

EMPIRE CITY MOTORCYCLE CLUB

~ CONSTITUTION ~

Article I – Name and Preamble

The club shall be known as “Empire City Motorcycle Club”, hereinafter referred to as “(the) club” or “ECMC”. ECMC was founded October 1964 and was incorporated under the Not For Profit Corporation provisions of the State of New York in November 1972. Empire City Motorcycle Club is a fraternal and social organization of male motorcyclists, with its principle base in the City of New York.

Article II – Purpose

Empire City Motorcycle Club was founded to:

1. Cultivate brotherhood among its members by engaging in diverse motorcycling and social activities.
2. Create close fellowship within our community and to foster its growth and development.
3. Create group identification for members and to be recognized by members of similar clubs.

Article III – Membership

Membership shall be open to all males over the age of twenty-one (21) who understand and are in general agreement with the goals and purposes of this club. The bylaws of ECMC provide detailed requirements and official procedures for acceptance of such applicants. Membership shall be as follows:

A) FULL MEMBER

1. Full membership requirements are outlined in ECMC’s bylaws.
2. A full member shall have all voting rights and privileges.
3. A full member shall have the right to hold office, when not within a probationary period.
4. A full member may request a change of membership status to Reserve Member, Associate Member or Emeritus Member, in writing to the Executive Board.

B) RESERVE MEMBER

1. Reserve membership is available as outlined in ECMC’s bylaws to full members who are unable to fulfill the obligations of full membership.
2. A reserve member shall enjoy all the rights of a full member with the exception of the rights to vote, to present a motion or to hold an office.
3. A reserve member shall attend at least two official ECMC club rides or two official ECMC functions each calendar year.

C) ASSOCIATE MEMBER

1. Associate membership is available as outlined in ECMC’s bylaws.
2. An associate member shall enjoy all the rights of a full member with the exception of the rights to vote, to present a motion, to hold office or to wear an ECMC backpatch.

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3. An associate member shall attend at least two ECMC official rides or two ECMC official functions each calendar year.

D) EMERITUS MEMBER

1. Emeritus membership is available as outlined in the ECMC bylaws.
2. An emeritus member shall enjoy all the rights of a full member with the exception of the rights to vote, to present a motion or to hold office.
3. An emeritus member is not required to pay any dues.

E) HONORARY MEMBER

1. An honorary membership may be conferred upon any non-member in recognition of outstanding contributions, exemplified by acts of brotherhood.
2. An honorary member shall enjoy all the rights of a full member with the exception of the rights to vote, to present a motion or to hold office.
3. An honorary member is not required to pay any dues.

F) FORMER MEMBER REINSTATEMENT

1. Any former full member requesting reinstatement shall make his request in writing to the Executive Board.
2. Men applying for reinstatement must have left the club "in good standing" no more than twelve (12) months prior to their written request. Any request for reinstatement from a former member who has been out of the club more than twelve (12) months shall be treated as an application for new membership.
3. Men applying for reinstatement will not be required to serve a pledge period.
4. A former member is reinstated by two-thirds ($2/3^{\text{rds}}$) of the full voting membership, including absentee ballots.
5. The club shall consider the request for at least thirty (30) days and shall act upon the request after a period of no more than sixty (60) days.

Article IV – Officers and Governing Body

1. There shall be at least five (5) elected officers. All officers and the immediate Past President, as "advisor", shall constitute the "Executive Board", having general administrative powers.
2. The officers shall be: President, Vice-President, Road Captain, Secretary and Treasurer.
3. If there are fewer than eight (8) full members in the club, the number of officers may be reduced to reflect current need. In this event, an officer may hold more than one office; however, in no case may there be fewer than three officers.
4. The offices of President and Treasurer cannot be held simultaneously by the same person.
5. When there are eight (8) or more full members, a full complement of officers shall preside.
6. The duties and responsibilities of the officers are outlined in the bylaws.

A) ELECTION OF OFFICERS

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1. President, Vice-President, Road Captain, Secretary and Treasurer are all elected officers.
2. First nominations for officers shall be held annually in the Open General Meeting held in December.
3. Second nominations for officers shall take place at the Open General Meeting in January immediately followed by election of officers.
4. Official installation of the new officers shall take place before the 15th of February at either an Open General Meeting or an official ECMC function (i.e. an installation dinner)
5. Neither the President nor The Road Captain shall be permitted to serve in their respective offices beyond two (2) consecutive terms.

B) VACANCIES

1. When the office of the President has been vacated, the Vice-President shall assume the office and duties of the President. A new Vice-President shall be elected at the next Open General Meeting.
2. When any of the other elected offices are vacated, an election shall be held at the next Open General Meeting to fill said vacancy.

C) MEETINGS

1. There is to be at least one Open General Meeting each month. Meetings are to be announced by the President and advertised by the Secretary. Exceptions to this can be made by a majority vote at the prior meeting.
2. All meetings of the Executive Board shall be open to the general membership of the club, except those meetings held in Executive session when deemed necessary. The Executive Board shall report the content of any such executive session to the full membership at the next Open General Meeting.
3. Meeting requirements and specifications are outlined in the bylaws.

Article V – Established Offices

1. The bylaws provide for appointed offices as deemed necessary by the Executive Board (i.e. AMCC Representative, Sergeant at Arms, Pledge Master, etc.)

Article VI – Committees

1. Any committee shall be led by a chairman appointed by the Executive Board.

Article VII – Finances

1. Empire City Motorcycle Club is a self-sustaining, nonprofit organization.
2. The start of the fiscal year for ECMC shall begin on the first day of the month following elections (i.e. the first of February). The start of the fiscal year shall also be considered the start of the “riding year” or “physical year” for all the club’s record-keeping purposes.

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3. Regular club dues, fees and fines shall be outlined in the bylaws.
4. Dues and fees will be used for the benefit of the club as voted on by the majority of the membership present. Membership approval is not required for certain typical recurring expenses, such as maintaining an inventory of club patches, website provider fees and rent paid for meetings.
5. Any member or members of the Executive Board may approve the appropriate expenditure of club funds, not to exceed one hundred dollars (\$100.00) when it would be impractical to wait on a club vote. Such an action is not cumulative (i.e. two officers cannot authorize a \$200 expenditure.)
6. Club functions and activities are “pay as you go” by the membership present.
7. It is not the intention of the club or its membership to acquire funds for profit.

Article VIII – Amendments

1. Any amendments to ECMC’s Constitution shall be submitted in writing to the Executive Board. The Executive Board shall read proposed amendments at the soonest Open General Meeting.
2. Any amendment, after being read once to the membership in an Open General Meeting, shall be re-read to the membership and called to a vote at the following Open General Meeting.
3. It is incumbent upon the member proposing such amendments that he contact the full voting membership prior to the Open General Meeting where it is read and presented for a vote. He can obtain proxies from those that cannot attend the meeting.
4. Any amendments to ECMC’s Constitution require approval by four-fifths (4/5^{ths}) of the full voting membership.

Article IX – Insurance & Liability

1. All members are required to maintain their motorcycle insurance where required by law.
2. ECMC, affiliates, officers and members take no responsibility and accept no liability for any other member’s or guest’s person, possessions and/or safety while involved in club rides/functions.

Article X – Dissolution

1. The membership may choose to dissolve the club and distribute the club’s assets.
2. Four-fifths (4/5^{ths}) of the full voting membership must approve any vote to dissolve the club.
3. The distribution of club assets is subject to applicable state and federal law.

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Article I – Membership

A) Admission Procedures

1) Full Member

- a) An applicant for full membership, herein referred to as the “prospect”, must be a licensed and insured motorcycle owner and operator, male and be twenty-one (21) years of age or older.
- b) The prospect must reside within a fifty (50) mile radius from Columbus Circle in New York City, except in the event where the prospect has served one (1) year as an associate member and has shown that they have the ability to attend meetings, events and rides to fulfill full membership requirements.
- c) The applicant is required to present their motorcycle and documentation to the Road Captain or in the Road Captain’s absence, two full members in good standing as per Article I, Section B, Subsection 1 of the bylaws for a general safety inspection prior to riding with the club.
- d) The prospect must attend at least one (1) Open General Meeting and one (1) official club function/event before being eligible for pledging.
- e) The prospect must show their intent to join the club by completing ECMC’s official membership application and presenting it to the Executive Board at an Open General Meeting. The membership application must be completed in full and include the signatures of two (2) full ECMC members in good standing with whom they have previously ridden, who shall be herein to be known as their “sponsors”.
- f) The prospect’s sponsors are responsible for the prospect’s behavior and general acclimation into the club until he is accepted as a pledge. When a prospect is accepted as a pledge, the Pledge Master shall either serve as his mentor, or delegate one.
- g) A two-thirds ($2/3^{\text{rds}}$) vote of those present and voting, including absentee ballots shall be required to accept the prospect as a pledge. The voting options shall be: 1) accept the prospect as a pledge, or 2) reject the prospect’s membership application outright.
- h) Upon acceptance as a “pledge”, a pledge period of no less than three (3) months and no more than six (6) months shall ensue. At each Open General Meeting during the pledge period, a vote shall be taken by the voting membership present. For the 1st and 2nd month, the vote shall either be to: 1) extend the pledge period another month, or 2) terminate the pledge and reject the membership application. Beginning the 3rd month, the vote will be to either: 1) accept the pledge as a full member, 2) extend the pledge period another month or 3) terminate the pledge and reject the membership application. A decision to terminate or extend the pledge must be carried by at least a simple majority vote. Full membership may be extended to the pledge only if so voted by two-thirds ($2/3^{\text{rds}}$) of the full voting membership.

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- i) If a pledge is rejected as a full member, they may re-apply for membership after one (1) year has elapsed from the date of their rejection.
- j) A pledge shall observe the following basic rules for ECMC Pledges:
 - i. A pledge shall attend all Open General Meetings during his pledge period, except where excused by the Pledge Master or Executive Board.
 - ii. A pledge shall be invited and encouraged to participate on any committee, club function/event or club ride, except the membership committee.
 - iii. Full membership cannot be extended to a pledge until the pledge participates in at least three (3) official club rides to determine riding safety and skill levels.
 - iv. A pledge may not be given any responsibilities pertaining to the club's financial status.
 - v. Pledge colors, rockers and/or insignia are to be worn by the pledge at all official ECMC or AMCC functions, events, meetings, rides and wherever deemed appropriate by the Pledge Master.
 - vi. At all times, a pledge shall show respect to the brothers of ECMC as well as the brothers of any similar motorcycle/leather club, including but not limited to AMCC affiliated clubs.
 - vii. It is the responsibility of the pledge to acquaint himself with all brothers.
 - viii. A pledge shall know and understand the Constitution and bylaws of Empire City Motorcycle Club.
 - ix. Other rules may be added by the Pledge Master or the Membership Committee as warranted.
- k) A newly elected member shall serve a probationary period of six (6) months. During this time period, the individual may not serve as an officer of the Executive Board.
- l) Persons applying for full membership to ECMC must not be "back-patch-wearing" members of any other organization of similar composition. Furthermore, full members of ECMC are prohibited from applying for full membership to any organization of similar composition. In other words, prospects, pledges and full members are prohibited from wearing the back patch of any organization of similar composition.
- m) Any former member who wishes reinstatement as a full member shall abide by Article III, subsection F of Empire City M/C's Constitution. Such a request for reinstatement must be made within twelve (12) months of the date of separation from the club. Any application from a person who has not been in the club for more than twelve (12) months or who left for disciplinary reasons shall be treated as a new application.
- n) Each application must be accompanied by a non-refundable fee of ten dollars (\$10.00).

2) Reserve Member

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- a) Any full member in good standing with just cause (work schedule or location, disability or injury, severe medical condition affecting the member or his family, unable to ride, etc.) may change their membership status to reserve member. They must do so in writing to the Executive Board. The Executive Board will announce the change of status at the earliest Open General Meeting.
 - b) Reserve status is granted for a period of up to six (6) months after which time it must be withdrawn or extended. If a reserve member's reserve status is withdrawn, the member shall resume their full member status. If the reserve member wishes to extend his reserve status, he must request an extension in writing to the Executive Board. The extension will be granted upon approval of two-thirds (2/3^{rds}) of the full voting membership.
 - c) A reserve member remains a "full member" and shall be required to pay dues as such, however is not required to attend meetings, functions, rides or events.
 - d) A reserve member may not hold office nor actively chair any committee, but is not barred from participating in a committee.
 - e) A reserve member may neither vote nor cast an absentee ballot.
- 3) Associate Member
- a) An applicant for associate membership must be a licensed and insured motorcycle owner and operator, male and be twenty-one (21) years of age or older.
 - b) An applicant for associate membership must reside outside a fifty (50) mile radius from Columbus Circle in New York City. (An exception to this rule may be made under special circumstances stated in writing at the time of application. These "local associate members" shall have higher participation expectations, as outlined in Article I, Section B, Subsection 3(c) of the bylaws.)
 - c) An applicant for associate membership must be sponsored by two (2) full members in good standing. The applicant must have attended/participated in at least one (1) Open General Meeting and one (1) official club function, event or official club ride within one (1) year of the application date.
 - d) Associate membership can be offered after two-thirds (2/3^{rds}) vote of the full voting membership.
 - e) The applicant is required to present their motorcycle and documentation to the Road Captain or in the Road Captain's absence, two full members in good standing as per Article I, Section B, Subsection 1 of the bylaws for a general safety inspection prior to riding with the club.
 - f) Associate members are required to represent the club in a respectable manner whenever they are displaying ECMC insignia. They are also expected to assist the club whenever possible.

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- g) Each application must be accompanied by a non-refundable fee of ten dollars (\$10.00).
- h) If at a later time, an associate member seeks to become a full member, he shall go through the full membership process, with credit given for functions/rides attended as an associate.

4) Emeritus Member

- a) Active members in good standing who have been full members for at least ten (10) years but can no longer fulfill the attendance and/or riding requirements of full membership may request emeritus membership in writing or in person before the executive board.
- b) Emeritus membership carries the full complement of full membership benefits (i.e. the right to attend meetings, functions and rides, as well as wear ECMC insignia and colors), with the exception of the right to vote, to present a motion or to hold an office.
- c) There are no licensing or motorcycle ownership requirements for emeritus members.
- d) Previous full members who had been full members for at least ten (10) years and who resigned in good standing may be nominated for emeritus membership by the current membership.
- e) Emeritus membership must be approved by a two-thirds ($2/3^{\text{rds}}$) vote of the full voting membership.

5) Honorary Member

- a) A non-member considered for honorary membership must be recommended by a full member to the Executive Board.
- b) The Executive Board must recommend all nominations for honorary membership to the general membership.
- c) A unanimous vote of the full voting membership shall be required to extend honorary membership.

6) Membership Limitations

- a) The club shall limit its membership as follows:
 - i. Full and Reserve Members: 30
 - ii. Associate Members: 50
 - iii. Emeritus Members: 20
 - iv. Honorary Members: 10

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- b) If any member changes residence, he must inform the Executive Board or Membership Committee within thirty (30) days of the move. If the member crosses the fifty (50) mile radius, he shall reaffirm his desired membership status to the Executive Board or Membership Committee.

B) Rules & Conduct

1) Annual/perpetual motorcycle riding certification and safe riding:

- a) All members who ride motorcycles (full members, associate members and any other level of ECMC member that rides motorcycles, herein referred to as riders) are expected to keep their driving license active and legal, keep their motorcycle in safe working order and have their motorcycle inspected, registered and insured as per their home state's legal requirements during the entire riding season.
- b) Riders shall present proof of proper motorcycle licensing, registration, insurance and inspection to the Road Captain to record in his log at the first official club ride of the year, or no later than the Open General Meeting in the month of May for that year, whichever comes first.
- c) Anyone found to be non-compliant shall have thirty (30) days to rectify the situation or will need to request a stay in writing to the Executive Board. If the situation is not resolved within thirty (30) days, it shall constitute an automatic probationary period of two (2) months with written notification. In addition, the member is no longer in good standing and forfeits his voting privileges for the two month period, or until the discrepancy is rectified, unless appeal is made to the Executive Board explaining the non-compliance. The Executive Board shall have the power to override the automatic probation if individual circumstances so warrant.
- d) If a member demonstrates difficulty in operating his motorcycle in a safe and responsible manner, or is involved in an accident where he is deemed by the police or local authorities to have been at fault, that individual may be required to attend a motorcycle safety class in order to continue wearing club colors. Such action would require a majority vote at an Open General Meeting of the present voting membership. Refusal to take the required course will result in the immediate termination of membership privileges, including the right to wear club colors.
- e) If a member is without a working registered motorcycle or is unable to ride for a period beyond thirty (30) days, they shall be compelled to become a reserve member until the situation is rectified. If this period extends beyond six (6) months, they will need to state their membership intentions before the executive board.

2) Participation Requirements

- a) Full members shall attend the monthly Open General Meeting. Open General Meetings are not to be considered an official club event for the purpose of participation requirements. Valid excuses for missing a meeting are: Emergency, work requirements, illness and whatever the

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Executive Board deems as an appropriate excuse. Multiple unexcused absences are subject to disciplinary action.

- b) Annual membership participation requirements vary based upon level of membership. There are two primary categories of participation, “official club rides” and “official club functions”. The definition of what constitutes an “official club ride” and an “official club function” are defined in Article X of the bylaws. In all cases, a member’s participation is only valid when the member is wearing official club colors as defined in Article VII in the bylaws.
- c) In a “riding year” (as defined in Article VII, Section 2 of ECMC’s Constitution), full members are expected to participate in at least three (3) official club functions as well as at least four (4) official club rides.
- d) In a “riding year” (as defined in Article VII, Section 2 of ECMC’s Constitution), associate members are expected to participate in at least one (1) official club function as well as at least one (1) official club ride.
- e) In a “riding year” (as defined in Article VII, Section 2 of ECMC’s Constitution), “local associate members” are expected to participate in at least two (2) official club functions as well as at least two (2) official club rides.
- f) As defined in Article II, Section D(5) of the bylaws, the Secretary shall keep accurate records of member participation in the club’s member participation journal as provided by the Vice-President and Road Captain.
- g) Failure to meet annual membership participation requirements may result in disciplinary action including suspension of voting privileges, pending club action on exoneration, censure, probation or expulsion.

3) Precedence of duty

- a) A member may join any number of clubs with similar composition as an “associate member”, but he cannot “pledge” or otherwise assume a like dedication to the full membership of any other club. Neither can a member hold an office in any affiliation of similar composition. Internet/online clubs and owner’s groups (i.e. Harley Owners Group, Good Times Owners Club, STAR Touring and Riding Association, etc.) are excluded.
- b) When a full member attends any function, his responsibilities will be primarily to Empire City Motorcycle Club.
- c) Full members of Empire City Motorcycle Club shall wear the Empire City Motorcycle Club Back Patch and no other club’s Back Patch (colors). Refer to Article VII of the bylaws for further detail in regard to ECMC insignia, patches and colors. Refer to Article X, section D of the bylaws for further definition of “Back Patch”.

4) Dues and fines

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- a) Dues or any outstanding accounts owed to the club falling delinquent by two (2) months constitutes automatic probation for a two (2) month period with written notification. In addition, the member is no longer in good standing and forfeits his voting privileges for the two month period, or until full remittance is made, or unless appeal is made to the Executive Board explaining the reason for non-payment. The Executive Board shall have the power to override the automatic probation if individual circumstances so warrant.
 - b) Any member six (6) months delinquent in their dues or accounts owed shall automatically be expelled from the club. Members so expelled who wish to reapply for membership shall first pay their delinquent dues and/or accounts owed to the club then follow the "former member reinstatement" process as outlined in Article III, Section F of ECMC's Constitution.
 - c) The Sergeant at Arms has the power to impose a fine to disorderly members as a disciplinary action, as outlined in the bylaws. These fines include:
 - i. Not wearing colors to a club meeting, ride or function \$5
 - ii. Insubordination, disrespectful behavior \$20+
- 5) While on an official club ride or engaged in an official club function, all members and their guests must ensure that the club is represented in a positive manner. No member or guest will cause discredit to be brought upon the club.
- 6) Club Property
- a) No member will damage nor destroy club property purposely.
 - b) The Pledge Master is to accurately inventory, maintain and store all club property in facilities chosen by the Executive Board. Items deemed of great importance, such as the corporate seal and corporation paperwork are to be stored in a secure and locked, independent facility not owned by any one member of the club.
- 7) The use or possession of illegal drugs or weapons at any time is prohibited. Any violation of this may lead to expulsion by a two-thirds ($2/3^{\text{rds}}$) vote of the full voting membership.
- 8) Obligating the club
- a) The club shall not be held responsible for its members accepting personal credit from any member of another club, his own club, or a business that is associated with the club scene. ECMC also disassociates any and all financial obligations based on current or prior commitments.
 - b) Any obligation made by the club, whether financial or otherwise, must have the approval of the majority of the membership, except as exempted in ECMC's Constitution (Article VII, Section 5).

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9) Elected officers are responsible for administration of the constitution and enforcement of the bylaws.

10) Resignation from the club

- a) If a member chooses to resign from the club, they must do so respectfully and in writing before the Executive Board. Whilst doing so, they are expected to return any ECMC property including, but not limited to, club insignia and bring any dues and/or accounts owed to the club current.
- b) The club colors and insignia shall be respected at all times. If any member of ECMC “throws” (tears off, discards with disrespect, etc.) his colors, it shall be considered a formal resignation from the club (not in good standing) and the member’s colors and any club property the member possesses shall be confiscated.

C) Disciplinary Action

1) The Executive Board shall have the power to impose disciplinary action on any member.

2) The following shall constitute disciplinary procedures:

- a) Verbal warning.
- b) Written warning, with a copy becoming a part of the members’ file.
- c) Loss of the right to vote.
- d) Loss of the right to make a motion.
- e) Loss of the right to hold an office.
- f) Loss of the right to wear club colors and/or insignia.
- g) Loss of the right to represent the club in any official capacity.
- h) Levy financial responsibilities (i.e. fines) for one’s conduct.
- i) Censure, probation or expulsion.

3) Expulsion

- a) A member may be expelled for unbecoming conduct. In such an event, a written complaint shall be submitted to the Executive Board, who shall take evidence, hold a hearing at which the member may appear, and report its recommendation to the membership. Action on the Executive Board’s recommendation shall require a two-thirds ($2/3^{\text{rds}}$) vote of the full voting membership.
- b) Members may be expelled by a two-thirds ($2/3^{\text{rds}}$) vote of the full voting membership. The concerned member must be requested to attend, possessing full rights and privileges of his status, and must be informed of the charges against him. Said notice shall be in writing, allowing the member to rebut or resign.

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A) President

- 1) The President shall act as the presiding officer of the club with the authority and duties incidental to said office and serves as a member ex-officio of all committees.
- 2) The President shall act as the personal representative of the club in the area of public relations.
- 3) The President shall assist ECMC officers and members in the interpretation of their club responsibilities and to promote the club life among members in general.
- 4) The President, with the advice and assistance of the Executive Board, shall preside over items not covered in the constitution or bylaws.

B) Vice-President

- 1) The Vice-President shall act as the presiding officer in the absence of the President, with the authority and duties incidental to said office during such absence.
- 2) The Vice-President shall assist the President.
- 3) The Vice-President shall plan all non-riding activities, functions and events. When an event contains a riding element, the Vice-President shall work with the Road Captain in respect to the travel aspect of said event.
- 4) Within sixty (60) days following his election to office, the Vice-President shall present the club a forecast of proposed official club functions for the coming riding year and maintain club functions in the official club calendar.
- 5) The Vice-President shall plan/execute at least six (6) events per year, allowing all members the ability to complete their participation requirements as defined in Article I, Section B, Subsection 2 of ECMC's bylaws.
- 6) The Vice-President shall preside (or delegate his authority) over all non-riding events (i.e. barnights, parties, fund-raisers, etc.) and will coordinate the assignment of duties and responsibilities for such events.
- 7) The Vice-President shall forward any and all records of each member's participation in official club functions to the Secretary for recording in the club's member participation journal.

C) Road Captain

- 1) The Road Captain fulfills the role of a logistician and security chief for official club rides or outings. The Road Captain maps out routes to be taken during official club rides, arranges the refueling, food and maintenance stops. The Road Captain shall plan official club rides, trips and

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motorcycling activities, having command over the movement of the main group of members traveling to and from all functions.

- 2) The Road Captain shall preside in the event of the absence of the President and Vice-President.
- 3) The Road Captain shall work with the Vice-President to coordinate travel plans to and from events and functions that require traveling by motorcycle or other means.
- 4) Within sixty (60) days following his election to office, the Road Captain shall present the club a forecast of proposed official club rides for the coming riding year and maintain club rides in the official club calendar.
- 5) The Road Captain shall plan/execute at least ten (10) rides per year, allowing all members the ability to complete their participation requirements (as defined in Article I, Section B, Subsection 2 of ECMC's bylaws.)
- 6) The Road Captain shall promote all club rides, including member-advised rides. When the Road Captain is notified by any member of a ride they are organizing or desire, the Road Captain must review the ride in question to confirm eligibility as an "official club ride". Once verified as eligible official club ride (as per Article X, Section A), the Road Captain is to post it to the official ECMC calendar and alert all members of the ride no later than 48 hours before the ride is scheduled.
- 7) The Road Captain shall promote safe riding and enforce the rules of club riding.
- 8) The Road Captain shall be responsible for keeping the group together and for the general safety and welfare of the club. If the Road Captain feels that someone is jeopardizing the safety of others, it is his duty to inform the Sergeant at Arms. If the individual continues to ride in an unsafe manner or the Sergeant at Arms is not present, the Road Captain has the authority to ask said individual to leave the group.
- 9) 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.

D) Secretary

- 1) The Secretary shall record and safeguard the minutes of all meetings and shall preside in the event of the absence of the President, Vice-President and Road Captain. He shall provide meeting minutes to the membership within seven (7) days of the meeting.
- 2) The Secretary shall attend to all official club correspondence, keep all club records organized and up to date, including keeping an up to date record of the membership roster, providing said roster to all members of the club whenever a change has been made, or annually if no changes have been made.

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- 3) The Secretary shall maintain and keep current the club's website. If he delegates this responsibility, he is to personally ensure that the website is current.
- 4) The Secretary shall maintain the club's constitution and bylaws, recording any additions, deletions or modifications.
- 5) The Secretary shall accurately record all members' club participation, as provided to him from the Vice-President and Road Captain, in the club's member participation journal. The member participation journal shall be the official repository for accrual of club participation requirements. The club's member participation journal shall be brought to each Open General Meeting for the purpose of examination (upon request) of the Executive Board or Membership Committee, per Article I, Section B(2) of the bylaws.
- 6) The Secretary shall hold all club records and list of properties.

E) Treasurer

- 1) The Treasurer shall collect and receive all funds of the club and deposit all funds in Empire City M/C's official bank account.
- 2) The Treasurer shall keep records of all financial transactions incidental to the business of the club.
- 3) The Treasurer shall provide monthly financial reports to the membership at each Open General Meeting.
- 4) The Treasurer shall notify the Executive Board of any member in arrears of dues payable and any other funds payable to the club.

F) Appointments: The Executive Board shall recommend to the membership new offices and officers as deemed necessary.

1) AMCC Representative

- i. Shall attend, delegate, or assign a proxy to represent ECMC at all AMCC meetings.
- ii. Shall make motions, second motions, discuss motions and generally take any action(s) necessary on behalf of ECMC at AMCC meetings.
- iii. Shall ensure confirmation of any ECMC events which are to be considered "AMCC sanctioned" and ensure ECMC events are published to the AMCC calendar(s).
- iv. Shall report back to the general membership all items concerning AMCC.

2) Sergeant at Arms

- i. Shall be responsible for maintaining order at all meetings, functions and rides.
- ii. Shall request permission from the officer in charge to remove disorderly persons.

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- iii. Shall bar attendance at all club meetings, functions and rides to all unauthorized persons.
- iv. Shall ensure members adhere to club rulings, policies and expected models of conduct when dealing with other members or outsiders.
- v. Shall defend club members and property from outside threats.
- vi. Shall have the power to impose a fine to disorderly members as a disciplinary action. The Executive Board shall have the power to add or remove said fines at their discretion.

3) Pledge Master

- i. Shall be responsible for the storage and availability of club property.
- ii. Shall assume responsibility for pledges' knowledge of the club, its history, constitution, bylaws and unwritten code of ethics.
- iii. Shall make the motion in the Open General Meeting to extend a pledge period, terminate a pledge, or extend full membership to a pledge before any other motions pertaining to pledges are made.

G) Disciplinary

- 1) If an officer fails to carry out the duties of his office, or carries them out in a manner detrimental to the club, and proof is in evidence thereof, he may be impeached by a two-thirds (2/3^{rds}) vote of the full voting membership.
- 2) Any officer being considered for impeachment or other disciplinary action must be informed in writing of the charges against him. Said officer shall have the opportunity within thirty (30) days to rebut or resign from office.
- 3) If an officer has been impeached, a hearing will be held by the Executive Board within thirty (30) days to determine what action is to be taken.
- 4) A vote of confidence may be taken at any time after three (3) months from the date of election on any one officer, combination of officers, or, in fact, the Executive Board itself, by ballot requiring a two-thirds (2/3^{rds}) vote of the full voting membership.

Article III – Meetings

A) Open General Meetings

- 1) There is to be at least one Open General Meeting each month. Meetings are to be announced by the President. Exceptions to this rule can be made by a majority vote at the prior meeting.
- 2) Except for confidential portions, such as the Membership Committee, Open General Meetings shall be open to invited guests, prospective members (prospects), pledges and spouses/partners of ECMC members.

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- 3) The attendance of a number equal to more than one-half (>50%) the number of all full members in good standing shall constitute a quorum.
 - 4) A written attendance record shall be kept by the Secretary at each meeting. The record shall note guests, late arrivals, excused and unexcused absences. This record shall be kept for the entire riding year.
 - 5) Robert's Rules of Order shall define the order of business at meetings.
 - 6) There is to be no talking during a meeting unless they are given the floor through the President. Anyone not abiding this rule shall be evicted from the meeting by the Sergeant at Arms. If the Sergeant at Arms is not present, one shall be appointed.
 - 7) Anyone behaving in an unruly or disrespectful manner in an Open General Meeting is subject to eviction from the meeting and/or disciplinary action.
 - 8) All full members must have their colors with them when attending meetings.
 - 9) Unless otherwise stated, simple majority rule applies for all votes during meetings.
 - 10) Any full member in good standing may designate another full member to vote on his behalf; however, this must be done in writing (herein referred to as a proxy vote). If the Executive Board deems it necessary, they may telephone a member to obtain their immediate vote.
- B) All meetings of the Executive Board shall be open to the general membership of the club, except those meetings held in Executive session when deemed necessary. The Executive Board shall report the content of any such executive session to the full membership at the next Open General Meeting.
- C) Voting
- 1) Only those members in good standing have the privilege to vote.
 - 2) A voting member in an excused absence may vote by written absentee ballot signed by the voting member and forwarded to the Executive Board in a sealed envelope.
 - 3) A motion shall be carried by a simple majority vote of those present and voting including valid absentee ballots, unless otherwise specified in the Constitution or bylaws.
 - 4) No voting shall take place without a quorum present.

Article IV – Conduct of Elections

- A) Elections for officers shall be held annually as defined in the ECMC Constitution, Article IV, Section A.
- B) All full members in good standing are eligible to vote or be nominated for an office.

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- C) Voting for officers shall take place in the following order:
- 1) Treasurer
 - 2) Secretary
 - 3) Road Captain
 - 4) Vice-President
 - 5) President
- D) A full member may be nominated for more than one office; however, any member who is nominated for more than one office and is not elected to the first office he is nominated for remains a nominee for the next higher office. Any member, once duly elected, is no longer a nominee for any other office, except under the circumstances specified in the ECMC Constitution, Article IV (3-5).
- E) The nominee who receives more votes than any other nominee shall be elected to that office. Any vote ending in a tie must be re-voted until a winner is declared.
- F) Election of Officers shall be by secret ballot and the Sergeant at Arms shall preside over all elections.

Article V – Dues

- A) All dues are to be paid monthly, or annually in advance. The dues are as follows:
- 1) Full members/Reserve members \$10/month or \$100/year (discounted)
 - 2) Associate members \$35/year
- B) Associate member's dues are expected to be paid in full no later than the Open General Meeting in May of each riding year. The first year's dues from an associate member shall be pro-rated from his anniversary date at a rate of \$3/month.

Article VI – Finance

- A) In 1974 an accident fund was established with a grant from Jack Dowling. This fund shall be kept in a separate, interest-bearing account for use to assist any ECMC member in the event they have an accident and are in need of financial assistance. Funds in this account are available in the form of an interest-free loan upon request. Repayment should be arranged according to the individual's ability to repay.
- B) An auditing committee consisting of three full members, excluding current officers must be appointed by the President before annual elections. Said committee shall provide an audit report to the membership at the Open General Meeting prior to opening the floor for first nominations for officers in December's Open General Meeting. It shall further be the duty of this committee to supervise the transfer of all club records, property, access to property, keys and equipment between the ex-officers and the newly elected officers.

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- C) It shall be the responsibility of the outgoing, or ongoing Treasurer to provide a written annual statement to the full membership at the February Open General Meeting for the prior fiscal year.
- D) Any disbursement of club funds requires a majority vote of the full voting membership.
- E) In the event an expenditure is made on behalf of the club without a prior vote of the full voting membership, and in the case where reimbursement is requested, the vote shall be by private ballot.
- F) Any check over two hundred fifty dollars (\$250.00) must be signed by the Treasurer and one other member of the Executive Board. There shall be no overriding signatures.

Article VII – Insignia

A) ECMC Insignia Definitions:

- 1) ECMC Logo: Empire City Motorcycle Club's official logo shall be a blue colored "shield and spear of the Roman god Mars" (♁), outlined in red and the center filled in yellow, containing the text: "EMPIRE CITY MC" in red type over the yellow portion.
 - 2) Cheese-Grater: A studded leather representation of the ECMC Logo, measuring 13½ inches across and 18 inches tall, designed for display on the back.
 - 3) Back Patch: A cloth representation of the ECMC Logo, measuring 8¼ inches diameter.
 - 4) Front Patch: A cloth representation of the ECMC Logo, measuring 3 inches diameter.
 - 5) AMCC Patch: A cloth representation of the AMCC Logo, measuring 3½" inches diameter.
 - 6) Top Rocker: A cloth patch containing the text "EMPIRE CITY"
 - 7) Bottom Rocker: A cloth patch containing the text "NEW YORK", or "PLEDGE" if a pledge.
 - 8) Name Tag: A metal or plastic tag containing a person's name and/or nickname.
 - 9) Office Pin: A metal or plastic tag containing the name of a rank of office.
 - 10) Pledge Pin: A metal or plastic tag containing the words "ECMC PLEDGE"
 - 11) Club Colors: A jacket or vest containing any combination of the items mentioned above, once said items have been affixed.
- B) The club colors and insignia are to be respected at all times. Furthermore, members shall respect all other motorcycle clubs and their colors, and require the same of them.
 - C) Only full and reserve members may wear the cheese-grater.
 - D) Only full, reserve and emeritus members may wear the back patch.
 - E) Only full, reserve, emeritus, honorary and associate members may wear the front patch.
 - F) Any ECMC member who wears an ECMC back patch is to mount the ECMC front patch permanently affixed over the left breast pocket of a jacket or vest. If this member is an associate of any other club and would like to have any other associate membership front patch(s) on their colors, the ECMC patch is to take precedence over any other patches.

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- G) It is preferable that associate members have their ECMC front patch permanently affixed over the right breast pocket, or if that is not possible, any other respectful location on their jacket or vest.
- H) Full, reserve and emeritus members are to have an AMCC patch permanently affixed over the right breast pocket of a jacket or vest.
- I) At no time shall any member of the club will allow any non-member to wear the club's colors! The pledge pin and/or rockers are considered club colors.
- J) All club patches will be worn in a respectful manner on a jacket or vest.
- K) Prospects that have been extended pledge status shall be given a pledge pin and top and bottom rockers (optional). The pledge is to wear their pledge pin over the left breast pocket of a jacket or vest. If rockers are provided, they are to be sewn on the back of a vest or jacket as directed.
- L) Neither the back patch, the front patch nor the AMCC patch shall be bestowed upon a pledge until he has been extended full membership in accordance with Article I, Section A(1) of the bylaws.
- M) Club colors shall be worn on all official club rides, official club functions and while participating in AMCC and other similar club's events. Club colors may be worn at any time, being mindful that your actions reflect club and motorcycling community.
- N) A full member in good standing, upon request, may have additional club patches issued to him for the purpose of display on a secondary vest or jacket; however, members entitled to possess a cheese-grater are only entitled to possess one cheese-grater.
- O) A deposit is required for the issuance of club patches.
- P) The Executive Board, with the approval of the general membership, shall have the authority to approve alternate insignia for use on motorcycles, motor vehicles or other appropriate places.
- Q) Existing patches, cheese-graters and other insignia designs are historically significant to the heritage of the club and may not be altered or enhanced without due consideration and approval by a two-thirds (2/3^{rds}) vote of the full voting membership.
- R) Whenever the club insignia is used in any publication of any type, including electronic media, it must conform as closely as possible to the existing designs. Stylized or modernized renditions are not to be used unless considered and approved by a two-thirds (2/3^{rds}) vote of the full voting membership.
- S) At all times, all ECMC patches, colors and insignia remain the property of Empire City M/C. Any member terminating his membership in the club, for any reason, is required to return all club property to the Executive Board immediately.

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Article VIII – Committees

- A) It shall be the responsibility of committees to do all the planning and research necessary to carry out their duties.
- B) Committee chairmen are responsible for any correspondence necessary to carry out their duties unless alternate arrangements have been made with the Executive Board. Any correspondence which is pertinent to a club function, event or ride shall be made in duplicate and forwarded to the Executive Board for proper disposition.

Article IX - Amendments

- A) Any amendments to ECMC's bylaws shall be submitted in writing to the Executive Board. The Executive Board shall read proposed amendments at the soonest Open General Meeting.
- B) Any amendment, after being read once to the membership in an Open General Meeting, shall be re-read to the membership and called to a vote at the following Open General Meeting.
- C) It is incumbent upon the member proposing such amendments that he contact the full voting membership prior to the Open General Meeting where it is read and presented for a vote. He can obtain proxies from those that cannot attend the meeting.
- D) Any amendments to ECMC's bylaws shall require approval by two-thirds (2/3^{rds}) of the full voting membership.

Article X – Definitions

- A) **Official Club Ride:** An "official club ride" is an organized motorcycle ride either planned by or reviewed by the Road Captain. In order for the ride to be considered an "official club ride", for the purpose of participation requirements, it must meet the following criteria:
 - 1) The ride must be posted on ECMC's official calendar no less than forty-eight (48) hours prior to the kick-off time.
 - 2) Information about the ride must be communicated (e-mail, text message, voice call, etc.) to all full members in good standing with no less than a forty-eight (48) hour advance notice.
 - 3) The ride must contain the following riders: At least one (1) member of the Executive Board and one (1) full member in good standing, **or** at least three (3) full members in good standing.

ECMC encourages all its members and friends to ride together as often as possible! There are no requirements that general motorcycle rides nor communications promoting said rides be filtered through the Road Captain; however, it *is* the responsibility of the Road Captain to promptly take

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information pertaining to suggested rides from the general membership and determine if the ride qualifies to be an “official club ride”.

- B) **Official Club Event:** An “official club event” is an organized event either planned by or approved by the Vice-President. In order for the event to be considered an “official club event”, for the purpose of participation requirements, it must meet the following criteria:
- 1) The event must be posted on ECMC’s official calendar no less than forty-eight (48) hours prior to the event’s start time.
 - 2) Information about the event must be communicated (e-mail, text message, voice call, etc.) to all full members in good standing with no less than a forty-eight (48) hour advance notice.
 - 3) The event must include the following club members: At least one (1) member of the Executive Board and one (1) full member in good standing, **or** at least three (3) full members in good standing.

ECMC encourages all its members and friends to gather as often as possible! There are no requirements that meet-ups and gatherings nor communications promoting said events be “approved” by the Vice-President; however, it *is* the responsibility of the Vice-President to promptly take information pertaining to events provided to him from the general membership and determine, in his best judgment, if the event is to be placed in the club’s official calendar, thus making it an “official club event”.

- C) **Motorcycle:** A “motorcycle” is a two or three-wheeled motor-vehicle requiring it’s operator to hold a driving license with a motorcycle endorsement having a front wheel rim size no smaller than 11” and an engine displacement of no less than three hundred and ninety-nine (399) cubic centimeters, based upon the state-issued registration card or manufacturer’s specifications.
- D) **“Back Patch”:** A primary club patch, typically the largest patch worn on the back of a leather or denim vest, overlay or cut. A back patch is a representation of the club of which the wearer is a full member. Other smaller club patches, regardless of where they are located, only indicate associate, honorary or emeritus membership in a club.