

CONSTITUTION AND BYLAWS OF THE OLE VIRGINIA HAMS AMATEUR RADIO CLUB, INC

THE CONSTITUTION

PREAMBLE

We, the Amateur Radio Operators of Prince William County, Commonwealth of Virginia, in order to create interest in Amateur Radio, to promote study and experimentation in Amateur Communications, to further the art, and to provide a common bond, do ordain and establish this Constitution of the Ole Virginia Hams.

ARTICLE I: PURPOSE

This non-profit Club is organized exclusively for educational and scientific study of electronics and communications; and to provide, but neither for hire for any remuneration, amateur communication services and facilities for public service and use within the meaning of Section 501(c)(3) of the internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE II: MEMBERSHIP

Section 1. Eligibility.

Any person having a bonafide interest in Amateur Radio, is eligible to become a member of the Club.

Section 2. Types of Membership.

The Membership of this Club shall consist of four types and all members are subject to this Constitution and Bylaws.

1. **Charter Members.**

Charter members shall be those licensed Amateurs who originally form the Club, are present at the adoption of this Constitution, or who sign said constitution prior to 1 April 1961. They shall become lifetime members even though inactive.

2. **Active Members.**

Active members are those persons who are voted into the Club subsequent to April 1, 1961 and have all Club privileges and responsibilities.

3. Honorary Members.

Honorary Members are those persons who normally would not join the Club due to sickness, distance involved, etc., but who, by act or deed, are considered worthy of such membership. Eligibility for Honorary Membership shall be determined on an individual basis by a committee of one officer of the Club, other than the President, and three members in good standing.

4. Inactive Members.

An Inactive Member is a member who, for adequate reasons, is unable to participate in normal Club activity. A member desiring inactive membership shall apply to the club in writing requesting inactive membership and stating the reason therefore. Applications for inactive membership shall be voted upon by the Club. Inactive members shall be exempt from paying dues during the period of inactive membership. Inactive members shall be replaced on active status at the time they resume payment of dues.

Section 3. Requirements.

A person desiring to join this Club must submit in writing to the Secretary a request to join the Club, agreeing to the rules and regulations which are at the time, or shall subsequently be placed, in effect. This request shall be acted upon at the next regular meeting following its introduction to the Club. A person who has their request for membership denied by a vote at a regular club meeting shall be ineligible to submit a new request for membership for a period of 36 months after the date of the vote denying membership.

Section 4. Grounds for Expulsion.

1. Discredit.

Any member who willfully brings discredit to the Club, a member thereof, or amateur radio, may be expelled from the Club. A request for expulsion, stating the grounds for such expulsion, shall be submitted in writing to the Secretary and shall be signed by the complaining member and at least one-third of the active members. This request shall be acted upon at the next regular meeting following its introduction to the membership at a regular meeting. The accused must be given a written statement of the charges and the opportunity to appear before the Club to state his defense.

2. Non-Payment of Dues

Non-payment of dues shall be considered grounds for expulsion and shall be acted upon as set forth in the Bylaws of this Club.

Section 5. Resignation.

Any member desiring to resign from the Club may do so by notifying the Secretary in writing.

ARTICLE III: OFFICERS

Section 1. President.

1. Qualifications.

The President shall be a licensed amateur radio operator, other than No-Code Technician or Novice Class, and a member in good standing. The President shall be either a Charter Member or have been an Active Member of the Club for at least one (1) year.

2. Term of Office.

The term of office for the President shall be set forth in the Bylaws of this Club.

3. Duties.

The President shall: Preside over all regular and special meeting of the Club; appoint boards and committees and shall be considered a member of such boards and committees; call special meetings of the Club or Club Officers as he or she deems necessary; and verify, by signature thereon, all payments authorized by the Club.

Section 2. Vice-President.

1. Qualifications.

The Vice-President shall be a licensed amateur radio operator, other than No-Code Technician or Novice Class, and a member in good standing. The Vice-President shall be either a Charter Member or have been an Active Member of the Club for at least one (1) year.

2. Term of Office.

The term of office for the Vice-President shall be set forth in the Bylaws of this Club.

3. Duties.

The Vice-President shall assume the duties of the President during the President's absence

Section 3. Secretary.

1. Qualifications.

The Secretary shall be an active (voting) member of the Club in good standing.

2. Term of Office.

The term of office for the Secretary shall be set forth in the Bylaws of this Club.

3. Duties.

The Secretary shall: Keep minutes in writing of all regular and special meetings of the Club; maintain a current listing of all members; prepare and mail or distribute correspondence when so directed by the President; present to the President all requests for membership, expulsion, and amendments to the Constitution and Bylaws of this Club; and perform such other secretarial duties as the President may direct.

Section 4. Treasurer.

1. Qualifications.

The Treasurer shall be an Active Member of the Club. The Treasurer shall be either a Charter Member or have been a member of the Club for at least one (1) year.

2. Term of Office.

The term of office for the Treasurer shall be set forth in the Bylaws of this Club.

3. Duties.

The Treasurer shall: Receive all monies payable and shall make all payments so directed by the Club; maintain a record of all receipts and payments; provide a Statement of Account at each regular meeting and when requested by the President.

Section 5. Trustee.

1. Qualifications.

The Club Station Trustee shall be an active (voting) member of the Club in good standing and be able to meet all FCC requirements for obtaining a club station license. Preferably, he or she should hold the highest class of license possible.

2. Term of Office.

The station Trustee's term of office shall be concurrent with the effective period of the Association's Amateur Radio Station License. This office shall be filled by Presidential appointment, with approval by the membership. This appointment shall occur not more than six months but not less than two months before the expiration of the station license.

3. Duties.

The station Trustee shall hold the Association's Amateur Radio Station License, and thus be responsible to the Federal Communications Commission for the proper operation of the Association's station. He or she shall insure that the operation logs are maintained in accordance with prevailing FCC rules and regulations.

Section 6. Board of Directors.

1. Qualifications.

The Corporation Directors shall be Active Members of the Club.

2. Term of Office.

The Members of the Board of Directors shall serve so long as they remain in good standing, are not incapacitated by prolonged physical disability, remain within reasonable proximity of the Club, and maintain a level of activity within the Club sufficient to be reasonably conversant with its activities.

3. Duties.

The members of the Board of Directors shall: maintain the corporation records; insure that all required reports are made; dispose of property up dissolution of the Club; and take care that the Constitution and Bylaws are upheld by elected officers. The members will also hold the annual Directors' Meeting as required by law and select a member to act as a Registered Agent for the Corporation.

4. Resignation.

When by resignation, inability to act or other reason, a member of the Board must be replaced, the remaining members shall select a candidate or candidates, and having obtained his or her approval, submit the name or names to the next Club meeting at which a quorum is present. A two-thirds majority of the members voting will be required to elect. Failure of the Club to elect will require the Directors to select additional name or names and resubmit them to the Club for elections as above.

ARTICLE IV: VOTING

Section 1. Election of Officers.

The time and date of all elections for Officers of this Club shall be as set forth in the Bylaws of this Club, and shall be by secret ballot.

Section 2. Eligibility to Vote.

Only Charter and Active Members of the Club in good standing are eligible to vote on any Club business. The President shall not vote unless a tie-vote is cast.

Section 3. Method of Voting.

Voting on matters other than election of officers and expulsion of members shall be as set forth in the Bylaws.

Section 4. Required Majority Vote.

1. Membership.

A two-thirds majority vote of members present is required on any matter pertaining to membership, except expulsion. Applicant for membership shall not be present while the vote is being taken.

2. Expulsion.

A three-fourths majority vote of members present is required in order to expel a member from the Club. This vote shall be by secret ballot.

3. Club Officers.

A majority vote of members present is required in order for a member to be elected to office.

4. Constitutional and Bylaw Amendments.

Amendments to this Constitution and Bylaws require the consent of the majority of the Board of Directors, and a three-fourths majority of all members present that constitute a quorum.

ARTICLE V: DUES

All dues levied and the payment of such dues shall be as set forth in the Bylaws of this Club.

ARTICLE VI: PROPERTY

Section 1. Ownership.

Any property, real or otherwise, acquired by the Club through purchase, donation, etc., shall be owned by the Club. Custodial responsibilities of said property shall be placed upon the Treasurer until such time as the Club decides the bulk of property is great enough to warrant a custodian. The Club shall then approve a Custodian appointed by the President. A two-thirds majority vote of a quorum at a regular meeting is required in order for a Custodian to be approved.

Section 2. Disposition.

Upon dissolution of this Club and after paying or making provision for the payment of all of the liabilities of the Club, the property shall be donated to organizations exclusively engaged in charitable, educational, scientific, or public service and qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1954 (or corresponding provision to any future United States Internal Revenue Law). The disposition of this property shall be the responsibility of the Board of Directors.

ARTICLE VII: BYLAWS

Bylaws of this Club shall be those rules necessary for the operation of the Club and shall be a supplement to this Constitution. They shall in no way contradict this Constitution nor shall they in any way infringe upon the rights of the members as set forth in this Constitution.

ARTICLE VIII: DEFINITIONS

The following list of terms and the definition of such terms as used in this Constitution shall apply. The meaning of such terms shall not be construed to be other than as follows:

Active Member.

An Active Member is a dues-paying member whose status is in accordance with the Constitution and Bylaws of this Club.

Association.

The Association is the Ole Virginia Hams Amateur Radio Club, Inc. The terms "Club" and "Organization" also mean the same as Association.

Inactive Status.

Inactive Status shall be that of a member who has failed to comply with the requirements of this Constitution and the Bylaws of this Club, and has been notified in writing that he is on Inactive Status.

Member in Good Standing.

A Member in Good Standing is the same as an Active Member.

Quorum.

A Quorum shall be defined in the Bylaws of this Club.

Regular Meeting.

A Regular Meeting is a scheduled meeting as set forth in the Bylaws of this Club, at which at least a quorum is present.

Special Meeting.

A Special Meeting is a meeting other than a Regular Meeting. Special Meetings shall be called only by the President and no business requiring the vote of the membership can be conducted unless a quorum is present.

Statement of Account.

A Statement of Account is a report of the financial status of the Club.

ARTICLE IX: AMENDMENTS

Section 1. Constitution and Bylaws.

All proposed amendments to this Constitution and Bylaws shall be submitted to the Secretary in writing and shall be signed. The President, with the concurrence of the Board of Directors, shall have this proposal read at the meeting at which it is introduced. A copy of this proposal shall then be mailed to each voting member along with instructions that said proposal will be acted upon at the next regular meeting. At this meeting, the proposal shall be voted upon, and upon receiving the required majority of the quorum, the Constitution and/or Bylaws shall become amended.

ARTICLE X: EFFECTIVE DATE

The effective date of this Constitution and Bylaws, including amendments thereto, is April 14, 1995.

THE BYLAWS

1. The term of office for all elected officers shall be for a period of one (1) year, beginning at the close of business of the February meeting, and ending at the termination of the next annual election meeting.
2. The term of office for all appointive positions shall be determined by the President. They shall in every case terminate with the President's term of office.
3. Election of officers for the Club shall take place during the regular business meeting for the month of February. Nominations for these offices shall take place during the regular

business meeting for January. In the event a vacancy occurs in any elected office, an election will be held as soon as possible to fill the vacancy.

4. Robert's Rules of Order shall be used as a guide in conducting all Club meetings. The President, at his or her discretion, shall determine which of the rules to use.
5. Regular business meetings shall be held once each month. The President will announce the place and time. The date, time, and place of regular meetings may be modified by a majority vote of members present at a regular meeting.
6. Dues shall be assessed yearly at the rate determined by the Finance Committee and approved by the majority vote of a quorum. Additional members residing in the same household as a dues-paying member may apply for a reduced rate of one-half the regular dues.
7. Dues shall become payable on January 1 of each year. As new members join and Inactive Members seek Active Member status during the year, dues will be assessed on a prorated basis.
8. A member who fails to pay his or her dues by March 1 shall be notified in writing. If dues are not paid by March 31, the member will be considered as an Inactive Member.
9. Voting procedures for regular business other than new members, expulsion of members or election of officers shall be conducted by a show of hands.
10. A quorum shall be 10% of the total members in good standing.
11. No person shall operate the Club Station unless a current valid radio operator's license is in his or her possession and has been approved by the Station Trustee to operate within the limitations of the class of license held by the member and in compliance with the FCC Rules and Regulations. Members failing to abide by the Trustee's rules may be denied use of the station. Any guest operator must have a current valid operator license in his or her possession while operating the Club Station. Guest operators may not operate beyond the limits of their class license, the host license or the Club license, whichever is the lowest class. Every guest operator must sign the station log along with the countersignature of the host. All requirements for logging as specified by the FCC will be followed.

The foregoing copy of the Constitution and Bylaws of the Ole Virginia Hams Amateur Radio Club, Inc., established May 20, 1963 and previously amended February 1981, conforms to the amendments enacted at the Club meeting on April 14, 1995, as noted in the Minutes.
