



EL PASO AMATEUR RADIO CLUB  
2100 SAN DIEGO AVE.  
EL PASO, TX 79930

# Constitution and By-Laws

**As Amended May 13, 2022**

# **Constitution and Bylaws of El Paso Amateur Radio Club**

## **Constitution**

### **Article 1**

#### **SECTION 1**

##### **Name**

The name of this club shall be the: El Paso Amateur Radio Club also referred to as "EPARC".  
Licensed by the Federal Communication Commission as W5ES.

#### **SECTION 2**

##### **Object**

The El Paso Amateur Radio Club is a not-for-profit educational and/or scientific organization as well as an emergency communication provider dedicated to the advancement and/or dissemination of information relating to all aspects of the radio art, with particular reference to the maintenance and operation of amateur radio.

#### **SECTION 3**

This club shall be non-political and non-sectarian in all of its relationships.

#### **SECTION 4**

##### **Charter**

The club shall maintain a charter in the state of Texas as a not-for-profit organization.

### **Article 2**

#### **SECTION 1**

##### **Membership**

All persons interested in amateur radio shall be eligible for membership subject to the approval of the general membership. Applicants must be willing to abide by the Constitution and By-Laws, adhere to the rules and regulations of the Federal Communications Commission and must maintain an interest in the activities of EPARC

#### **SECTION 2**

##### **Officers and Trustees**

There shall be the following officers elected annually: President, Vice-President, Treasurer, Secretary, and four trustees which shall be elected biennially.

#### **SECTION 3**

##### **Qualifications of Officers and Trustees**

Any candidate for office must be a member in good standing, must be eighteen (18) years of age or older, and must have been a member of the club for a minimum of six (6) months. Candidates for Trustee shall have been a member in good standing for a minimum of one (1) year.

#### **SECTION 4**

##### **Election of Officers**

Candidates for each office shall be presented by the nominating committee at the regular meeting in September and published in the newsletter for October. Nominations from the floor will be taken before voting at the regular meeting in October. Candidates must have given their permission to run, verbally to any officer or in writing. Officers shall be elected by ballot or acclamation if only one candidate is running and installed at the regular January meeting.

### **ARTICLE 3**

#### **SECTION 1**

##### **Board of Trustees**

The Board of Trustees shall consist of the officers, four elected trustees, and the chairpersons of all standing committees. All meetings may be attended by any member in good standing. Officers and Trustees may serve no more than two consecutive terms with the exception of the Secretary and the Treasurer, who may be reelected for as many terms as approved by the Board of Trustees.

## **ARTICLE 4**

### **SECTION 1**

#### **Accounting**

Each member of the Board of Trustees will keep an accurate accounting of duties and records of yearly activities. These records will be forwarded to the incoming Board of Trustees successor in an orderly fashion at the July Board of Trustees meeting. It shall be the responsibility of the outgoing President and the incoming President to oversee these transmissions.

### **SECTION 2**

#### **Inventory**

An accurate inventory of all physical assets (except club funds) will be conducted by any member appointed by the President and their location will be kept in duplicate. One copy will be retained with the Treasurer's records and one copy with the Secretary's records. This inventory will be reviewed at least once annually after the July Board of Trustees meeting and verified.

## **ARTICLE 5**

#### **Meetings**

The club shall hold regular meetings twice a month on the second and fourth Fridays at the clubhouse; the second Friday of the month shall be the business meeting and the fourth Friday of the month shall be for education. The meetings may be cancelled in the event of a holiday or scheduling conflicts. The Board of Trustees shall meet at their discretion but shall meet at least quarterly in January, April, July & October at a time and place designated by the Board. All meetings may be attended by any member in good standing. The President may also call a Board of Trustees meeting at any time provided a one-week notice is given to all officers and board members.

## **ARTICLE 6**

#### **PUBLICATION**

The EPARC shall have the authority to publish newsletter which shall be known as the "Bulletin". It shall be distributed to all club members, exchange clubs, and non-member donors.

## **ARTICLE 7**

#### **Signing Officials**

- A. Checks drawn upon the funds of the club shall require the signature of the Treasurer and/or the President or the Vice-President.
- B. Withdrawal of any other club funds from repository shall require two (2) signatures: Treasurer and the President or Vice-President.
- C. Any document committing the club to, a plan of action requires two (2) signatures, a member of the club with temporary authorization of the Board of Trustees and the President or Vice-President.
- D. Signing club members shall not be related by marriage, blood, or cohabitation.

## **ARTICLE 8**

#### **Affiliations**

The EPARC may enter into any affiliation with approval of the general membership.

## **ARTICLE 9**

### **Section 1**

#### **Amendments**

Any proposed amendments to this constitution must be submitted in writing to any elected officer. Such proposed amendments must be signed by three (3) active members of the club before being submitted. They will be referred to the Board of Trustees for investigation and recommendation. Proposed amendments will then be published in the "Bulletin" within sixty (60) days and will be read and voted upon at the next regular meeting after publication. They

shall become a part of this Constitution only if approved by two thirds (2/3) majority of the members present and voting at said meeting.

## **Section 2**

### **Disposition of Amendments**

A permanent record of all amendments to the "Constitution and By-Laws" of W5ES "The El Paso Amateur Radio Club" will be kept, updated, and maintained by the Secretary of W5ES, "The El Paso Amateur Radio Club" and be reviewed once a year at the July Board of Trustees meeting.

A current and up to date copy of the amendment to the "Constitution and By-Laws" of W5ES "The El Paso Amateur Radio Club" will be immediately provided to any voting member that is confirmed to be in good standing, making a request to any elected officer of W5ES, "The El Paso Amateur Radio Club" for a copy.

## **ARTICLE 10**

### **Parliamentary Authority**

All business of the club shall be conducted under Roberts Rules of Order (Revised). Protested business will not become binding until ruled upon by the Board of Trustees.

# **Bylaws**

## **By-law 1**

### **SECTION 1**

#### **Membership**

All prospective members must submit a written application accompanied by membership dues. Said application to be approved or rejected by the general membership. If rejected, the treasurer shall provide an explanation and a full refund will be made.

### **SECTION 2**

#### **Dues**

Non-refundable dues shall be Twenty-Five (25) dollars for a full membership and Twelve (12) dollars and Fifty (50) cents for an associate member, family member or partial year. Dues are paid on a twelve (12) month basis from meeting date of application and renewed annually every January. The Board of Trustees will review the dues schedule annually at a Board of Trustees meeting. Their recommendations will be presented at a general meeting for approval.

### **SECTION 3**

#### **Types of Membership**

##### *Full Membership:*

Any operator wishing membership shall have a current valid Amateur radio license.

##### *Associate Membership:*

Any person having an interest in radio, attending or not, may apply for non-voting Associate membership and is entitled to Publications only.

##### *Honorary and/or Life Membership:*

Shall be at the discretion of the Board of Trustees. The Board of Trustees has the final approval on classification of membership

### **SECTION 4**

#### **Reinstatement**

In the event any member drops out or is expelled from the club for a period of one year or more and wishes to rejoin, he may rejoin the club. At the discretion of the Board of Trustees, full former membership rights and privileges may be reinstated. No cancellations or refund of dues shall be paid if a member resigns before the close of his membership year.

### **SECTION 5**

#### **Non-Payment of Dues**

Non-payment of dues by a member shall be considered equivalent to a resignation. The name will be dropped from the membership rolls unless extenuating circumstances are given or made known. At which time the Board of Trustees shall decide on said circumstances.

## **SECTION 6**

### **Membership Benefits**

The privileges of full membership are those of voting, the use of the club equipment, and the participation in all functions of the organization.

A. Voting: Eligibility to vote is limited to full members in good standing

All voting is decided by simple majority except where specifically noted in the Constitution and By-Laws. The responsibility of conducting the balloting rests with the Vice President. He/she may appoint assistants. The ballots must be retained by the secretary for sixty (60) days, after which time the votes may no longer be challenged

B. Use of the club equipment: Every full member in good standing has access to the use of the club equipment. Members must abide by any rules set by the Board of Trustees, and the rules and regulations of the Federal Communications Commission

## **BY-LAW 2**

### ***Duties of Officers***

#### **SECTION 1**

##### **President**

The President shall preside at all general meetings, Board of Trustees meetings, and shall exercise general supervision over the affairs and activities of the club. In addition, the President appoints all committee chairpersons. He/she also serves in any other capacity as required elsewhere in the Constitution and Bylaws.

#### **SECTION 2**

##### **Vice-President**

In the absence of the President, the Vice-President shall assume the duties of the President.

#### **SECTION 3**

##### **Treasurer**

The Treasurer shall receive all club funds and keep them in a bank or repository selected or approved by the Board of Trustees. Accurate records must be kept of all monetary transactions. The Treasurer shall require a bill or signed voucher for all disbursements and will issue receipts for all incoming funds. The Treasurer must present a monthly financial report at each Board of Trustees and general meeting. All records to be audited annually within sixty (60) days of the January regular meeting and to be kept a minimum of seven (7) years. The Treasurer shall be responsible for the filing of all IRS and/or tax paperwork.

#### **SECTION 4**

##### **Secretary**

The Secretary shall keep the original minutes in duplicate of all Board of Trustees, and general meetings of the club, which shall be an accurate and official record of all business transactions. One copy shall be retained by the President. The Recording Secretary shall maintain a current membership list and all other records as directed by the Board of Trustees for a period of seven (7) years.

## **BY-LAW 3**

### **Vacancy of an Elected Office**

In the event of a vacancy of any elected office (as defined in the Constitution) for any reason, the Board of Trustees shall appoint a successor to serve the unexpired term within thirty (30) days of the vacancy.

## **BY-LAW 4**

### **Voting Regulations**

In order for a member to vote on any issue he/she must be present at the time the vote is taken and meet all the qualifications of the Constitution. In cases where a member holds multiple positions on the Board of Trustees, the member will be allowed only one vote.

Whereas, if the club is offering video conference attendance of the meetings, a member connected to the meeting with the camera on during the time of the meeting shall be deemed present and eligible to vote.

## **BY-LAW 5**

### ***SECTION 1***

#### **Expulsion**

The Board of Trustees, by two thirds (2/3) majority vote, can expel any member of the club for the following reasons:

- A. Conduct unbecoming a member of the club.
- B. Malfeasance in office.
- C. Willful failure to follow the rules and regulations of Federal Communications Commission Part 97.

### ***SECTION 2***

Elected officers and trustees may be expelled from office for failing to attend two (2) consecutive board meetings without extenuating circumstances being given or made known verbally or in writing.

## **BY-LAW 6**

### ***SECTION 1***

#### **Committees**

The standing committees are:

- A. Programs
- B. Contest
- C. Education
- D. Public Relations and Website
- E. "Bulletin"

The President shall appoint the chairpersons from the general membership. The chairpersons may establish their committees from the general membership.

### ***SECTION 2***

The president shall establish or dissolve such special committees, with the advice of the Board of Trustees, as from time to time may be required, to sustain the functions of the club.

### ***SECTION 3***

The nominating committee shall be composed of one (1) elected officers, one (1) appointed member of the Board of Trustees, and two (2) members from the general membership, all of whom shall be appointed by the President. The chairperson shall be selected by the committee from its membership. The committee shall meet at the chairperson's convenience prior to the October Board of Trustees meeting. Their report shall be presented as prescribed in the Constitution.

### ***SECTION 4***

#### **Voting**

Each standing committee will be allowed one (1) vote at Board of Trustees meetings, except as noted elsewhere. Nominating and ad hoc committees have no vote.

## **BY-LAW 7**

#### **Quorum**

A minimum of Five (5) regular members in person or via video conference shall constitute a quorum at the regular meetings of the club requiring a vote. At Board of Trustees meetings, two thirds (2/3) of the Board of Trustees of the club shall constitute a quorum. At the Board of Trustees meetings, two thirds (2/3) of the Board of Trustees and one half (1/2) of the standing committees shall constitute a quorum. Ad hoc committees and the nominating committee do not count for quorum.

## **BY-LAW 8**

#### **Order of Business**

The order of business at all meetings of the club shall be as follows:

1. Call the meeting to order.
2. Pledge and Introduction of members present
3. Moment of Silence

4. Reading of the minutes of the previous meeting, unless published.
5. Reading of the Treasurers' report.
  - A. At the Board of Trustees—full report.
  - B. At the general meetings—condensed report except for unusual transactions.
6. Old business.
7. New business.
8. Program.
9. Any other club functions.
10. Adjournment.

## **BY-LAW 9**

### ***Amendments***

Proposed amendments to the By-laws will be submitted in writing to the Board of Trustees, signed by three (3) active members. The board will investigate and make their recommendations at the next general meeting. Voting will proceed at said meeting with a simple majority of eligible members present and voting required for passage.

## **BY-LAW 10**

### **Dissolution**

In the event of the dissolution of this organization, any remaining funds and other assets will be donated to a non-profit organization organized exclusively for charitable, religious, educational, or scientific purposes.

## **BY-LAW 11**

This Constitution and By- Laws shall supersede all previous documents and shall become effective immediately.

## **BY-LAW 12**

### **Conflict of Interest**

Officers and Trustees of EPARC may not concurrently hold office in any other amateur radio club which may be construed as a conflict of interest. Concurrent membership in other amateur radio clubs is permissible.



**EST. 1946**