

Constitution of the
Mid- Hudson Bicycle Club
01-05-2017

Constitution of the Mid-Hudson Bicycle Club

Section I: NAME

This Club shall be known as the Mid-Hudson Bicycle Club, hereinafter referred to as the Club.

Section 2: PURPOSE

The Club shall be a non-profit organization whose purposes shall be as follows:

1. To promote the healthful sport of bicycling.
2. To promote and encourage designation and construction of bike ways, bicycle trails and other bicycling facilities.
3. To schedule and conduct regular bicycle rides and tours.
4. To schedule and conduct an annual event which could be any one of the following; A century, metric century, fondo, time trial, and other activities as the membership sees fit.
5. To encourage safer bicycling.
6. Incident to the preceding activities, to own real and personal property.

Section 3: MEMBERSHIP

Membership in the Club shall be open to persons 18 years of age and over, who are in sympathy with the purposes, who pay membership dues. All members must abide by the MHBC Guidelines for Safe Road Riding when participating in any club-sponsored rides as outlined below.

Bicycle safety on the road is your responsibility. As a bicyclist you have the same rights and responsibilities as other road users. Be predictable, be alert, and be responsible.

1. Ride predictably, just as you would if you were operating a motor vehicle. Blending in with the normal traffic flow is the safest way to ride.
2. Always ride on the right side of the roadway, with the flow of traffic. Riding on the left significantly increases your chances for being involved in a crash, especially at intersections, where motorists won't expect you to be. **RIDING ON THE RIGHT IS THE LAW.**
3. Obey all traffic signs, signals, and other traffic control devices.
4. Always yield to overtaking traffic, and then signal before turning or changing lanes.
5. Ride single file, unless the law and traffic conditions allow you to ride two abreast.
6. Yield to other vehicles and pedestrians when traffic law requires you to do so.
7. Be highly visible. Wear light, bright-colored clothing in daylight. At dusk and when it's dark, be sure to use a bright white headlight and a red rear reflector. To make yourself even more visible at night, use additional reflectors on your bicycle and consider wearing reflective material on your body.
8. Always look behind you before turning or changing lanes. If you use a mirror, remember to look back, too, so you don't miss seeing an overtaking vehicle in your mirror. It is your job to see that the way is clear before turning or changing lanes.
9. Maintain your bicycle regularly so it is safe and dependable.
10. Carry all cargo on a rack, in bike bags or in panniers. A backpack may also be used for light loads but make sure the straps are pulled tight so the bag doesn't dislodge while riding. **DO NOT** hang packages off the handlebars or carry them in your lap.
11. Choose your route carefully, using a bike map if available. If possible, choose wider roads with less traffic and slower speeds. Always choose roads that are within your skill level (training, experience, competence).
12. Give your full attention to traffic and the road surface. Beware of such road hazards as rocks, potholes, gravel, and dogs.
13. **WEAR A HELMET.** All of the above safety will help to prevent a crash or fall. A helmet and gloves will protect you in the event that a crash or a fall cannot be avoided.
14. Avoid using inappropriate language with fellow club members or with the public when attending events.

The MHBC has the authority to create additional rules if necessary. The MHBC reserves the right to suspend or expel any member who violates the club's bylaws, Policies and Procedures or other club rules to the extent that such behavior is contrary to the club's interests and may threaten the integrity of the club. Any member who engages in conduct unbecoming of a club member jeopardizes the integrity and the interests of the club, members who exhibit such behavior may be suspended or expelled, per the process outlined below.

Reasons for suspending or expelling a member include the following:

1. Conduct unbecoming a member of the club
2. Harassment of other members, officers or board members
3. Nonpayment of club dues or other bills
4. Misuse use of funds or property
5. Violation of club rules
6. Disregard for Safety on Club rides

A member may be suspended for a single act that is an egregious violation of the rules or a series of incidents that the president determines rise to a level to warrant suspension or expulsion.

Suspension/Expulsion Process:

1. A member facing suspension or expulsion will receive a notification in writing from the board outlining why the club is considering suspension or expulsion, and describing the misconduct giving rise to the suspension or expulsion. Any supporting evidence available to the board shall be appended to the letter. Any identifying information may be removed from the evidence in order to protect the identity of complaining witnesses. The member will have ten business days from date of the notification to respond to the allegations contained in the notification. The response should be written and directed to the attention of the board. Any evidence the accused member would like the Board to consider when it makes its decision must be appended to the letter. If the member does not respond to the notification within the timeframe outlined above, his or her right to respond will be deemed to have been waived.
2. After the board receives the accused member's response, or the time to receive the response has run out, the member's suspension or expulsion will be voted on by the Board at the next meeting.
3. The Board will make its decision in a private meeting, considering only the facts contained in the correspondence, as well as any evidence that has been appended to the documents. A member may be suspended for thirty days from all member rights, privileges, and activities including voting rights by two-thirds (2/3) vote of a quorum of the then elected and qualified Board of Directors. A member may be expelled permanently from membership by two-thirds (2/3) vote of a quorum of the then elected and qualified Board of Directors.
4. The accused member will receive the board's decision, outlining its rationale, within ten business days of the board meeting.
5. The decision of the Board is not appealable in any forum or subject to any form of recourse.

Section 4: OFFICERS

The elected officers shall be a President, Vice-President, Secretary, Treasurer, and six (6) Members-At-Large to act as Directors.

DUTIES OF OFFICERS

President:

The President shall preside at all meetings of the Club. If the President is not available another officer can hold the meeting, to uphold and enforce the Constitution of the Club, and perform the duties usually pertaining to the office. The President shall have the power to appoint all permanent committee chairmen, and shall act as ex-officio member of all committees. The President shall have the authority to create special committees other than those specified in Section 10 of the Constitution as deemed necessary to conduct and transact the business and activities of the Club, and also to appoint their chairmen. The President shall also be able to act as the treasurer when it becomes necessary to support the club with financial matters and the treasurer is not available. All special committees and their chairmen created by the President shall continue their existence at the discretion of the President. All powers not specifically belonging to any other officer of the Club may be held by the President until the position is filled.

Vice-President:

The Vice-President shall assist the President in the duties of the office of the President. In the absence or disability of the President, the Vice-President shall perform all the duties of the President. The Vice-President shall also be able to act as the treasurer when it becomes necessary to support the club with financial matters and the treasurer is not available. The Vice-President is responsible for the election of officers. All powers not specifically belonging to any other officer of the Club may be held by the Vice-President until the position is filled.

Secretary:

The Secretary shall record the minutes of all meetings of the Club; prepare any necessary correspondence on behalf of the Board of Directors; maintain a written inventory of Club property, and its location.

Treasurer:

The Treasurer shall collect and safely keep all the monies of the Club; pay all bills approved for payment by two (2) Officers and/or Board members, one of whom must be the President or Vice-President; prepare a balance sheet and income statement for the annual meeting; investigate and recommend prudent financial investment of the Club monies.

Board of Directors:

A Board of Directors shall act as the governing body of the Club and shall assume responsibility of all matters not specifically delegated to other officers.

The Board shall consist of the following members:

1. Current President of the Club
2. Current Vice-President
3. Current Secretary
4. Current Treasurer
5. Six (6) Members-At-Large elected by the general membership
6. Current Past-President

Duties and responsibilities of the Board of Directors shall be:

1. To assume responsibility for all property of the Club
2. To authorize expenditures of the specific purpose related to the Club interest
3. Should a member of the Board be unable to fulfill his/her term of office, the Board shall name a replacement.
4. On all questions of interpretation of the Constitution or the decision of the Board will be final.
5. To establish Club Policy, as per Section 2.

Meetings of the Board of Directors:

The Board of Directors shall convene on call of the Chairman upon request of one (1) member of the Board. Board meetings are open to Club members.

Impeachment:

Club officers and members of the Board of Directors may be impeached by a two thirds (2/3) vote of a quorum of the general membership for malfeasance in office or failure to uphold the Constitution. If an officer or Board member is impeached, that individual will be suspended from office and within thirty (30) days a special meeting will be called by the President, at which two-thirds (2/3) vote of a quorum shall be required to remove the individual from office.

Committees:

Every organization needs committees to do the work and fulfill the purposes of the organization. The MHBC is no exception. The President determines the need for committees and appoints the people to head these committees. The President may likewise eliminate or reorganize committees and replace the people in charge of these committees. The President is an ex officio member of all committees, and therefore, the President is invited to all committee meetings. The President is responsible to the Board for what the committees do. Since the committee chairs are responsible to the President, the committees dissolve at the annual meeting when elections are held. Committees are expected to submit operating budgets to the Treasurer. Committees may spend MHBC monies after an approved committee budget unless the President and Treasurer agree that the committee budget is already included in another budget line item.

Section 5: AMENDMENTS

Proposed changes to this Constitution must be submitted to the Board of Directors in writing. The Board, in turn, will make the proposed changes available to the general membership by any of the following; email, website posts or Facebook prior to the meeting at which the voting will take place. Amendments may then be made may be amended at any meeting of the Club at which there is a quorum. Amendments take place immediately upon approval.

Section 6: LEAGUE OF AMERICAN BICYCLISTS

The MHBC will hold membership in the League of American Bicyclists. As long as it meets it's requirements for insurance.

Section 7: MEMBERSHIP

There shall be two (2) classes of membership: Active and Honorary.

Active Membership:

There shall be two types of membership: Individual and Family. A family is defined as up to five (5) people residing at the same address. Each person in a family may be a member. Both individual and family members must satisfy the requirements of Section 3 of the Constitution.

Active members shall be the only members who can vote or hold office

Honorable Membership:

1. Upon a two-thirds (1/3) vote of the members present at a meeting of the Club at which there is a quorum, Honorary memberships may be awarded.
2. Honorary members have no voting power, nor may they hold office.
3. Honorary members pay no dues.

Membership Period:

The membership period of the Club shall commence from January 1st of a calendar year and extend until December 31st of the same calendar year.

Lifetime Membership

A Lifetime Membership is an excellent way to honor someone who has made a special contribution to the club. It is a great way to honor the club's outgoing President, Board Member or Committee Chair who has made the club successful due to their efforts. A Lifetime Membership can be given to any Club Member when voted on by the Board of Directors.

Section 8: DUES

Dues for the current membership period shall be payable to the Membership Committee at the beginning of the current membership period but no later than the end of the previous membership period. Dues for honorary members, Elected Officers and Board Members shall be waived.

Dues shall be determined by the Board of Directors.

Section 9: MEETINGS AND QUORUM

Meetings:

The Board of Directors shall hold up to 12 meetings per year based on the monthly need. It shall be up to the President to determine which months will have a meeting. There shall be at least one (1) annual business meeting, to be held between September 1st and November 30th, which may be held in conjunction with a banquet and/or event. The election of officers shall take place at the annual meeting. Special meetings may be called by the President; or on written application of twenty (20%) percent of the members to the President, he shall call a meeting.

Quorum:

1. One-quarter (1/4) of the Active members of the Club who are 18 years or older, in good standing, and eligible to vote shall constitute a quorum for the transaction of business at a special meeting.
2. Active members of the Club in attendance at the annual business meeting who are 18 years or older, in good standing, and eligible to vote shall be the quorum.
3. The quorum for the Board of Directors consists of more than half (1/3) of its members (4 Elected Positions and 6 Members-at-Large), 4 votes would be required.

Section 10: ELIGIBILITY, NOMINATIONS, ELECTIONS, AND

TERMS OF OFFICE

Eligibility:

All members in good standing, eighteen (18) years of age or older, who have been active members during the season prior to election, are eligible to hold office. Members-At-Large are also required to be active members for the season.

Nomination:

The Vice-President will be responsible for the officer nomination process. A slate of Nominee's shall be presented to Club members by the Vice-President. The slate shall be made available to all members prior to the annual election meeting. It can be sent by email, posted on the website or Facebook. Nominations shall be opened from the floor at the annual election meeting.

Elections:

Officers shall be elected by a written ballot. If any positions are up for vote and running un-imposed the nominee will automatically be put into the position.

Terms of Office:

The terms of office shall commence and terminate at the end of the annual business meeting. Transfer of properties associated with each office shall take place within thirty (30) days after commencement of the term of office. The transfer will include all files and computer records associated with each position. The outgoing Treasurer prepares the first pass of next year's budget.

Family Membership Voting:

1. A family membership is limited to two (2) votes.
2. A family member can cast only one (1) vote.
3. All members are allowed to vote at the club meetings.

Section 11: Bank Accounts, Types

The Club will maintain two bank accounts: 1) a checking account and 2) an investment (savings) account.

Money, Use of:

The primary use of MHBC financial assets is to defray the monthly costs of running the MHBC, and thus help keep the yearly dues lower, and secondarily to retain a financial reserve which will allow the MHBC to supply food and drinks at the monthly meetings for the general membership. Also for example, a party or other social event to which the general membership is invited is a valid use of MHBC money. All club Officers will have a debit card to use to support club functions.

The Club will budget funds to recognize Officers, Board Members, Ride leaders and general member for their contributions to the club.

Fiscal Year:

The MHBC fiscal year will run from December 1 through November 30. A budget will be prepared each year.

Budget:

The budget will be approved by the Board in January each year. Treasurer will submit a budget for the upcoming year at the November meeting.

Funding after the Budget:

An individual or Committee seeking Club funding outside the annual budget of over \$500 must submit a written request that details the usage of and justification for the funds. The request must be emailed to the Board prior to the meeting at which it will be voted on.

Mileage:

When a mileage payment is authorized by the Board, the payment shall be the average of the amount allowed by the IRS for "car expense" under "Contributions" and for "standard mileage rate" under "Car Expenses and Other Employee Expenses".

There is no thought toward the MHBC paying mileage to local meetings or for planning regular rides; however the long miles associated with meetings that are outside the area of the MHBC and for planning rides for Club events, such as the Fondo or Century, are considered by the Board for reimbursement.

Section 12: Activities

Social Events

The Mid-Hudson Bicycle Club (MHBC) likes to hold social events which are not mandated by the Constitution. These activities are dependent upon volunteers chairing the events.

1. Annual Dinner
2. The "Spring Fling" held in the spring to make the official start of the MHBC riding season.
3. The "Summer Picnic"
4. The "Fall Roundup" held in late fall to mark the end of the official MHBC riding season.

Section 13: Annual Event

The Annual Event which could be any one of the following; A century, metric century, fondo, time trial, and other activities as the membership sees fit.

Sponsors will be allowed to contribute both materially and monetarily contribute to increase the size and awareness of the event. All sponsors will get free advertising during the event.

The Annual Event committee will prepare a full report of the event, including such items as: detailed income and expenses, attendance and ride statistics, and food/drink consumption.

A copy of the report will be presented to the Board no later than the annual meeting.

Section 14: INSURANCE

The Club will maintain a general, commercial liability insurance policy. The Club will maintain a liability insurance policy to cover the Board Members and Officers.