVI was adopted by Action of the voting Members on 06/12/08 ratified by majority of voting members at the regular meeting on June 12, 2008

ARTICLE XIII. NON-DISCRIMINATION

NBARC shall not discriminate against any person on the basis of race, color, national and ethnic origin, religion, age, sex, or any disability, in the administration of membership policies, scholarship programs, and other corporation-administered programs. Every member regardless of race, color, notional and ethnic origin is entitled to all rights, privileges, programs, and activities generally accorded or made available to members of the club.

ARTICLE XIV. CLUB SERVICES

The club shall provide the following services in support of its charitable, educational, and scientific purposes.

Section 1: EDUCATION

(A) **CLUB PUBLICATION.** The club may sponsor an official monthly newsletter. The editor shall be responsible for the proper write-up and distribution of the club newspaper. The club newspaper may be transmitted by electronic transmission (e-mail) and/or by first class mail.

(B) **TRAINING CLASSES.** The club shall conduct, sponsor, and promote classes in preparation for amateur radio examinations; including but not limited to Morse code training, electronics theory, communications law, current operating practices and techniques and any other subjects which may advance the amateur radio service. Each student successfully completing a club-sponsored class may be presented a certificate of completion. The Board of Trustees shall appoint an Education Coordinator to establish and develop a curriculum for the teaching of various amateur radio classes.

(C) **EXAMINATIONS.** The club shall conduct, sponsor, and promote voluntary examination sessions for prospective amateur radio operators, under the auspices and guidance of the American Radio Relay League accredited examiner program. Sessions shall be publicized and shall be available to the general public. The club shall develop and maintain a cadre of accredited Volunteer Examiners to conduct amateur radio license examinations.

Section 2: TRAINING SUPPORT FACILITIES

(A) **LIBRARY.** The club shall maintain a library of radio, electronics, and computer-related technical journals and publications to meet the educational and research needs of the members and the public.

(B) **CLASS ROOM SPACE.** The club shall maintain an area for meetings and classes of the club.

Section 3: COMMUNICATION FACILITIES

(A) **LICENSE OPERATING STATIONS.** The club shall maintain a current, valid amateur radio license as issued by the Federal Communications Commission. In addition the club may operate repeater systems to support local emergency and general communications.

(B) **EMERGENCY AND PORTABLE OPERATING EQUIPMENT.** The club shall maintain portable power equipment, antennas and transceivers as necessary for emergency communications.

Section 3: RECOGNITION PROGRAM.

The club shall maintain an active awards program to recognize selected members. Specific awards and criteria shall be detailed in the standing rules.

Section 4: PUBLIC SERVICE ACTIVITIES.

(A) **AMATEUR RADIO EMERGENCY SERVICES (ARES).** The club shall actively support the Brevard County ARES and Brevard County Department of Emergency Services. A strong endorsement and recommendation shall be given members to join ARES.

(B) **RADIO AMATEUR CIVIL EMERGENCY SERVICE (RACES).** In the time of a governmental declaration of emergency, the club shall support RACES with the use of club facilities and member support.

(C) **CONVENTIONS.** The club may sponsor conventions, trade shows, educational seminars and other gatherings to provide a means of demonstrating and discussing advances in amateur radio communications techniques and computer technology, and to provide a focal point for technical training. The public shall be invited to attend and participate in these activities.

(D) **PUBLIC SERVICE PROJECTS.** Upon request, the club shall support local public service events as requested by charities, governmental agencies and other public agencies.

Article XV NBARC PROPERTY

Any item purchased with NBARC funds becomes the sole property of the NBARC. Any items donated to the NBARC become sole property of the NBARC

ARTICLE XVI – DISSOLUTION

In the event of a unanimous vote of the Board of Directors to dissolve the NBARC, Inc; all remaining assets after satisfaction of all obligations of the corporation shall be distributed to the current members who have donated specific equipment or funds to the NBARC.

NBARC Mission Statement

December 18, 2002

NBARC is a non-profit public benefit corporation organized and operated to promote education for persons interested in communications and to train communicators for public service and emergency communications.

NBARC also encourages and sponsors experiments in electronics and promotes the highest standards of practice and ethics in conduct of communications.

NBARC assures success by having an organization with a focus on its goals, a system of leadership development, prudent financial management and a vision toward and dedication to public service. It supports an organized and comprehensive educational program and publicizes its activities and services to the community.

NBARC supports charities, governmental agencies, agencies such as The Disabled American Veterans, Veterans of Foreign Wars, and many other organizations needing assistance as part of its commitment to public service.

ADOPTED this 29th day of December, 2002 by a majority vote of membership Present.

These By-Laws will become Effective on this 29th day of December, 2002

Emile Montplaisir Secretary/Treasurer
North Brevard Amateur Radio Club “NBARC”