

ALBERT COUNTY TRAIL BLAZERS INC.
ATV CLUB CONSTITUTION

Articles and By-Laws

Issue 2

Date: 6/10/2011

Committee and BOD Recommendations

ARTICLE 1

Name and Purpose

- 1.1 The name of this nonprofit organization shall be the Albert County Trail Blazers Inc. ATV Club.
- 1.2 The purpose of the club is to advance the sport of ATVing, and the positive aspects of ATV use, through the education of its members and the general public.
- 1.3 To encourage club members to always ride respectfully, environmentally conscious, and in accordance with all applicable laws.
- 1.4 To promote a positive image through community service.

ARTICLE 2

Membership & Fees

- 2.1 Membership shall be open to any non-owner or owner of a legally registered and insured All Terrain Vehicle who submits a club membership application and agrees to the listed membership fee(s), club rules, ethics, goals and liability responsibilities.
- 2.2 “Primary Member” shall be the main ATV owner or non-owner, club member of a family.
- 2.3 Associate members must be the ATV owners or non-owners associated to the Primary Member.
- 2.4 “Youth” members must be 15 years or younger.
- 2.5 Members under the age of 16 must be accompanied by their “Primary Member”, or approved guardian member at all club activities and functions.
- 2.6 Annual membership period will be for one full calendar year from January 1 to December 31.
- 2.7 The Board of Directors retains the right to review each application for consideration of approval and rejection (with written and just cause).
- 2.8 The Board of Directors cannot, and will not, discriminate against any applicant on the basis of race, creed, religion, color, age, sexual orientation, disability, veteran status, marital status or national origin.

- 2.9 Membership shall be a privilege and revocable by the Board of Directors under the terms of this constitution. Any member may be suspended or expelled from the club for conduct contrary to the activities, purposes, and goals of the club or for conduct, which impedes the rights of fellow members to enjoy the benefits of the club. Report of the offence must be made in writing and submitted by a club member within 30 days of the incident to the Board of Directors. A copy must be forwarded to the accused member who must then receive a minimum of one week written notice of a hearing before the Board of Directors. The accused member may be suspended or expelled after consultation and consideration of the offense.
- 2.10 Members in good standing will have complete authority to vote at all attended club meetings on any given issue(s).
- 2.11 Members in good standing have the right to run for any position within the Executive and Board of Directors at the time of election(s).
- 2.12 Membership fees shall be determined at the discretion of the Board of Directors and will be effective through the fiscal year running January 1 to December 31.
- 2.13 Portions of the membership fees will be submitted as membership dues to the New Brunswick ATV Federation.

ARTICLE 3

Definitions

- 3.1 Member complaint: A complaint received by a member in good standing and will be dealt with as directed in [ARTICLE 2.9](#).
- 3.2 Non-member complaint: A complaint received by a non-member of ACTB. The time frames in [ARTICLE 2.9](#) cannot be held with a non-member. The complaint will be dealt with as the BOD recommends unless it directly affects the GM.
- 3.3 Member in good standing: A member whose membership fees are paid in full and follows the rules set out by these by-laws.
- 3.4 Primary member: A member who is registered with the NBATV Federation.
- 3.5 Youth member: A member who is considered a youth in accordance with provincial regulation or NBATV Federation.
- 3.6 Associate member: A member who has purchased an associate membership from ACTB and is not a member of the NBATV Federation and follows [ARTICLE 2.3](#).

- 3.7 Executive member: A member who has been elected to the position of President, Vice President, 2nd Vice President, Secretary or Treasurer in accordance with ARTICLE [2.11](#).
- 3.8 BOD member: A member who has been elected to a position on the BOD in accordance with ARTICLE [2.11](#).

ARTICLE 4

Meetings:

- 4.1 General meetings will be held for all members on a minimum monthly basis unless otherwise directed by the BOD.
- 4.2 A minimum of one week's notice must be given for any meeting in which an election is to be held.
- 4.3 The Board of Directors will meet on a minimum monthly basis unless otherwise directed by the BOD.
- 4.4 A representative of any committee may be required to attend the Board of Director meetings.
- 4.5 Meetings will be conducted in an orderly fashion with attending members able to open a discussion on any given topic.
- 4.6 Any and all issues can be voted into policy by the general membership providing the presence of two members of the Board of Directors, one of whom must be the President, or Vice-President, or Second Vice President, and a quorum are present.
- 4.7 A quorum for a general membership meeting will consist of a minimum of 15 voting members.
- 4.8 A quorum for a Board of Director meeting will consist of a majority of the Board of Director members as listed in ARTICLE [5.1](#).
- 4.9 Any issues discussed can be tabled until which time the requirements for a vote as listed in ARTICLE [4.6](#) is established.

ARTICLE 5

The Board of Directors:

- 5.1 The Board of Directors will consist of the Executive Committee made up of one of each of President, Vice-President, Second Vice President, Treasurer, Secretary, and a minimum of six to a maximum of fifteen voted directors.
- 5.2 The Board of Directors shall conduct official business, on behalf of the club, consistent with club policies, ethics, and rules.
- 5.3 The Board of Directors shall report to the general membership regularly as listed in ARTICLE [4.1](#).
- 5.4 The Board of Directors shall establish, and solicit a Chairperson and members for any committee(s) as they deem necessary for the operations and functions of the club.
- 5.5 Membership with the Board of Directors is for a one-year term only.
- 5.6 The President, Vice-President, Secretary and Treasurer shall be elected for terms of two (2) years each at the Annual General Meeting. The President and the Second-Vice President and the Secretary shall be elected at Annual General Meetings held in even numbered years, and the Vice-President and the Treasurer shall be elected at Annual General Meetings held in odd numbered years. There shall be no limit to the number of successive two (2) year terms for which a person shall be eligible to stand subject to the requirements in ARTICLE [5.7](#) for election to an executive position.
- 5.7 No member of the Executive may hold any one position for more than two consecutive terms unless open nominations for eligible candidates for the position are unsuccessful.
- 5.8 Membership of the Board of Directors will be limited to members 18 years of age and older.
- 5.9 Any member in good standing shall be eligible to become a member of the Board of Directors.
- 5.10 Election of the Board of Director members must be held on a regular scheduled, annual basis.
- 5.11 In case of resignation, dismissal, or termination of any Board of Director member, an election of a replacement must take place at the next general meeting that appropriate conditions exist as stated in ARTICLE [4.2](#) is established.

ARTICLE 6

Duties of the Members of the Executive:

President

- 6.1 The President shall have the primary responsibility for all legal and financial affairs of the club.
- 6.2 The President shall call and attend, as well as act as, or designate a chairperson, for all club meetings.
- 6.3 The President shall vote on any issue(s) only in the event to act as a tiebreaker.
- 6.4 The President will be considered an ex officio officer of any committees.
- 6.5 The President shall be the official spokesperson of the club, representing the policies, views and opinions of the club in its relations with the public, all government, and authorities.
- 6.6 The President will have the authority to co-sign, with the Treasurer, any cheques written on club accounts.

Vice-President

- 6.7 The Vice-President shall act as President and retain the powers of President in the case of the absence, inability to act, resignation, or termination of the President.
- 6.8 The Vice-President will have the authority to co-sign, with the Treasurer, any cheques written on club accounts.
- 6.9 The Vice-President shall be responsible to keep up to date on all club affairs.
- 6.10 The Vice-President will assist the President as called upon to do so.

Second Vice-President

- 6.11 The Second-Vice-President shall act as President and retain the powers of President in the case of the absence, inability to act, resignation, or termination of the President and Vice-President.
- 6.12 The Second-Vice-President shall act as Vice President and retain the powers of Vice-President in the case of the inability to act, resignation, or termination of the Vice-President.

- 6.13 The Second-Vice-President shall be responsible to keep up to date on all club affairs.
- 6.14 The Second-Vice-President will assist the President and Vice-President as called upon to do so.
- 6.15 At a meeting where both the President and the Vice-President are absent, the Second Vice President shall chair the meeting.

Secretary

- 6.16 The Secretary shall attend and record all minutes of the Board of Directors and the General Membership meetings. Following the meeting will send the minutes to the President within two weeks.
- 6.17 Shall retain a list of eligible voting members for attendance purposes.
- 6.18 Shall draw up an agenda for all General Membership and Board of Director meetings.
- 6.19 Other than in his capacity as Secretary, shall not act in the name of the ACTB, unless authorized to do so by the Board of Directors.
- 6.20 Is responsible for all Albert County Trail Blazer documents and assets that are related to the functions of the Secretary.

Treasurer

- 6.21 The Treasurer shall be responsible for the expenditures and receivables and maintain accurate records.
- 6.22 The Treasurer shall be the primary signer of any cheques written on club account(s).
- 6.23 The Treasurer shall prepare and provide an up to date, accurate financial statement every meeting and/or when called upon to do so, given reasonable notice.
- 6.24 The Treasurer shall consent to a financial audit not less than annually by persons or a committee appointed by the Board of Directors and agreed to by the general membership body.

ARTICLE 7

Finances and Expenditures:

- 7.1 All monies received from all sources shall be immediately turned over to the Treasurer to be deposited into the account of the Albert County Trail Blazers Inc. ATV Club.
- 7.2 No withdrawal of any funds from the club bank account will exceed \$2000.00 without prior approval of a majority of the general membership body, or the expense is related to an item on an approved budget, until ARTICLE [7.4](#) can be met.
- 7.3 If an expenditure is outside the scope of the approved budget and costs less than \$2000.00 approval may come from the BOD.
- 7.4 If an expenditure is outside the scope of the approved budget and costs more than \$2,000 approval must come from the General Membership.
- 7.5 Budget requests and the justification for the expenses must be submitted to the President by March 31st annually.
- 7.6 Budget – The budget will be presented to the BOD for approval/rejection no later than April's BOD meeting and will be presented for approval/rejection to the GM no later than May's GM meeting for the year. The budget will run from June 1 until May 31 each year.

ARTICLE 8

Amendments:

- 8.1 Any Amendment(s) to this constitution require(s) an affirmative vote of two-thirds of the eligible voting membership, as listed in ARTICLES [4.6](#) & [4.7](#), present at a regular scheduled general meeting.
- 8.2 A minimum of one week's notice must be given to the general membership of any pending constitutional amendment(s).