



# **Empire City Motorcycle Club Constitution and Bylaws**

Constitution version: 3rd August 2016

Bylaws version: 1st July 2019

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

# **EMPIRE CITY MOTORCYCLE CLUB**

## **~ CONSTITUTION ~**

### **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<sup>rd</sup>s) 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**

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.

# **EMPIRE CITY MOTORCYCLE CLUB**

## **~ CONSTITUTION ~**

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 15<sup>th</sup> of February at either an Open General Meeting or an official ECMC function (i.e. an installation dinner)
5. No officer shall be permitted to serve in their respective office 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.
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.

# EMPIRE CITY MOTORCYCLE CLUB

## ~ CONSTITUTION ~

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<sup>ths</sup>) 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<sup>ths</sup>) 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.

**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

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

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

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- 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 presented in person and 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.



## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- b) A reserve member retains all of the privileges of a full member except making motions, voting or casting an absentee ballot.
- c) A reserve 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 reserve member shall be required to pay annual membership dues. The reserve 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 presented in person and 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

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

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.

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

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 inside or outside the fifty (50) mile radius of Columbus Circle, the person shall affirm his desired member status to Membership Committee or the Executive Board.

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.

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

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 3 – RULES & CONDUCT**

I. – Motorcycle Riding & Safety: All pledges and all members who ride motorcycles with the club (referred to as “Riders”) 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

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

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:
- i. Full members are required to participate in at least three (3) official club events and in at least four (4) official club rides.
  - 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.
  - 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 the 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

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

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: All dues are to be paid monthly or annually in advance.

- a) The dues are as follows:
  - i. Full members/Reserve members: \$10.00/monthly or \$100.00/annually (discounted)
  - ii. Associate members: \$35.00 annually
- 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 member. In addition, the member is no longer in good standing and forfeits his voting privileges 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 shall follow 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

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

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

- d) The use or possession of illegal drugs 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:

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

- i. Five dollars (\$5.00) for not wearing club colors to a club meeting or a club sponsored ride or event
- 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

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

a member for disciplinary reasons shall require a two-thirds (2/3) majority vote of the full voting membership.

- 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 of the ECMC constitution. The club shall not be 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 other individuals or businesses. Additionally, ECMC is not responsible for any and all financial obligations based on either current or past financial commitments 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, Road Captain, Secretary or Treasurer. After two (2) consecutive terms as President, Vice-President, road captain, 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 as the presiding officer of the club with the authority and duties incidental to the office and serve as an ex-officio member of all club committees
- i. The President shall act as the official representative of the club in the area of public relations
  - ii. The President shall assist the other ECMC officers and members in the interpretation of their club responsibilities.
  - iii. The President shall advance the club among its members
  - 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.



## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- i. The Vice-President shall assist the President
- 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.
- 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.
- iv. The Vice-President shall plan/execute at least six (6) events per year, giving all members the opportunity to complete their participation requirements as outlined in Article I, Section B, Subsection 1n of the ECMC By-Laws.
- 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.
- 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 members 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.

- 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.
- ii. The Road Captain shall work with the Vice-President to coordinate travel plans to and from events when the club is traveling by motorcycle or by other means.
- 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.
- iv. The Road-Captain shall plan/execute at least ten (10) rides per year, giving all members the opportunity to complete their participation requirements as outlined in Article I, Section B, Subsection 2n of the ECMC By-Laws.

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- 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 the membership of the ride no later than 48 hours before the ride is scheduled to take place.)*

- 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.
- 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.

- i. The Secretary shall record and safeguard the recorded minutes of all club meetings.
- ii. The Secretary shall provide the minutes from the club meetings to the membership with seven (7) days of the meeting.
- 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.
- iv. The Secretary shall maintain and keep the club's websites <http://www.empirecitymc.com> and <http://www.empirecitymc.org> up-to-date. The Secretary may delegate his responsibility to the club's website, but must still ensure that the website is current.
- v. The Secretary shall maintain the club's constitution and by-laws, including recording any additions, deletions or modifications.
- 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

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

*(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.)*

- vii. The Secretary shall hold all club records, except financial records corporate record and the list of club's property, which shall be the responsibility of the Treasurer.
- viii. (add newsletter responsibilities delegation but still responsible)

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 friend pins et al.)

- i. The Treasurer shall collect and receive all funds of the club for deposit into the club's official bank account.
- ii. The Treasurer shall provide monthly financial reports to the membership at each monthly Open General Meeting.
- iii. The Treasurer shall notify the Executive Board of any member in arrears of dues and any funds payable to the club.
- iv. (list and actual possession of property; safe deposit, signature card for bank accounts.

VII. Discipline of Officers:

- a. If an officer fails to carry out the duties of his office, or carries them out in a manner detrimental to the club, and there is evidence supporting the dereliction of duty, he may be impeached by a two-thirds (2/3) vote of the full voting membership.
- b. Any officer being considered for impeachment or other disciplinary action must be informed in writing of the charges against him. The officer at issue shall have the opportunity to rebut or resign from the office within thirty (30) days.
- c. If an officer is impeached, the Executive Board shall hold a hearing within thirty (30) days to determine what additional needs to be taken, including the interim election of a new officer.
- d. A Vote of No Confidence may be taken at any time after three (3) months from the date of election on any officer, combination of officers, or the Executive Board itself by a two-thirds (2/3) vote of the full voting membership.

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

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- a. Atlantic Motorcycle Coordinating Counsel (“AMCC”) Representative shall:
  - i. Attend, delegate or assign a proxy to represent ECMC at all AMCC meetings.
  - ii. Make motions, second motions, discuss motions and generally take any action(s) necessary on behalf of ECMC at AMCC meetings.
  - iii. 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. Report back to the general membership on all items concerning AMCC.
  
- b. Sergeant-at-Arms shall:
  - i. Be responsible for maintaining order at all meetings, events and rides.
  - ii. Request from the officer in charge to remove disorderly persons.
  - iii. Bar all unauthorized persons from attending club meetings, events and rides.
  - iv. Ensure members adhere to club rulings, policies and rules of conduct when dealing with other members or outsiders.
  - v. Defend club members and property from outside threats.
  - vi. Impose fines to disorderly members as a disciplinary action (*The Executive Board shall have the power to add or remove fines for special circumstances.*)
  
- c. Pledge Master shall:
  - i. Be responsible for the storage and availability of club property
  - ii. Assume responsibility of pledges’ knowledge of the club, its history, constitution, by-laws and the club’s general understanding of ethical behavior.
  - iii. 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 the pledge are made.

### **ARTICLE 4 – MEETINGS**

- I. Open General Meetings: There is to be at least one Open General Meeting each month. Meetings are announced by the President. An exception to this rule can be made a majority at the prior Open General Meeting.
  - a. Except for the confidential portions of the Open General Meeting (i.e. the Membership Committee), Open General Meetings shall be open to

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

members, invited guests, prospects, pledges and the spouses or partners of ECMC members.

- b. A quorum shall be constituted the number equal to more than one-half (>50%) of all full members in good standing.
  - c. The Secretary shall keep a written record of attendance at each meeting. The record shall make note of attending members, excused and unexcused absentees, late arrivals, and guests. The record shall be kept by calendar year.
  - d. All full members are required to wear their colors when attending meetings.
  - e. Robert's Rules of Order shall govern the order of business at meetings
  - f. Unless explicitly stating otherwise, a simple majority rule applies for all meeting votes
  - g. Talking during the meeting is prohibited, unless the speaker has been given the floor by the President. Anyone not abiding by this rule shall be excused/evicted from the meeting by the Sergeant-at-Arms. If the Sergeant-at-Arms is not present, an interim Sergeant-at-Arms shall be appointed.
- II. Voting During Meetings: Only members in good standing have the privilege to vote.
- a. No voting shall take place without a quorum present
  - b. 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 By-laws.
  - c. A member with an excused absence may vote by written absentee ballot signed by the member and forwarded to the Executive Board in sealed envelope.
  - d. Any full member in good standing may designate another full member to vote on his behalf; however, the designation must be in writing (vote by proxy) and presented to the full voting membership. At its discretion, the Executive Board may contact an absent member to obtain their immediate vote.
- III. Executive Board Meetings: All meetings of the Executive Board shall be open to the general membership of the club, except those meetings held in "Executive Session", which is a meeting closed to all except the Executive Board. The Executive Board shall report the content of any Executive Session meeting to the full membership at the next Open General Meeting.

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

**ARTICLE 5 – CONDUCT OF ELECTIONS**

- I. Elections of Officers: An election of officers shall be held annually as defined in the ECMC Constitution, Article IV, Section A.
  - a. All full members in good standing are eligible to vote or to be nominated for an office.
  - b. The Election of Officers shall be by secret ballot and the Sergeant-at-Arms shall preside over all elections.
  - c. Voting for officers shall take place in the following order:
    - i. Treasurer
    - ii. Secretary
    - iii. Road Captain
    - iv. Vice-President
    - v. 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 for which he is nominated remains a nominee for the next highest office. Once duly elected to an office, the member is no longer a nominee for any other office, except under the special circumstance indicated in the ECMC Constitution, Article IV.
  - e. The nominee who receives more votes than any other nominee shall be elected to that office. Any vote ending in a tie must re-voted until a winner is declared.
- II. Audit Committee: An Audit Committee consisting of three full members, excluding current officers must be appointed by the President before annual elections. The Audit Committee shall provide an audit report to the membership at the Open General Meeting prior to the opening of the floor for the first nominations for officers in December's Open General Meeting. It shall be the responsibility of the Audit Committee to supervise the transfer of all club records, property, access to property, equipment and keys between the former officers and the newly elected officers.

**ARTICLE 6 – COMMITTEES**

- I. Committees: It shall be the responsibility of the respective committees to perform all the planning and research necessary to carry out their responsibilities.
  - a. Committee chairman are responsible for any correspondence necessary to carry out the committee's responsibilities unless the Executive Board has made alternate arrangements. Any correspondence that is pertinent

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

to s club event or ride shall be made in duplicate and forwarded to the Executive Board for proper disposition.

**ARTICLE 7 – FINANCES**

- I. Financing Club Activities: Any disbursement of club funds requires a majority vote of the full voting membership.
  - a. Any check greater than two-hundred and fifty dollars (>\$250.00) must be signed by both the Treasurer and one other member of the Executive Board.
  - b. In the event an expenditure is paid on behalf of the club without a prior vote of the full voting membership and a request for reimbursement is made, the approval of the reimbursement requires a majority vote of the full voting membership by private ballot.
  
- II. Annual Finance Report: It shall be the responsibility of the Treasurer to provide a written annual finance report to the full membership at the February Open General Meeting for the prior fiscal year.
  
- III. Accident Fund: In 1974, the ECMC Accident Fund was established with a grant from Jack Dowling. The Accident Fund assets shall be kept in a separate, interest bearing account. The purpose of the Accident Fund is to assist any ECMC member in the event they have a motorcycle accident and are in need of financial assistance for the repairs of the motorcycle. Upon request, the assets in the Accident Fund account are available to members as an interest-free loan. Repayment should be arranged consistent with the individual's ability to repay. (additional language)

**ARTICLE 8 – CLUB COLORS AND INSIGNIA**

- I. Insignia definitions:
  - i. ECMC Logo: the Empire City Motorcycle Club's official logo is a blue-colored "shield and spear of the Roman god Mars" (♁), outlined in red and center-filled in yellow, containing the text "EMPIRE CITY MC" in red type over the yellow center portion.
  - ii. Cheese-grater: a mental studded representation of the ECMC logo, measuring 13½ inches horizontally and 18 inches vertically, designed for display on the back.

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- iii. Back Patch: a cloth representation of the ECMC logo, measuring 8¼ inches in diameter.
  - iv. Front Patch: a cloth representation of the ECMC logo, measuring 3 inches in diameter.
  - v. AMCC Patch: a cloth representation of the AMCC logo, measuring 3½ inches in diameter.
  - vi. Top Rocker: a cloth patch containing the text, "EMPIRE CITY".
  - vii. Bottom Rocker: a cloth patch containing the text, "NEW YORK" or "PLEDGE">
  - viii. Name Tag: a metal or plastic tag containing a person's name and/or nickname.
  - ix. Office Pin: a metal or plastic tag containing the name of a rank of office
  - x. Pledge Pin: a metal or plastic tag containing the words, "ECMC PLEDGE".
  - xi. Club Colors: A jacket or vest containing any combination of the items mentioned above, once the item at issue has been affixed to a jacket, vest or other garment.
- II. Wearing of Club Colors and Insignia: The club colors and insignia are to be respected and worn respectfully at all times. Additionally, ECMC members shall respect all other motorcycle clubs and their colors, and require the same of them.
- a. Only full and reserve members may wear the Cheese-grater
  - b. Only full, reserve and Emeritus members may wear the Back Patch
  - c. Only full, reserve, Emeritus, Honorary and Associate member may wear the front patch.
  - d. Any ECMC member who wears a ECMC Back Patch must also permanently affix the ECMC Front Patch over the left breast pocket of a jacket or vest. If the member is an associate of another club and would like to display the front patch of the other club as a part of their colors, the ECMC Front Patch take precedence over all other patches.
  - e. It is preferable that Associate Members permanently affix the ECMC Front Patch over the right breast pocket, or any other respectful location on their jacket or vest, if the right breast pocket is not possible.
  - f. Full, reserve and Emeritus members must permanently affix the AMCC Patch over the right breast pocket of a jacket or vest
  - g. Pledges shall wear a Pledge Pin and Top and Bottom Rockers (optional). The Pledge must wear the Pledge Pin over the left breast pocket of a jacket or vest. If the pledge is provided with a rocker, then they must be



# **EMPIRE CITY MOTORCYCLE CLUB**

## **~ BYLAWS ~**

sewn on the back of a jacket or vest, as directed. A Pledge shall not wear a Back Patch, Front Patch or AMCC Patch until full membership has been extended to him as indicated in Article I, Section A(1) of the By-laws.

- h. At no time shall any member allow a non-member to wear the club's colors or insignia. Pledge pins and rockers are considered club colors.
- i. Each member is required to make a monetary deposit for issuance of club colors, insignia and patches.

III. Additional Insignia: A full member in good standing may request to have additional club patches issued to him for the purpose of display on a secondary jacket or vest; however, members entitled to wear a Cheese-grater may only possess one Cheese-grater.

IV. Use of Club Colors and Insignia: At all times, all ECMC colors, insignia, patches, rockers, tags and pins remain the property of the Empire City Motorcycle Club. Existing colors, insignia, cheese-graters and patches et al. are of great historical significance to the heritage of the club and may not be altered, enhanced or interfered with without due consideration and the approval by a two-thirds (2/3) majority vote of the full voting membership.

- a. The Executive Board, with the approval of the full membership, shall have the exclusive authority to approve alternate insignia for use on motorcycles, motor vehicles or other appropriate positions.
- b. Whenever club insignia is used in any publication of any type, including electronic media, it must conform as closely as possible to the historical designs. Stylized or modernized versions of the club's insignia must not be used, unless well-considered and approved by a two-thirds (2/3) majority vote of the full voting membership.

V. Return of Club Colors and Insignia: Any person whose resigns as a member of ECMC or whose membership is terminated for any reason, is required to return all club property to the Executive Board immediately.

### ARTICLE 9 – AMENDING THE ECMC BY-LAWS

I. Amendments: Any member proposing an amendment to the ECMC By-laws shall submitted the proposal in writing to the Executive Board. The Executive Board shall notify the general membership of the proposed amendment at the next Open General Meeting. It is incumbent upon the member proposing the amendment that he contact the full voting membership prior to the next Open General Meeting

**EMPIRE CITY MOTORCYCLE CLUB**  
**~ BYLAWS ~**

where the proposed amendment shall be read, discussed and presented for a vote.

- II. Voting on Amendments: Any amendments to the ECMC By-laws shall require approval by two-thirds (2/3) majority of the full voting membership. The member proposing the amendment may obtain proxy votes from those members who are unable to attend the meeting.

**ARTICLE 10 – DEFINITIONS**

- I. Official Club Event: An “Official Club Event” is an organized, non-riding activity, approved of or planned by the Vice-President. In order for an event to be considered an “Official Club Event” for the purpose of fulfilling participation requirements, it must:
- a. The event must be posted on ECMC’s official calendar no less than forty-eight (48) hours before the ride is to take place.
  - b. Information about the event must be communicated (i.e. telephone, email, text message etc.) to all full and associate members in good with no less than forty-eight (48) hours advanced notice.
  - c. The event must include at least one (1) member of the Executive Board and one (1) full member in good standing OR at least three (3) full member in good standing.

*(ECMC encourages all of its members and friends to gather together socially as often as possible. There are no requirements that “meet-ups”, gatherings or correspondence promoting the event 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 by the general membership and determine, in his discretion, if the event should be on the club’s official calendar, as an “Official Club Event”.)*

- II. Official Club Ride: An “Official Club Event” is an organized -riding activity, approved of or planned by the Road Captain. In order for ride to be considered an “Official Club Ride” for the purpose of fulfilling participation requirements, it must:
- a. The ride must be posted on ECMC’s official calendar no less than forty-eight (48) hours before the ride is to take place.
  - b. Information about the ride must be communicated (i.e. telephone, email, text message etc.) to all full and associate members in good with no less than forty-eight (48) hours advanced notice.

## **EMPIRE CITY MOTORCYCLE CLUB**

### **~ BYLAWS ~**

- c. The ride must include at least one (1) member of the Executive Board and one (1) full member in good standing OR at least three (3) full member in good standing.

*(ECMC encourages all of its members and friends to ride together socially as often as possible. There are no requirements that general motorcycle rides nor correspondence promoting the ride be filter through or “approved” by the Road-Captain; however, it is the responsibility of the Road-Captain to promptly take information pertaining to rides provided to him by the general membership and determine, in his discretion, if the ride should be on the club’s official calendar, as an “Official Club Ride”.)*

- III. Motorcycle: A “motorcycle” is a two or three-wheeled vehicle requiring its operator to hold a driver’s license with a specific motorcycle endorsement. The vehicle must have a front wheel rim no smaller than eleven (11) inches in diameter and an engine displacement of no less than three-hundred and ninety-nine (399) cubic centimeters, based on the specifications of the vehicle’s manufacturer or a state-issued registration card.
- IV. Back Patch: A primary club patch, typically the largest patch worn on the back of jacket or vest. A Back Patch is a representation that its wearer is a full club member. Other smaller secondary club patches, regardless of how they are worn or where the patch is located only indicate associate, Emeritus or honorary membership in a club.

---

Empire City Bylaws

Original – 27th January 2012

Revised – 6<sup>th</sup> April 2016

Revised – 1<sup>st</sup> July 2019