

**BY-LAWS**  
**of the**  
**TOPSHAM TRAILRIDERS ATV/SNOWMOBILE CLUB**

Jan 3, 2007

ARTICLE I

Name and Location

The name of this organization is Topsham Trailriders ATV/Snowmobile Club. Its location and principal office shall be at Topsham in the County of Sagadahoc and the State of Maine.

ARTICLE II

Purposes and Powers

Section 1:

To educate its members and the general public in the principles of safety in the use of ATV's and snowmobiles.

To act as a liaison between ATV/Snowmobile clubs and the State agencies who are assisting or promoting the sport of ATV and Snowmobile riding.

To encourage the use of ATV's and Snowmobiles and the establishment of trails in a manner that will result in a minimum effect on the environment.

To promote, among all ATV riders and Snowmobilers, a greater respect for the rights of property owners and other sport enthusiasts.

To encourage among its members an appreciation for the natural and scenic areas of our State and the need for their protection.

To coordinate the efforts of its members in matters relating to the use and ownership of ATV's/Snowmobiles and to encourage the passing of legislation in the best interest of both riders and landowners.

Section 2:

To these ends the organization shall be empowered:

To acquire by gift or purchase, whether in trust or otherwise, to hold, sell, convey, assign, mortgage, or lease any property, real or personal, necessary or incidental to the accomplishments of any of its purposes; to solicit funds, subscriptions, pledges, grants, direct loans or other financial aid and to make any other contract in furtherance of its said purposes; and to take such other and further actions as may be necessary for the accomplishment of its said purposes and not inconsistent with the specific limitations of its powers hereinafter recited.

## ARTICLE III

### Membership and Dues

1. Membership is open to any person of good character and in sympathy with the purposes of the organization upon application to the secretary and payment of one year's dues. All members will be members of MSA and Maine ATV Association and shall abide by their established by-laws.
2. Membership shall consist of three (3) classes:
  - a. Family membership shall include husband and wife and/or couples and their children under 18 years of age.
  - b. Single members, age 18 and above.
  - c. Business membership shall include up to a maximum of five (5) employees.
  - d. Note: After the first year, for members who already belong to MSA, the MSA portion of the dues shall be waived.
3. Powers. Members (15 years and older) shall be eligible to vote at all meetings of, and to hold office in, this organization.
4. Resignation, removal. If a member, while operating and ATV or Snowmobile, or during club activities, violates any law, regulation or commits any act (theft, etc.) which could reflect on the integrity of the organization, the membership may be terminated immediately by a majority vote of the general membership or if his/her annual dues remain unpaid sixty (60) days after bills are mailed out by the Treasurer.
5. Dues. The annual dues for members shall be Thirty dollars (\$30.00) per year for single, family, or dealer membership, payable on or before the Thirtieth (30<sup>th</sup>) day of April in each year. The annual dues for Business members shall be One Hundred dollars (\$100.00) per year, payable on or before the Thirtieth (30<sup>th</sup>) day of April in each year. Membership year consists of April 1<sup>st</sup> to the last day of March.
6. Non-Discrimination Statement. Any member, or applicant for membership, shall not be discriminated against on the basis of race, color, creed, age, sex, or national origin.
7. A membership may be terminated by the Board of Directors for any reason deemed by the Board to be prejudicial to the best interests of the

organization. A two-thirds majority of those directors present at any regular meeting shall be required.

## ARTICLE IV

### Meetings of Membership

1. Annual Meetings. The annual meeting of this organization for the purpose of electing directors and officers shall be held at the regular October membership meeting each year. Such meeting shall be held at some place within the Topsham area designated by the officers.
2. Monthly Meetings. Monthly meetings will be held on the first Wednesday of each month at 7:00pm at a location to be designated by the officers.
3. Special Meetings. Special meetings of the membership may be called by the President at any time and shall be called by him/her at the written request of two (2) members stating the object thereof. Upon receipt of such request, the President shall forthwith cause the Secretary to issue written notice to the membership stating the time, place, and object of such meeting, which shall be held no later than fourteen (14) days after receipt by the President of request therefore. No business not related to the object stated in the request shall be transacted there at.
4. Quorum. A quorum for voting purposes at any meeting of the membership shall be one-tenth (1/10) of the membership at the time of the call of the meeting; however, a less interest may adjourn the meeting.
5. Proxies. No voting by proxy shall be permitted at any meeting of the organization.
6. Notice. Written notice of a change in the schedule of the regular monthly membership meetings shall be mailed by the Secretary to every member at his/her address last appearing in the organization records no less than fourteen (14) days before the date fixed for such meeting. Notice shall be deemed given when mailed.

## ARTICLE V

### Officers

1. Number and Designation. The management and administration of the affairs of this organization shall be entrusted to four (4) officers, President, Vice-President, Secretary, and Treasurer.
2. President. The President shall be the chief executive administrative office of the organization. He/she shall preside at all meetings of the organization.
3. Vice-President. The Vice-President shall, in the absence of or disability of the President, have and exercise all the powers of the President. He/she shall have such other and further duties as the President may from time to time prescribe.
4. Secretary. The Secretary shall keep an accurate record of the meetings of the organization. He/she shall give the notice required by the by-laws of all such meetings. He/she shall notify persons of their election to or removal from membership, and shall conduct the formal correspondence of this organization. He/she shall have custody of the minute book and other records of this organization.

An assistant Secretary shall preside over if in the absence of the Secretary and assist in assigned tasks from time to time.

5. Treasurer. The Treasurer shall keep the accounts and have charge of the funds of this organization. He/she shall render a written report of the financial condition of the organization to the membership at its annual meeting.
6. Committees; absences. The president may from time to time appoint from the membership such committees as in his judgement shall be necessary to further the purposes of this organization. In the case of the absence or inability to act of either the Secretary or the organization or the Treasurer, the President may appoint a Secretary or Treasurer pro term.
7. Election of Officers. The officers of this organization shall be elected by the membership at the annual meeting of this organization. From the nominees for each office, the one receiving the highest number of votes cast shall assume that office. If there is no more than one nominee for each office, the President may waive the requirement of formal balloting and directing the Secretary to cast one ballot for the nominee.

8. Terms. The terms of President and Vice-President shall be one (1) year and Secretary, Treasurer shall be one (1) year in length or until their successors are elected. A nominating committee of at least three (3) persons shall be appointed by the President one month prior to the annual meeting with the approval of the Board of Directors.

## ARTICLE VI

### Directors

1. Number, how elected; term. The governing body of this organization shall be a Board of Directors composed of nine (9) persons. Of those elected four (4) of the directors shall consist of the President, Vice President, Secretary and Treasurer who are elected for a term of one (1) year. Five (5) of the Directors shall be elected from the membership for a term of (1) Year. In the event of a vacancy on the Board, the membership may choose a person from the membership of the organization to fill the unexpired term, unless the officers deem a suitable person cannot be found.
2. Meetings. The Directors shall meet on the third Wednesday of each month. Special meetings shall be called by the President at the written request of three (3) members stating the object thereof. Upon receipt of such request, the President shall cause the Secretary to forthwith issue notice to the Directors stating the time, place, and object of such special meeting, which shall be held not later that five (5) days after receipt by the President of the request therefore. No business not related to the object stated in the request shall be transacted thereat.
3. Quorum. A quorum for voting purposes at any meeting of the Directors shall be five (5) members, however, a less interest may adjourn the meeting.
4. Proxies. No voting by proxy shall be allowed at any meeting of the Directors.

## ARTICLE VII

## Finances; Execution of Documents and Expenditures

1. Finances. All organizational funds shall be deposited in such bank as may from time to time be designated by the Board of Directors. Organization checks shall be signed by the Treasurer and/or President and/or Secretary and/or Trailmaster.
2. Expenditures. Expenditures shall be allowed as follows:
  - a. \$0-\$500 can be spent by the President, Secretary, or Treasurer Or Trailmaster with prior Contact with Treasurer to make sure we have the money in the Treasury.
  - b. \$500-\$1000 shall require a majority vote of the Board of Directors.
  - c. \$1000+ shall require a majority vote
3. Execution of Documents. When authorized by the Board of Directors, the President shall execute all documents on behalf of this organization.

## ARTICLE VIII

### Affiliation

1. This organization shall be affiliated with the Maine All Terrain Vehicle Association.
2. This organization shall be affiliated with the Maine Snowmobile Association.

## ARTICLE IX

### Certificate of Organization

1. The Certificate of Organization of this organization and these by-laws may be amended by a two-thirds (2/3) vote of the membership attending that meeting, provided the substance of such amendment has been included in the notice of the meeting.
2. The Board must present all by-law changes to the membership at a regular membership meeting. These recommended changes will be open to discussion at two (2) regular membership meetings and voted upon at the Second regular membership meeting.
3. The organization shall not carry on any other activities not permitted to be carried on by an organization exempt from Federal Income Tax under Section 501(c)(7) of the Internal Revenue Law, or by an organization, contributions to which are deductible under Section 170 (c)(2) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law).
4. In the event that this organization should fail, upon dissolution of the organization, the Board of Directors shall, after paying or making provisions for the payment of all the liabilities of the organization, dispose of all of the assets of the organization exclusively for the purposes of the organization in such a manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(7) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the Superior Court of the County in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.