

EMPIRE CITY MOTORCYCLE CLUB
BYLAWS

ARTICLE 1 – MEMBERSHIP

I - Prospective Members: A new applicant for full or associate membership is herein after referred to as a “prospect”. A prospect for *full membership* must be a male, twenty-one (21) years of age or older and a licensed and insured motorcycle owner and operator. Additionally, a prospect for full membership must reside within a fifty (50) miles radius of Columbus Circle in New York City and have the ability to attend monthly club meetings in-person, club sponsored events and rides.

*(*An exception may be granted by two-thirds majority vote when the prospect has served one (1) year as an associate member and has demonstrated that he has the ability to attend meeting, events and rides. See Article 1, Section V for application process for Associate Membership.)*

- a) A prospect is required to present a valid motorcycle license, motorcycle registration and proof of motorcycle insurance to the Road Captain or in the Road Captain’s absence, two full club members in good standing as defined by Article 1, Section B, Sub-Section 1 of the Empire City Motorcycle Club (“ECMC”) By-Laws. Additionally, the prospect may be requested to present their motorcycle to the Road Captain for a general safety inspection prior to riding with the club.
- b) The prospect must show their intent to join the club by completing the official ECMC membership application and presenting it to the Executive Board at an Open General Meeting. The membership application must be fully complete and include the signatures of two (2) full club members in good standing with whom they have previously ridden, who shall be the prospect’s sponsors. The prospect’s sponsors shall monitor the prospect’s behavior and shall be responsible for the prospect general acclimation into the club until the prospect is voted-in as a pledge.
- c) The prospect must attend at least: one (1) open general club meeting, and one (1) official club event before being eligible to pledge.
- d) After the prospect is accepted as a pledge, the Pledge Master shall either serve as his mentor, or delegate mentoring to another full member.

II – Pledges: A pledge who is applying for full ECMC membership must NOT be a full “back patch-wearing” member of any other motorcycle club or organization of similar composition or purpose. A two-thirds (2/3) majority vote of attending full members, including absentee ballots shall be required to accept a prospect as a pledge. Full Members shall vote to either:

- accept the Prospect as a Pledge, or
- reject the membership application of the prospect.

a) If the prospect is accepted as a pledge, the pledge period of no less than three (3) months and no more than six (6) month shall commence. At each Open General Meeting during the pledge period, the attending full members by a simple majority shall vote to either extend the pledge period another month or terminate the pledge’s membership application. Full membership may only be extended to the pledge after at least a three month pledge period and by a two-thirds (2/3) majority of the full voting membership.

b) If the pledge is rejected as a full member, he may resubmit an application for full membership one (1) year from the date of the rejection.

c) A pledge shall observe the following basis rules:

- i. A pledge is expected to attend all Open General Meeting during the pledge period, except when excused by the Pledge Master or a member of the Executive Board.
- ii. A pledge is expected to know and abide by the ECMC Constitution and By-Laws.
- iii. A pledge is expected to acquaint himself with all ECMC full members (familiarily referred to as “brothers”).
- iv. At all times, a pledge is expected to respect his ECMC brothers and the club, in general, as well as the brothers of other similar motorcycle clubs, including but not limited to AMCC affiliated clubs.
- v. A pledge is expected to wear pledge colors, rockers and/or insignia at all official ECMC or AMCC events, rides and meetings, and whenever deemed appropriate by the Pledge Master.
- vi. A pledge cannot vote or present a motion at meeting, or hold a position on the Executive Board.
- vii. Other rules may be communicated to the pledge as deemed warranted by either the Pledge Master or the Membership Committee

d) Full membership cannot be extended to a pledge until the pledge participates in at least (3) official ECMC club rides for the Road Captain to determine the pledge's motorcycle riding and safety skills.

e) An application for full membership must be accompanied by a non-refundable application fee of ten dollars (\$10.00).

III – Full Members: A new full ECMC member is a former pledge who has successfully completed the pledge period and process and has received a two-thirds majority vote by the full voting membership. After the pledge is accepted as a full member, a probationary period of no less than six (6) month shall commence. During the probationary period the new full member may neither serve on the Membership Committee nor as an officer of the Executive Board.

a) Full ECMC members are prohibited from applying for full membership to any other motorcycle club or organization of similar composition or purpose. Both pledges and full members are prohibited from wearing the back patch of any other motorcycle club or organization of similar composition or purpose.

b) A former ECMC member who requests reinstatement as a full member shall abide by Article III, Subsection F of the ECMC Constitution. All requests for reinstatement as a full member must be made within one (1) year of the date of separation from ECMC. An application from a former member who has not been affiliated with the club for more than one year (1) shall be treated as a new application for full membership.

IV – Reserve Members: A full member in good standing with special circumstances may apply to have his membership level changed from Full Member to Reserve Member. The Full Member applying for Reserve Membership status must do so in writing to the Executive Board. The Executive Board will inform the membership of the request at the earliest Open General Meeting.

a) A reserve membership status is granted for a period of no more than six (6) months, after which it may be either extended or withdrawn. A reserve member requesting an extension must do so in writing to the Executive Board. Reserve membership status is extended by a two-thirds (2/3) majority of the full voting membership.

- b) A reserved member retains all of the privileges of a full member except making motions, voting or casting an absentee ballot.
- c) A reserved member may not hold a position on the Executive Board, nor actively chair any committee, however a reserved member is not barred from participating on a committee
- d) A reserved member shall be required to pay annual membership dues. The reserved member is not required to attend meetings, events or rides.

V. – Associate Member: An applicant for Associate membership must be a male, twenty-one (21) years of age or older and a licensed and insured motorcycle owner and operator. An applicant for Associate Membership must reside outside a fifty mile radius of Columbus Circle in New York City.

*(*An geographical exception may be granted if the applicant resides within a fifty mile radius of Columbus Circle if the applicant describes “special circumstances” in writing when applying for Associate Membership. “Local Associate Members” shall have higher participation expectations as outlined in Article I, Section B, Subsection 3(c) of the ECMC By-laws.)**

- a) An application for Associate membership must be fully completed and include the signatures of two (2) full club members in good standing.
- b) An application for Associate membership must be accompanied by a non-refundable application fee of ten dollars (\$10.00).
- c) The applicant must attend at least: one (1) open general club meeting, and one (1) official club event within one (1) year of the application date.
- d) Associate membership may only be extended to the applicant after at least a one (1) year association period and by a two-thirds (2/3) majority of the full voting membership.
- e) An applicant for Associate membership is required to present a valid motorcycle license, motorcycle registration and proof of insurance to the Road Captain or in the Road Captain’s absence, two full club members in good standing as defined by Article 1, Section B, Sub-Section 1 of the Empire City

Motorcycle Club By-Laws (herein after referred to as the “By-Laws”).
Additionally, the applicant may be requested to present their motorcycle to the Road Captain for a general safety inspection prior to riding with the club.

- f) An Associate Member shall observe the following basis rules:
 - i. An Associate Member is expected to know and abide by the ECMC Constitution and By-Laws.
 - ii. An Associate Member is expected to acquaint himself with all ECMC full members (familiarily referred to as “brothers”).
 - iii. At all times, an Associate member is expected to respect his ECMC brothers and the club, in general, as well as the brothers of other similar motorcycle clubs, including but not limited to AMCC affiliated clubs.
 - iv. An associate Member is generally expected to assist the club whenever possible.
 - v. Other rules may be communicated to the Associate Member as deemed warranted by the Executive Board.

VI - Emeritus Members: Active full members of ten (10) years or more in good standing, but who can no longer fulfill all the obligations of full membership may apply for Emeritus membership status either in writing to or in-person before the Executive Board:

- a) Emeritus members retain all the privileges of full membership except the right to vote or present a motion at meeting, or hold a position on the Executive Board.
- b) Prior full members of ten (10) years or more who resigned in good standing may be nominated for Emeritus membership by any current member.
- c) Emeritus membership may only be extended by a two-thirds (2/3) majority of the full voting membership.
- d) Emeritus members are not required to present a valid motorcycle license, motorcycle registration or proof of insurance to the Road Captain (no bike)

VII. – Honorary Members: An honorary member is a non ECMC member who has been recommended to the Executive Board by a full member in good standing. The Executive Board must recommend all nominees for honorary membership to the full

ECMC membership. Honorary membership may only be bestowed upon a person by unanimous vote of the full voting membership.

IX. – Limitations on Membership: The club shall limit its membership to:

- i. thirty (30) full and reserve members
- ii. fifty (50) associate members
- iii. twenty (20) emeritus Members, and
- iv. ten (10) honorary members

ARTICLE 2 – CHANGE IN MEMBERSHIP STATUS

I. – Circumstances Affecting Status: If circumstances arise that may affect a person's status within the club, such as a change of residence, the member must inform the Membership Committee. If the member moves outside the fifty (50) mile radius of Columbus Circle, the person shall affirm his desired member status to Membership Committee or the Executive Board.

- a) An application for full membership must be accompanied by a non-refundable application fee of ten dollars (\$10.00).

II. – Associate Member to Full Member: If at a later time, an Associate member applies for full membership, the transition period of no less than one (1) month shall commence. For this change in membership status, the Full Member application fee of ten dollars (\$10.00) is excused. At the next Open General Meeting following the submission of the application, the attending full members by a two-thirds (2/3) majority shall vote to either:

- extend full membership status to the Associate member or
- reject the Associate Member as a Full Member, in which case the applicant retains his status as an Associate Member. The Associate Member may resubmit an application for full membership one (1) year from the date of the rejection.

III. – Full Membership to Associate Member: If a Full member applies for an Associate Membership, the transition period of no less than one (1) month shall commence. The Full Member's application must describe "special circumstances" in writing when applying for an Associate Membership. At the next Open General Meeting following the submission of the application, the attending full members by a two-thirds (2/3) majority shall vote to either:

- extend Associate membership status to the Full Member or

- terminate the Full member's application for Associate membership, in which case the applicant retains his status as a Full Member.

IV. – Resignation from ECMC: If a member elects to resign from the club, he must do so respectfully and in writing to the Executive Board. Upon resignation the member must immediately (1) return any and all ECMC property to an Executive Board member, including but not limited to club colors and insignia and (2) remit any outstanding dues or amounts owed to the club.

ARTICLE 2 – RULES & CONDUCT

I. – Motorcycle Riding & Safety: All pledges and all members who ride motorcycles with the club (referred to as "Riders"), except Emeritus and Honorary members, are required:

- a) to keep their motorcycle license, registration and insurance in effect and comply with their state's legal requirements for inspections and the safe and legal operation of a motorcycle.
- b) to present proof of motorcycle license, registration, insurance and inspection to the Road Captain to record at the first official club ride of the year or by the Open General Meeting in the month of May for the year, whichever comes first.
- c) Any Rider found to be non-compliant with the club's riding and safety requirements shall have (30) days to remedy the circumstance. If the circumstance cannot be remedied within thirty (30) days it then shall constitute an automatic probationary period of no less than two (2) months, unless the rider requests a stay of action in writing to the Executive Board. During the probationary period the rider is no longer in good standing and forfeits his voting privileges for the extent of the probationary period or until the circumstance is remedied. The Executive Board may override the automatic probationary period if "special circumstances" so warrant.
- d) If a rider demonstrates an inability to operate his motorcycle in safe and responsible manner, or is found to have been legally liable for an accident involving his motorcycle, the full voting members by a majority vote may require the rider to successfully complete a motorcycle safety course before the rider may continue (1) riding with the club and (2) wearing club colors. Failure to attend or complete the motorcycle safety course will automatically result

immediate termination of membership privileges, including the right to wear club colors.

- e) If a rider is without an operational, registered and insured motorcycle or is unable to ride for a period of more than thirty (30) days, the rider's membership status shall be changed to Reserved Member until the circumstance is remedied. If the circumstance remains unremedied for period of more than six (6) months, the rider will then need to state their membership intentions in writing to the Executive Board.

II. – Attending Meeting: Full members and pledges shall attend the monthly Open General Meeting. The monthly Open General Meetings are not considered official club events for the purpose of fulfilling participation requirements. A full member may be excused from attending a meeting for special circumstances (i.e. an emergency, illness, work requirements et al.) The Executive Board solely determines whether or not the reason or circumstance for not attending a meeting is appropriate.

III. – Participation Requirements: Annual membership participation requirements vary based on the level and status of an individual's membership. There are two primary categories of participations: (1) official club rides and (2) official club events. What constitutes an official club ride or an official club event is defined in Article X of the By-laws. An individual's participation is only valid when the pledge or member is wearing official club colors, as defined by Article VII of the By-laws.

- a) In a riding year, as defined by Article VII, Section II of the ECMC constitution:
 - a.i. Full members are required to participate in at least three (3) official club events and in at least four (4) official club rides.
 - a.ii. Local Associate members are required to participate in no less than two (2) official club events and no less than two (2) official club rides.
 - a.iii. Associate members are required to participate in no less than one (1) official club event and no less than one (1) official club ride.
- b) The Secretary shall keep accurate records of member participations in the club's member participation journal, as provided by the Road Captain and Vice President.
- c) Failure of a member to meet annual membership participation requirements may result in action by the Executive Board, including suspension of individual's voting privileges, censure, probation or expulsion.

IV. – Precedence of Duty: A full member may join other motorcycle clubs or organizations of similar composition or purpose as an Associate Member, but he cannot “pledge” or otherwise assume the responsibilities or like dedication comparable to the full membership in another motorcycle club or organization of similar composition or purpose. Further, full members of ECMC cannot hold an executive office in any other motorcycle club or organization of similar composition or purpose. Internet or web-based clubs, motorcycle ownership groups and riding associations (i.e. Harley Owners Group, Good Times Owners Club and STAR Touring and Riding Association) are excluded from this prohibition.

- a) When a full member attends any function, his primary responsibility will be to ECMC.
- b) Full members of ECMC shall wear only the Empire City Motorcycle Club back patch, and no other club’s back patch.

*(*For a full description of ECMC’s insignia, patches and colors refer to Article VII of the By-Laws. For a definition of back patch refer to Article X, Section D of the By-Laws.)*

V. – Dues and Fines: **NO MENTION OF ANNUAL DUES (amount???)**

- a) Dues or any outstanding amounts owed to ECMC that are delinquent for two (2) months or more shall constitute an automatic probationary period of two (2) months with written notice by the Executive Board to the mem. In addition, the member is no longer in good standing and forfeits his voting privilege during the probationary period or until full remittance is made. The member may appeal to Executive Board and explain the reason for non-payment. The Executive Board may override the automatic probationary period if “special circumstances” so warrant.
- b) Dues or any outstanding amounts owed to ECMC that are delinquent for six (6) months shall constitute an automatic expulsion from ECMC. Members expelled due to non-payment of dues who wish to reapply for membership shall first make full remittance of past dues owed to ECMC, then the “Former Member Reinstatement Process, as outlined in Article III, Section F of the ECMC constitution.
- c) While at an official club ride, event or engaged on official club business, all members and their guests must make sure that the club is positively

represented. No member or guest shall cause harm to the reputation of the club.

- d) The use or possession of illegal drug or weapons by a member or a guest of a member at any time is strictly prohibited. Any member found violating this prohibition may be expelled by a two-thirds (2/3) majority vote of the full voting membership.

VI. – Disciplinary Actions: The Executive Board shall have the power to impose disciplinary action on any member.

- a) The following shall constitute a disciplinary action:

- a.i. A verbal warning
- a.ii. A written warning, with copy of which will be entered in the member's file
- a.iii. Loss of the right to make a motion
- a.iv. Loss of the right to vote
- a.v. Loss of the right to hold an office
- a.vi. Loss of the right to wear club colors or insignia
- a.vii. Loss of the right to represent the club in an official capacity
- a.viii. Fines for inappropriate conduct
- a.ix. Censure, probation or expulsion

- b) Additionally, the Sergeant-at-Arms has the authority to impose a fine upon a disorderly member as a disciplinary action, as outlined in Article X, Section X of the ECMC By-laws. The fines are:

- a.i. Five dollars (\$5.00) for not wearing club colors to a club meeting or a club sponsored ride or event
- a.ii. Twenty dollars (\$20.00) for insubordination, behavior disrespectful to the club or other members

- c) A member may be expelled for conduct unbecoming an ECMC member. If a complaint is submitted to the Executive Board, the Executive Board shall inform the member of the complaint against him in writing, investigate the complaint, take evidence, then hold a hearing at which the member may appear to rebut the complaint or resign. If the member does not resign, the Executive Board shall report its recommendation to the full membership after the hearing. Expulsion of a member for disciplinary reasons shall require a two-thirds (2/3) majority vote of the full voting membership

- a.VII. Obligating the Club: Any obligation, financial or otherwise, made by an ECMC member on behalf of the club must be approved by a majority of the full voting membership, except as exempt in Article VII, Section 5 on the ECMC constitution. The club shall not responsible for a member's personal loans or obligations of credit as extended to him by other ECMC members, the members of other clubs or business associated with the "club scene". Additionally, ECMC is not responsible for any and all financial obligations based on either current or past financial commitment of the club that have not been approved by the voting membership.

ARTICLE 3 – DUTIES OF OFFICERS

- I. - Officers: Elected officers are responsible for the administration of the club's constitution and the enforcement of the club's By-laws. Members are limited to two (2) consecutive terms as either President, Vice-President, Secretary or Treasurer. After two (2) consecutive terms as President, Vice-President, Secretary or Treasurer, the member may not run for same office for a third term. The member may rerun one (1) year from the date that he no longer held that specific office.
- II. President: The President shall act a the presiding officer of the club with the authority and duties incidental to the office and serve as an ex-offico member of all club committees
- a.i. The President shall act as the official representative of the club in the area of public relations
 - a.ii. The President shall assist the other ECMC officers and member in the interpretation of their club responsibilities.
 - a.iii. The President shall advance the club among it members
 - a.iv. The President, with the advice and assistance of the Executive Board, shall preside over areas not cover in the club's constitution or by-laws.
- III. Vice-President: The Vice-President shall act as the presiding officer in the absence of the President, with the authority and duties incidental to the office during the absence of the President. Additionally, the Vice-President is the club's logistician for official club events.
- a.i. The Vice-President shall assist the President

- a.ii. The Vice-President shall plan and schedule all non-riding activities and events (i.e. barnights, parties, fund-raisers et al.) If an event contains a riding element, then the Vice-President shall work with the Road Captain with respect to the “riding” aspect of the event.
- a.iii. Within sixty (60) days following his election to office, the Vice-President shall present to the club a forecast of proposed official club events for the coming year and maintain club events in the official club calendar.
- a.iv. The Vice-President shall plan\execute at least six (6) events per year, for giving all members the opportunity to ability to complete their participation requirement as outlined in Article I, Section B, Subsection 1n of the ECMC By-Laws.
- a.v. The Vice-President shall coordinate the assignment of duties and responsibilities for ECMC events. The Vice-President may delegate his authority to others for such events.
- a.vi. The Vice-President shall forward any and all records of each member’s participation in official club events to the Secretary for recording in the club’s member participation journal.

IV. Road Captain: The Road Captain shall plan all official club rides and motorcycling activities and has command over the movement of the main group of member traveling to and from all events. The Road Captain shall be the presiding officer in the absence of both the President and Vice-President. Additionally, the Road Captain is the club’s chief security officer and logistician for official club rides.

- a.i. The Road Captain shall plan all official club rides, including mapping out routes to be taken, arranging maintenance stops for rest, refueling and food.
- a.ii. The Road Captain shall work with the Vice-President to coordinate travel plans to and from events that when the club is traveling by motorcycle or by other means.
- a.iii. Within sixty (60) days following his election to office, the Road Captain shall present to the club a forecast of proposed official club rides for the coming year and maintain club rides in the official club calendar.
- a.iv. The Road-Captain shall plan\execute at least ten (10) rides per year, for giving all members the opportunity to ability to complete their participation requirement as outlined in Article I, Section B, Subsection 2n of the ECMC By-Laws.
- a.v. The Road Captain shall promote all club rides, including member-proposed rides.

(When the Road Captain is notified by any member of a ride he is organizing or promoting, the Road Captain must review the proposed ride to confirm its eligibility as an “official Club ride” as outlined by Article X, Section A. Once verified as an official club ride, the Road Captain must post the ride to the official club calendar and alert all member of the ride no later than 48 hours before the ride is scheduled to take place.)

- a.vi. The Road Captain shall promote safe riding among the club members and enforce the riding rules of the club. If, in the judgment of the Road Captain a rider is jeopardizing the safety of others, it is the duty of the Road Captain to inform the Sergeant-at-Arms. If the rider continues to be a safety risk to others, in the absence of the Sergeant-at-Arms, the Road Captain has the authority to request that the rider at issue leave the riding group.
- a.vii. The Road-Captain shall forward any and all records of each member’s participation in official club rides to the Secretary for recording in the club’s member participation journal.

V. Secretary: The Secretary shall attend to all official club correspondence, keeping all club records organized and up-to-date. The Secretary shall be the presiding officer in the absence of the President, Vice-President and Road Captain. Additionally, the Secretary is the club’s chief information and technology officer and official recorder for club meetings.

- a.i. The Secretary shall record and safeguard the recorded minutes of all club meetings.
- a.ii. The Secretary shall provide the minutes from the club meetings to the membership with seven (7) days of the meeting.
- a.iii. The Secretary shall keep an up-to date record of the membership roster, including providing an updated membership roster whenever a change is made, or annually if no changes are made.
- a.iv. The Secretary shall maintain and keep the club’s website <http://www.empirecitymc.com> up-to-date. The Secretary may delegate his responsibility to the club’s website, but must still ensure that the website is current.
- a.v. The Secretary shall maintain the club’s constitution and by-laws, including recording and additions, deletions or modifications.
- a.vi. The Secretary shall accurately record all members’ club participation, as provided to him by the Vice-President and Road Captain in the club’s member participation journal

(The Secretary shall bring the club’s participation journal to each Open General Meeting for examination, if requested, by the Executive Board or Membership Committee as outlined in Article I, Section B(2) of the By-Laws.)

- a.vii. The Secretary shall hold all club records, except financial record and a list of club property which shall be the responsibility of the Treasurer.

VI. Treasurer: The Treasurer shall keep records of all financial transactions incidental to the business of the club. Additionally, the treasurer shall hold a list of all club owned property (i.e. insignia, patches, club pins et al.)

- a.i. The Treasurer shall collect and receive all funds of the club for deposit into the club's official back account.
- a.ii. The Treasurer shall provide monthly financial reports to the membership at each monthly Open General Meeting.
- a.iii. The Treasurer shall notify the Executive Board of any member in arrears of dues and any funds payable to the club.

VII. Appointments: The Executive Board shall recommend to the membership new offices and officers as the Executive Board deems necessary.