

San Jose Bicycle Club Constitution

Article I. Name

Section 1. Name

The name of the organization shall be the "San Jose Bicycle Club", hereinafter referred to as the club.

Article II. Purpose

Section 1. Primary Purpose

The primary purpose of the club is to promote the sport of bicycling by:

- ◆ Nurturing and encouraging proficiency in bicycling for all ages with an emphasis on junior development within the sport;
- ◆ Promoting and advancing a "Team" racing structure in USCF events;
- ◆ Pushing the frontiers of individual and team athletic performance;
- ◆ Creating an interest in bicycling, both recreational and racing;
- ◆ Providing structure for both club and USCF events;
- ◆ Belonging to the United States Cycling Federation (USCF) and local federations (NCNCA) that are appropriate;
- ◆ Fulfilling the requirement imposed by USCF of holding an annual USCF sanctioned event

Section 2. General Purpose

The general purpose and powers are to have and exercise all rights and powers conferred on non-profit organizations under the laws of California, including the power to contract, rent, buy, or sell personal or real property; provided, however, that this organization shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this organization.

Article III. Composition

Section 1.

The club shall be comprised of those people interested in the sport of bicycling and its allied bicycling activities. Included in these allied activities shall be weekly training rides, club races, promotion and production of sanctioned races, non-competitive bicycling events and rider development clinics. The club shall not be used for dissemination of partisan principals or for the promotion of political ideals and promotion of the political candidacy of any person seeking public office.

Article IV. Membership

Section 1. Membership

All members in good standing shall be entitled to all the rights and privileges of membership in club as described in section 2, and all members shall be eligible to hold

office in the club provided he/she meets the qualifications for that office as specified in Section 2 and Articles V and VI.

Section 2. Membership Rights and Privileges

Membership shall be open to anyone interested in bicycling who is willing to observe club rules. Renewal of memberships shall lapse if not paid by March 1st or such date chosen by the clubs elected Officers.

Rules and privileges:

- ◆ Are eligible for general and team reimbursement programs
- ◆ May participate in club race(s) and clinics
- ◆ May vote in club elections
- ◆ May serve as a club officer, except those members who race for another team may not serve as a club officer.
- ◆ May participate in club social functions
- ◆ May receive club membership discounts

Section 3. Voting Privileges

Each club member in good standing shall be entitled to one vote in all club elections.

Section 4. Annual Dues

The club officers shall have the right to set the annual dues. Club dues may only be changed once per year.

Article V. Club Officers

Section 1. Officers

Officers of the club are elected by the membership, have audit power over the clubs financial operations and will be responsible for voting on all club business matters. The Officers of the club shall be:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. "Member at Large"

In addition to the Officers above, two Officers will be appointed by the Officers above. They will serve a term of one calendar year congruent with the Officers above. The appointee's will be members in good standing, hold voluntary positions within the club, and be responsible for voting on all club business matters. The two Officers shall be but not limited to:

6. Sponsorship Director
7. Uniform Coordinator

Section 2. Election of Officers

Officers shall be elected by a majority of the membership in November each year. Members maybe nominated for club office in October each year if; (1) the candidate meets the office requirements set forth in Article IV Section 2 and Article V Section 4, and (2) the candidate is nominated by two members in good standing at the October club meeting. The election process shall either be electronic (online voting and/or email) or through mailed ballots. Officers shall take office on Jan 1 of the following year. The interim period between election to office and installation shall be used by each new

officer to learn the responsibilities and duties of his/her office from the outgoing officer. The term of office shall be one calendar year.

Section 3. Duties of Officers

President: The President shall preside at all club meetings. He/she or his/her appointee, shall be the club representative at the meetings of any organizations of which the club is a member.

Vice President: The Vice President shall be capable of performing all the duties of the President in case of the absence of the latter. The Vice President shall be a member ex-officio of all committees established within the club.

Secretary: The Secretary shall keep minutes of all the proceedings, make proper record of the same, and generally perform such duties as may be required by the Officers. The Secretary shall, upon expiration of his/her term, turn over to his/her successor all recorded minutes and other records.

Treasurer: The Treasurer shall receive and be responsible for all monies belonging to the club. The Treasurer shall disburse club funds as directed by the Officers. He/she shall produce an annual budget by December for the following operating year, keep and report monthly an accurate account of all monies received and disbursed by him/her, and shall generally perform such associated duties as may be required by the Officers. The Treasurer shall, upon expiration or resignation of his/her term, turn over to his/her successor or the Officers, all monies, financial records, and property of the club and his/her possession. He/she shall provide access to all funds by the President in case of emergency.

Section 4. Qualification of Officers

President: The President shall be an active member in good standing and have been a member for (1) year prior to his/her nomination. A candidate for the office of President shall have reached his/her 21st birthday prior to nomination

Vice President: The Vice President shall be an active member in good standing and have been a member for (1) year prior to his/her nomination. A candidate for the office of Vice President shall have reached his/her 21st birthday prior to nomination.

Secretary: The Secretary shall be an active member in good standing and have been a member for (1) year prior to his/her nomination. A candidate for the office of Secretary shall have reached his/her 21st birthday prior to nomination. A candidate for the office of Secretary shall be considered for his/her ability to attend club meetings for the purpose of recording the proceedings.

Treasurer: The Treasurer shall be an active member in good standing and have been a member for (1) year prior to his/her nomination. A candidate for the office of Treasurer shall have reached his/her 21st birthday prior to nomination.

Section 8. Removal of Officer

Any club officers may be removed from his/her elected office for failure to fulfill the duties of that office or failure to represent the club in a manner in keeping with the purpose of the club, as specified in Article II. Removal shall be accomplished by a $\frac{3}{4}$ vote of the membership of the club at a designated meeting. If removal shall be accomplished by a

$\frac{3}{4}$ vote of the membership at a designated meeting, removal notice shall be given to the membership at least (15) days before the vote is to be taken.

Section 9. Vacancies

A vacancy in an office shall be filled through appointment by the President for the remainder of the unexpired term and thereafter until a successor is elected, except in the case of a vacancy occurring in the office of the President, whereby the office shall be assumed by the Vice President.

Section 10. Compensation of Officers

No club Officer or appointed Officer shall receive compensation for his/her services as an officer.

Article VI. Club Meetings

Section 1. Regular Meeting

Meetings shall be held on the monthly basis. The day of the week and time of the meetings shall be determined by the Officers.

Section 2. Special Meetings

The club shall meet in special session upon the call of the President or at the request of 25% of the membership. Notice of special meetings shall be by email not less than (10) days prior to the meeting date.

Section 3. Year of Operation

The club year of operation will commence on January 1st and conclude on December 31st. each calendar year. The term of club membership is the same as the club year of operation.

Article VII. Conduct of Meetings

Section 1. Order of Business

Unless amended by a majority vote of Officers and at-large Officers present, the order of business at all club meetings shall be as follows:

1. Introduction of guests and new members
2. Posting of the minutes from the preceding meeting
3. Treasurers report
4. Committee reports
5. Old (unfinished) business
6. New (miscellaneous) business

Section 2. New Agenda Items

New agenda items must be received at least (15) days prior to the next meeting to be included in the agenda for that meeting. New agenda items can be submitted electronically (email to the club Secretary) or a written proposal can be mailed and/or hand delivered at a club meeting.

Article VIII. Committees

Section 1. Committees

The club officers, or presiding officer of the club, may create special committees and define their respective powers and duties. A quorum of the transaction of business or discussions of recommendations by such committee shall be (2/3) of the appointed committee members.

Article IX. Discipline

Section 1. Action

The clubs Officers and at-large Officers may, after notice and a proper hearing, suspend revoke the membership privileges of any member.

Section 2. Causes for Action

Any member of the club may be suspended or have his/her membership revoked for misconduct in his/her relations with the club or for conduct which is deemed detrimental to the welfare of the club as a whole.

Article X. Changes to the Constitution

Section 1. Amendments

This constitution may be amended only at the November meeting each year, provided notice of the proposed amendment shall have been given by the Secretary to the membership at least (15) days before the amendment is offered for final consideration. Amendments shall require a two-thirds (2/3) vote of the voting membership of the club either by electronic (online voting and/or email) or through mailed ballots.

Article XI. Effective Date

This Constitution shall take effect November 9, 2004. This Constitution supersedes all preceding constitutions and by-laws.