

UTAH ATV ASSOCIATION BY-LAWS

ARTICLE I: Name of the organization

For the purpose of the by-laws, the name of this organization shall be called UTAH ATV.

ARTICLE II: Mission Statement

The UTAH ATV Association was founded in 1984. Our mission is to preserve public land access for motorized recreation. This is done through volunteer service to the BLM, Forest Service, and Utah State Parks. We participate in trail maintenance, trash cleanup projects as well as assisting with trail hosting at Wasatch Mountain State Park.

We are also involved in political advocacy that affects motorized recreation. We promote off-road recreation as a legitimate form of recreation. We accomplish this by educating our members and the public on laws and regulations regarding off highway vehicles.

We teach the Tread Lightly principles of trail etiquette, and support the Blue Ribbon Coalition. We offer recreational opportunities to our members in the form of monthly trail rides. The Utah ATV Association is a volunteer, non- profit organization. In August of each year we hold our annual Ride for Life, benefiting Make A Wish Utah, a 501[c][3] organization.

Hence forth throughout theses by-laws the UTAH ATV Association will be referred to as the “Club”.

ARTICLE III: Officers/Board Members

Section 1: Officers/Board Members

The officers/Board Members of the Club shall be:

- President
- Vice-President
- Secretary
- Treasurer
- Seven (7) Directors\Board Members

Section 2: Election and Tenure

The officers of the Club shall be elected at the Annual Meeting upon nomination and selection by ballot voted by membership. Each officer shall hold office for one (1) year.

Section 3: Removal

Any officer elected or appointed by the membership may be removed for any reason deemed sufficient by the membership. Removal requires a three-quarter (3/4) vote by the members. Officers subject to removal shall be served written notice of at least fifteen (15) days prior to the next scheduled meeting, at which time he/she may present a case against removal.

Section 4: Vacancies

A vacancy in any office because of death, resignation, removal, or otherwise, may be filled by vote of Club membership for the remaining portion of the term at the meeting following the occurrence of the vacancy.

Section 5: President

The President shall be the principal executive officer of the Club and shall, in general, supervise and control all of the business and affairs of the Club. The President shall preside at all meetings. The President shall be an ex-officio member of all regular and special committees and, in general, perform all duties incident to the office of the President.

Section 6: Vice President

In the absence of the President, or in the event of inability or refusal to act, the Vice President shall perform the duties of the President and when so acting, shall have all powers of, and be subject to all the restrictions upon, the President.

Section 7: Secretary

The Secretary shall attend all meetings of the membership, and shall preserve, in books of the Club, true minutes of the proceedings of all such meetings. The Secretary shall also perform the following:

- Give all notices required by statute, by-laws or resolution
- Keep a correct roll of all members and affiliated organizations with their addresses
- Attend to the proper publication of all reports
- Conduct official correspondence regarding membership
- Attest documents
- Perform all duties incident to the office of the Secretary
- Perform all duties assigned by the President.

Section 8: Treasurer

The Treasurer shall have custody of all Club (Corporation) funds and securities and shall keep, in books belonging to the Club, full and accurate

accounts of all receipts and disbursements. The Treasurer shall also perform the following:

Deposit all money, securities and other valuable effects in the name of the Club in such depositories as may be designated, by the Membership, for that purpose.

Disbursement of Club funds will follow the guidelines set forth in (**Article XI: Section 2**) Club Income and Subsequence Expenditures.

No two (2) members of the same household shall be allowed to be a financial signer on the Club account.

Render to the President and membership, Bi-Annually (May and November) at the monthly meeting, and whenever requested by the President, Vice President or the Board, an account of all transactions as Treasurer and of the financial condition of the Club. The financial disclosures should include the Charitable Funds collected and how they were dispersed.

Section 9: Bond

All officers handling money, specifically the President, Vice-President and Treasurer, shall be required to be bonded for the faithful discharge of their duties in such sum and with such surety as the membership may determine. The Club shall pay for the expense of such bonds.

Section 10: Board Member

A Board member is a member in good standing with the Club that has been elected to serve by the members of the Club. Each member of the Board shall serve a term of twelve (12) months, from January 1 to December 31st of the year they are elected to serve.

Board members are considered the voting body of the Club. Each Board member is expected to attend the monthly board meetings. In the event that a Board member cannot be present, they may elect to cast a vote by proxy. Their vote on any Club business may be cast to the President or Vice President who will then cast the Board members vote due to an absence.

Inactive Board members as defined by the Board, can be replaced at the discretion of the Board.

Section 11: Board Member Responsibilities

Board Members should be the most involved members of the Club. They should be selected to Chair or Co-Chair the Club committees. They are required to help facilitate the training portion of the monthly Club meetings.

Welcome new members, providing them with the Clubs by-laws and clarifying any questions that may arise. They should ensure that the new members feel welcomed and have a good experience with the Club.

Board Members shall be required to assist in any manner requested at all the Club sponsored events that they attend.

ARTICLE IV: Process for conducting board meetings

Roberts Rules of Order shall govern the parliamentary proceedings of this association unless otherwise provided in these by-laws. The order of business shall be:

- A-Call to Order
- B-Treasurer Report
- C-Reading and Approval of Minutes
- D-Report of Officers and Standing Committees
- E-Unfinished Business
- F-New Business
- G-Program
- H-Adjournment

Minutes defined:

Using Robert's Rules of Order Newly Revised (RRONR), the minutes should contain mainly a record of “what was done at the meeting”, not what was said by the members. For most organizations or groups, it is important for the minutes to be terse and only include a summary of the decisions.

ARTICLE V: Voting

Section 1: Voting

Voting shall be limited to one (1) vote per Board member. Majority vote required to pass all motions.

Section 2: Club votes

Clubs may need to vote on a variety of topics. For topics that exceed the discretion of the sitting board, the President or his/her designee may elect to call for a Club vote. The vote will consist of one (1) vote for each eligible member in good standing.

Section 3: Elections.

To ensure voting rules and vote integrity, all votes cast during the annual meeting/election, shall be collected in a locked ballot box. The ballot box shall be retained by the Secretary. The key to the box shall be retained by the sitting President. The votes will be tallied with all Officers/Board members present at the next scheduled Board Meeting.

Section 4: Nominee notification

Once the votes have been tallied the President will contact each nominated person. He/she will be informed of their nominated status and provided an opportunity to accept or forfeit the elected position. If the nominated elects to forfeit the elected position, the next runner up will be contacted etc. until the position has been filled.

ARTICLE VI: Membership

Section 1: Admission to Membership

Individuals interested in furthering the sport of ATV riding may become members upon application and payment of annual dues as established by the Club.

Section 2: Certificates of Membership

The Club shall issue membership cards evidencing membership in the Club.

Section 3: Classes of Membership

The Club shall have four (4) classes of membership. The designation of classes and qualifications and rights of the member shall be as follows:

a) Regular Member:

Applicant shall be a minimum of eighteen (18) years of age, completed and signed the Club membership application. Annual dues must be current to be entitled to membership. Regular members are the ONLY voting members of the Club.

b) Youth Member:

Applicant shall be under eighteen (18) years of age and have a parent or guardian holding current membership in the Club. Youth members do not pay dues and are not entitled to vote on any Club business.

c) Corporate Member

Corporate members are businesses that wish to assist the Club and promote safe UTV/ATV Riding. To become a corporate member a business can either submit a payment of annual dues or be granted an Honorary Status for contributions to the Club. A majority vote from the board is required to attain Honorary Status.

Corporate Members are business owners first and foremost. To ensure the integrity of their businesses and the integrity of the club no Corporate Member will be entitled to or allowed to vote on any Club business.

d) Honorary Member

An Honorary Member is a member that has been appointed Honorary Status by the sitting board. An Honorary Member is exempt from annual dues. Honorary Members may include past presidents or individuals that have made considerable contributions to the Club during their membership. Honorary Membership will be at the discretion of the sitting board. No Honorary Member will be entitled to or allowed to vote on any Club business.

ARTICLE VII: Dues

The Annual membership dues shall be \$40.00 per household \$25.00 for an individual membership. If the online option is selected as payment, a service fee may be applied.

Corporate Members that wish to sponsor its employees as member of the club shall pay a reduced fee. A Corporate Member may sponsor one (1) to six (6) individuals for a total fee of \$120.00 annually. Corporate sponsored members will be considered Corporate Members and are not entitled to or allowed to vote on any Club business as previously mentioned in these by-laws.

ARTICLE VIII: Committee's

The standing committees of this Association shall be as follows:

- Legislative/Public Relations Committee
- Safety Committee
- Recreation Committee
- Fund Raising Committee
- Newsletter Committee
- Welcoming Committee
- Ride Committee
- Public Information Officer (PIO) Committee

Each committee will be composed of a Chair Person, Co-Chair and Volunteers. The Chair Person shall be selected from the elected Officers/ Board Members. Co-Chair and Volunteers are active members who are in good standing with the Club. In the event that no Volunteers are identified, the President or his/her designee may appoint the Chair Person and Co-Chair Person of each committee.

The Chair Person or Co-Chair (in the absence of the Chair Person) of each committee shall present the status of the committee's progress and activities quarterly.

Section 1: Committee Succession planning

To further the ongoing effectiveness of the Club, each Committee shall have a Chair Person and a Co-Chair Person. The Co-Chair Person shall fulfill the role of the Chair Person in the event that the Chair Person is unable to fulfill their responsibilities due to death, resignation or removal from office.

ARTICLE IX: Meetings

Section 1: Monthly Board Meetings

Meetings are held the second Sunday of each month at a time and designated location set forth at the conclusion of the previous month's meeting. Meetings shall consist of at least the following:

- Call to Order
- Reading of minutes from the last meeting
- Report of Treasurer
- Report of Committees
- Old Business
- New Business
- Schedule and place of next meeting
- Adjournment

Section 2: Monthly Club Meetings

Meetings are held the second Monday of each month at 7:00 PM at a designated location. Meetings shall consist of at least the following:

- Call to order
- Welcoming new members
- Discussion of club business
- Outlining the Club's plan for the months activities (monthly ride, volunteer projects etc.)
- Training (in the form of guest speakers or Club members with specific skills)
- Question and Answer for club members

Section 3: Committee Meetings

Committee meetings may be scheduled at interval times to promote ongoing Club projects.

Section 4: Fiscal Year and Annual Meeting

The fiscal year shall be from January 1st until December 31st. The Annual Meeting shall be held in November of each year. The order of business may include the following:

- Officer elections
- Recognition of Individual(s) or Corporate Members
- Recognition of Club efforts
- Financial update by the Treasurer

Section 5: Rules of Order to Govern Meetings

Roberts Rules of Order (as revised) shall govern the meeting of membership where they are not consistent with Club by-laws.

ARTICLE X:

The Club will maintain a bank account to process membership fees, donations, and pay expenses. Three signers are required for the creation of the bank account.

Article XI: Club Income and Subsequent Expenditures

Section 1: Club Income

All funds collected by and for the Club will be maintained by the Treasurer. There will be separate accounts maintained.

- Club account (Club Funds)
- Charitable account (Donated funds collected for charities)

Section 2: Incidental Expenditures

The Club officers shall have the authority to expend no more than \$250 for incidental and routine expenditures, i.e., stamps, office supplies, etc. without approval of the elected officials of the Club.

The President, Vice President and Treasurer MAY have Debit cards. The debit cards will be retained by the aforementioned officers. All charges on the debit cards will require a receipt submitted to the Treasurer. No charges should in excess of \$250.00 should be made without the Board approval. In the event of an exigent circumstance to make a purchase, the purchasing officers SHALL notify the Board as soon as possible explaining the urgency and the decision that was made.

ARTICLE XII: Members Responsibilities

It shall be the responsibility of each member of the UTAH ATV Club to maintain the following on their own accordance:

- A valid Driver License issued by their state of residence.
- Properly registered ATV/UTV within the state that they are riding.
- Proper insurance if applicable, e.g. street legal machines etc.
- FCC license if applicable.
- Appropriate safety equipment as required by state law.
- Youth members operating machines on Club rides shall have a valid OHV operators permit (ages 8-15).

Each member is also required to participate in at least one Club sponsored project e.g. trail/area clean up or other volunteer work sanctioned by the Club.

ARTICLE XIII: Membership Revocation

Any membership out lined under **ARTICLE VI** is subject for revocation for any of the following violations:

- Blatant or intentional violation(s) of the member's responsibilities.
- Making any disparaging comments during any Club Meeting, Club sponsored event or on any of the Club sponsored social media sites. Disparaging defined:

Any negative comment or action made by a member(s) that negatively affects the good nature and/or reputation of the Club.

- Violation of any state law that may expose the Club to any Civil Liability.

ARTICLE XIV: Process for Membership Revocation

Any Officer or Board Member elected by the membership having received a complaint about another member's behavior shall call a special meeting of the elected officers. The complaint will be presented to the elected officers and the complaint will be compared to the rules of **ARTICLE XIII**. Officers shall cast a vote to determine if a membership is subject to revocation. The affected Member shall be served written notice of at least fifteen (15) days prior to the next scheduled meeting, at which time he/she may present a case against removal.

(NOTE: All complaints received will be considered privileged information and the complainant will not be named to any members outside of the elected officials)

ARTICLE XV:

Upon the dissolution of the Association, the Board of Directors shall after paying or making provisions for the payment of all liabilities of the Association, dispose of all assets of the Association exclusively for the purposes of the Association of such manner, or to such organizations that are organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 50 (c) (7) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine.

ARTICLE XVI: Legal disclaimer

UTAH ATV Association, its Officers and Board Members assume no liability for its members who violate any state or federal law. UTAH ATV Association, its Officers and Board Members cannot be held civilly liable for the individual choices of the members to knowingly or unintentionally violating any state or federal law or regulation. A violation of any of the provisions of these By-Laws will be just cause for the revocation of a membership. Any dues paid by the member will be considered forfeit to the Club.

Pursuant to **ARTICLE XIV**: In the event of the revocation of a membership, the effected member(s) will have fifteen (15) days to respond to the revocation. This can be accomplished in writing or in person at the next scheduled board meeting. A majority vote will determine if the revocation will be enforced or if the member will be allowed to remain in good status.

(BY-LAWS AMMENDED 04-12-2020)