

## **BY-LAWS**

(Adopted March 12, 1981, this revision dated April 9, 2013)

### **ARTICLE I – NAME AND OBJECTIVE**

#### **\* Section 1**

Name. The name of this club is the Moccasin Flying Club

#### **\* Section 2**

Objective. Its objective is the ownership, operation and maintenance of a private club for social enjoyment, pleasure and recreation of its members and the promotion of flying and other related, similar or incidental activities.

### **ARTICLE II MEMBERSHIP**

#### **\* Section 1**

(a) Requirements and Types of Membership. There shall be three (3) permanent membership categories in the club: equity membership, medical membership and social membership. A temporary, six-month "Pinch Hitter" membership (described below) is available for equity members' spouses. No person may hold more than one (1) membership.

(b) Persons holding valid and effective private pilot's license or better, issued by the appropriate federal agency, shall be eligible for equity membership.

(c) Persons holding valid and effective student pilot's license or persons desiring to learn to fly shall be eligible for membership. Their flying shall be limited to aircraft approved by the club membership as instructional aircraft and they must at all times be accompanied by a club-approved CFI and/or their flight must be specifically approved by said instructor.

(d) The number of equity memberships shall not exceed the total number of memberships determined by Article II, Section 4, paragraph (c) of the by-laws.

MFC members who have been in the club for at least 12 consecutive months shall be entitled to convert their equity membership to a social membership. Upon conversion to a social membership, the member relinquishes their equity to the club.

A former equity member who has converted to social membership, may, on a one-time basis, convert back to an equity membership without payment for a new membership under the following provisions:

1. Said conversion will not increase the number of equity memberships beyond the membership cap in effect on the date of conversion.
2. Said member executes an agreement that they will remain an equity member for a period of at least 12 months from the date of conversion.
3. Said member fulfills the current check-out and currency requirements in effect on the date of conversion.

After a social member has made the one-time conversion back to an equity membership described above, he/she shall not be entitled to payment for their membership upon subsequent resignation from the club. Also, said member may not reconvert back to a social membership without the approval of two-thirds of the members present at the next regular meeting after said member has given the club Secretary notice of his/her desire to reconvert to a social membership.

(e) Medical membership - An equity member that has lost his/her medical certificate for reasons other than his/her own doing may elect to become a medical member. This membership shall not count against the maximum total number of equity memberships allowed by the By-Laws. In the event that a member with a medical membership elects to re-convert his/her membership to an equity membership, he/she may do so only so long as said re-conversion does not result in more than the maximum number of equity memberships allowed by the By-Laws. If said re-conversion would result in more equity members than allowed by the By-Laws, the medical member will be placed on the membership waiting list and shall be allowed to re-convert to equity membership in accordance with his/her place on the membership waiting list. The Rules and Regulations will govern the remaining aspects of this type of membership.

Pinch hitter members shall pay a one-time fee, no monthly dues, and shall have no voting privileges. Pinch-hitter members shall fly only with a MFC-approved flight instructor in the club's primary training aircraft.

## **\* Section 2**

Filing Applications. Applications for membership and/or to be a club-approved CFI shall be in writing and signed by the applicant. The Membership Secretary shall investigate the character, reputation and standing of each applicant whose application has been referred to him/her. If the investigation proves satisfactory, the application shall be referred to the Board of Directors for consideration. If two (2) or more members of the Board of Directors vote against approval of the applicant, the application shall be rejected and no new application shall be accepted from the same party within a period of one (1) year. If the application is approved by the Board of Directors, the applicant shall be declared eligible to hold membership in the club.

## **\* Section 3**

Compliance with Check-out Requirement and Rules. Upon the purchase of a membership and at all time while a member, each member will comply with the requirement regarding new member orientation and aircraft check-out as is from time to time published in the Rules and Regulations of the club, the minutes of the general membership and Board of Directors meetings, the newsletter or any Notice proscribed by the club's general membership or its Board of Directors.

## **\* Section 4**

(a) Sale of Membership. In the event any member desires to sell their membership, they shall first offer the membership to the club through the President or Secretary. The club shall then have three (3) days within which to accept this offer. The decision to purchase or not purchase shall be made by the Board of Directors. In the event the club declines to purchase the membership, the member shall then be free to sell their membership to anyone approved for membership.

(b) Upon the sale of a membership, the selling member shall notify the Secretary of the name of the purchaser and the purchaser must fulfill the requirements of Article II, Section 2 of the By-Laws.

(c) The maximum number of equity members shall be 70.

## **\* Section 5**

(a) Revocation. A membership may be revoked for:

1. Dangerous or irresponsible operation of club aircraft.
2. Non-payment of dues and/or assessments which are sixty (60) days past due from issuance of bill.
3. Violation of club Charter, By-laws and Rules and Regulations.
4. Knowingly flying a club aircraft that has not been released from a maintenance reservation by a maintenance officer.
5. Accepting compensation in violation of item (d) below.

(b) Members can be temporarily grounded by any MFC officer or Board Member pending a review by the Safety Committee or the Board of Directors, whichever is appropriate. Social memberships may be revoked for any reason at any time by a majority vote of the Board of Directors.

(c) If the Safety Committee or the Board of Directors determines that a vote on membership revocation is appropriate, the Secretary, on behalf of the Board or Safety Committee, shall direct written notice of a membership revocation meeting to all club members. Said notice shall include the date, place and time of the meeting, the name of the member whose membership is being considered for revocation, the grounds for revocation and the fact that a two-thirds vote in the affirmative of those present is required for revocation. The member whose membership is subject to revocation shall be entitled to appear before the membership and present any reasons why his/her membership should not be revoked. Said member shall be excused from the meeting prior to a vote upon such expulsion action. An affirmative vote for expulsion by two-thirds of those members present shall be required for expulsion. Alternative disciplinary action may be taken by the membership upon a simple majority vote of those present.

(d) Members are prohibited from accepting compensation from any source for services rendered to the Club or services rendered at a MFC sponsored events without the approval of the general membership prior to the rendering of said services. By accepting membership in the Club or continuing membership after the adoption of this rule (December, 1996), each member agrees that any monies accepted for services rendered shall be the property of the Club. This rule does not apply to reimbursement of expenses, maintenance or repairs.

**\* Section 6**

(a) Membership Meetings. Club meeting shall be held at such times and places as the membership or Board of Directors may decide.

(b) Notice of club meetings will be indicated with the minutes or other prescribed notice/publication of the previous month's meeting, and distributed each month to all members.

(c) A club meeting shall be deemed to have a quorum if a majority of the Directors of the Board are present in person. In any event, no club meeting may be held unless notice of the meeting is provided to all members at least 48 hours prior to the time of the meeting. A simple majority vote of all members in good standing in attendance upon the proposals presented at such meetings will be determinate except as otherwise provided herein. Proxy voting by members in good standing is permissible.

**ARTICLE III – BOARD OF DIRECTORS**

**\* Section 1**

Board of Directors, and Term. The business and affairs of the club shall be managed by its Board of Directors. The Board of Directors shall consist of the President, Vice President, the Secretary, the Treasurer and one (1) other director, to be elected as hereinafter provided. The Chief Flight Instructor shall serve as an ex-officio member of the board. The term of each director will be one (1) year. The immediate past president of the club shall be an ex-officio member of the Board of Directors, without vote, for one (1) year after vacating the office of the president. All members of the Board of Directors shall be an MFC members.

**\* Section 2**

Powers. The Board of Directors shall have and be vested with all powers not otherwise reserved by the By-Laws, by the Charter or by applicable statutes, including all powers to operate, manage, control and supervise the club fleet, its employees, servants and agents; to pass rules for the management and government of the club and its members; to fix, enforce, and remit penalties for the breach of club by-laws and rules; to discipline, impose fines, suspend and expel, subject to the provisions and limitation hereinafter set forth; to fix, from time to time, assessments and dues payable for all classes of club members; and all other powers necessary for the proper operation and maintenance of the club which are not otherwise reserved.

Without regard to the vote of the general membership, the Board of Directors is hereby authorized to assess special charges to the general membership for the purpose of making up shortages in cash flow.

**\* Section 3**

Meeting Date. The Board shall by resolution fix a regular date for its monthly meeting, provided that the President may, by notice, set another time for any meeting. Special meetings may be called by the President, and shall be called by the President upon the written request of two (2) or more directors.

No less than twenty-four (24) hours notice shall be given to all available members of the Board as to the holding of any special meeting, and the subject matter of the special meeting shall be included in the notice. The Board of Directors shall hold membership meetings on at least a monthly basis. All club business not related to maintenance, the routine daily operation of the club, and applications for membership and/or club-approved CFI status shall be conducted at the monthly membership meetings.

**\* Section 4**

Minutes. The Board of Directors shall keep a record of all their proceeding, which shall at all times be open to inspection by any club members.

**\* Section 5**

Resignation and Vacancies. Any director may resign by delivering written notice to the Board, the President of the club. In the event of a vacancy in the office of a director, a successor will be chosen in accordance with Article IV, Section 3.

**\* Section 6**

Dismissal. In the event a director misses three (3) consecutive regular membership meetings, he/she may be removed from the Board and replaced in office by a simple majority vote at the next regular membership meeting.

After said member misses two (2) consecutive meetings, direct written notice by the Board shall be given to the member that his/her absence at the next meeting without satisfactory explanation will be sufficient cause for a vote on dismissal. Should the Board determine that a vote on director dismissal is appropriate, notice of the upcoming vote and possible director replacement shall be given to the membership without undue delay.

## **ARTICLE IV – OFFICERS**

### **\* Section 1**

Title and Term of Officers. At each annual meeting of the members, the club members shall elect a President, Vice President, Secretary and Treasurer for the club. One (1) person may not be elected to more than one (1) officer position. Each officer shall be elected for a term of one (1) year, beginning on January 1<sup>st</sup> of the year after the annual meeting through December 31<sup>st</sup> of that year. A person may be re-elected for a successive term of office.

### **\* Section 2**

Elections. Election of officers shall be held at the November meeting. Nominations shall be taken from the Nominating Committee and from the floor. Elections shall be by secret ballot for all contested races. Uncontested races shall be by voice vote. The Chairman of the Nominating Committee shall preside over the tabulation of all secret ballots.

### **\* Section 3**

Vacancies. In the event of any officer's position shall become vacant, notice of said vacancy and that it will be filled by an election at the next regular meeting of the membership, shall immediately be given to the membership. In the event the vacancy is that of the President, the Vice-President shall take on the responsibilities of the president until a new President is elected. In the event of any other office becomes vacant, that position shall be filled by the next senior officer or by appointment until the next regular meeting of the membership.

## **ARTICLE V – COMMITTEES**

### **\* Section 1**

Committees. The club will have the following standing committees:

Safety Committee  
Future Needs Committee  
Social Committee  
Nominating Committee  
Publications Committee  
Special Projects Committee

## **\*Section 2**

The purpose of each standing committee shall be as follows:

- (a) Safety Committee. The Safety Committee shall consist of the Board of Directors and the Chief Flight Instructor as a voting member. Its purpose shall be to oversee the safe operation of the club fleet and to enforce the By-Laws/Rules and Regulations of the club. The Safety Committee shall have the authority to take action against any member, including grounding and suggestions of revocation of membership, for the unsafe or dangerous operation of club aircraft or for the violation of the club By-Laws/Rules and Regulations.
- (b) Future Needs Committee. The President will appoint a chairman of this committee, upon which said chairman will appoint such further members as he/she deems necessary. This committee shall, on an annual basis, review the financial condition of the club and propose changes in membership dues and aircraft rates. The committee shall also consider and suggest such upgrades or additions to the fleet as are warranted.
- (c) Social Committee. The President will appoint a chairman of this committee, upon which said chairman will appoint such further members as he/she deems necessary. The Social Committee shall be responsible for all social events.
- (d) Nominating Committee. The President will appoint a chairman of this committee, upon which said chairman will appoint such further members as he/she deems necessary. The Nominating Committee shall be responsible for nominating a member to each office as is set forth in these by-laws.
- (e) Publications Committee. The President will appoint a chairman of this committee, upon which said chairman will appoint such further members as he/she deems necessary. The Publications Committee shall be responsible for the publication of the newsletter and the dissemination of such other written material as may be required or suggested by club officers or the Board of Directors.
- (f) Special Projects Committee. The President will appoint a chairman of this committee, upon which said chairman will appoint such further members as he/she deems necessary. The Special Projects Committee shall be



responsible for coordinating any and all special programs and projects for the membership.

## **ARTICLE VI – ADOPTION AND AMENDMENT**

### **\* Section 1**

These by-laws shall be adopted when ratified by a two-thirds majority of the members present and voting thereon, at such meetings or in such manner as may be determined by club members.

### **\* Section 2**

Proposed amendments to these by-laws may be submitted in writing or by voice by any member at any regular meeting, but such amendments shall be laid over until the next regular meeting, when they shall be voted upon. To effect an amendment, two-thirds of the members present must vote in the affirmative. Notices setting forth the proposed amendments in full must be furnished to the membership with the date upon which the vote is to be taken.

## **ARTICLE VII – VOTING**

### **\* Section 1**

All members in good standing may participate in any vote – simple or two-thirds majority – provided for under these bylaws. A member in good standing shall be defined as a member who is not grounded for any reason.