

CAPE CORAL R/SEAHAWKS CONSTITUTION AND BY-LAWS

September 2015

ARTICLE 1 ORGANIZATION AND OBJECTIVES

SECTION ONE - LEGAL ORGANIZATION

The Cape Coral R/Seahawks Inc. (hereinafter referred to as "Club") is a not-for-profit corporation organized under the provisions of Chapter 617 of the Florida Statutes. The Club is chartered by the Academy of Model Aeronautics (AMA) Charter Number 543

SECTION TWO - OBJECTIVES

A. The primary purpose of the Club is to actively promote the construction and flying of all types of radio controlled aircraft. In accordance with this objective the Club will:

- 1.** Endeavor to encourage the Club membership, both individually and collectively, to expand its knowledge of aerodynamics and the related arts and sciences. Thus, the skills necessary for the construction and flying of model aircraft will be improved throughout the membership of the Club.
- 2.** Provide a suitable flying site for the use of members and their guests.
- 3.** Set standards for safety, stay current with and vigorously enforce these standards in an effort to ensure the personal safety and that of the property of its members, their guests and spectators.
- 4.** Endeavor to promote a feeling of comradery and respect between all its members, regardless of the aero-modeling interests or skill level so that each member will value their association with the Club and fellow members.

ARTICLE II MEMBERSHIP QUALIFICATION

Membership in the Club is open to any person interested in the design, construction and/or flying of any and all types of radio controlled model aircraft. By signing the annual membership/renewal form, each member accepts the responsibility of adhering to the entire Constitution and By-Laws, all field and safety rules set by the Board of Directors, AMA rules and all updates from the Board of Directors. All new members, no matter what their skill level, will be required to fly a demonstration flight before a Club instructor to ensure their ability for solo flying. Club members with invited guest flyers are solely responsible for their guest's flying ability and knowledge, and understanding and adherence to Club rules. In particular, especially in the absence of a Field Marshal and/or Safety Officer, all members are obligated to accept responsibility for safety as explained under Article VII in duties of Field Marshal and Safety Officer.

ARTICLE III CLASSES OF MEMBERSHIP

There will be three (3) classes of membership in the Club. Classes A, B and C will have a three (3) month probationary period attached before new full membership is permitted. New members will be expected to follow all the existing rules, both flying and demeanor towards others. A simple majority vote from the Board of Directors after the three month period will determine the suitability of the new member. All classes of membership are required to pay the City Land Use Fee. This fee is to be paid when the maintenance fee is paid.

A. REGULAR MEMBERSHIP

1. The regular membership will be open to those persons eighteen (18) years of age or older, singly or with their families (for family membership), all of whom must offer proof of current AMA (Academy of Model Aeronautics) membership, have paid their maintenance fees and Land Use Fees, have submitted a signed current application/renewal form for the year and have complied with FCC licensing requirements where applicable.
2. All new members will receive a copy of the Club's Constitution and By-Laws, a membership card showing date of expiration of the Club dues paid and a copy of the Club's field safety rules. Renewing members can ask for a copy of the Constitution and By-Laws at no charge.
3. Regular members in good standing will have full voting privileges on all items voted on by the general membership.
4. The acceptance of general membership charges the member with the responsibility of complying with, and helping enforce, the Club's field and safety rules and at all times acting in the best interest of the Club and its members.

B. JUNIOR MEMBERSHIP

1. The junior membership will be open to those persons between the ages of sixteen (16) and seventeen (17) with a parent/guardian signed membership/renewal form and paid maintenance fees and Land Use Fees.
2. All other eligibility requirements, responsibilities and privileges of a regular membership will apply except they cannot hold office in the Club. (see regular membership)

C. SUB-JUNIOR MEMBERSHIP

1. The sub-junior membership will be open to persons fifteen (15) years of age or younger. There will be no maintenance fees charged to this class of membership but they must have a membership/renewal form signed by a parent or guardian. The Club will pay their Land Use Fee.
2. Sub-junior members will have no voting privileges and may not hold office in the Club.
3. All other eligibility requirements, responsibilities and privileges of a regular membership will apply. (see regular membership)

**ARTICLE IV
MEMBERSHIP DUES STRUCTURE**

- A.** Annual Maintenance Fees will be established by the Board of Directors, subject to the approval of the general membership. Membership is from January 1st to December 31st.
- B.** Regular, Family and Junior membership maintenance fees and Land Use Fees are payable by January 1st. Club membership cards will issued upon receipt of the Maintenance fees and Land Use fees and proof of AMA membership. Membership cards must be displayed when flying.
- C.** Sub-junior members are not charged for maintenance fees or Land use fees.
- D.** Family membership: The annual maintenance fees for a family membership will be based on a fixed discount and the number of adult family members in the Club. To qualify for family membership all adult family members must be immediate family and live in the same house. Maintenance fees must be paid at the same time. A 50% (fifty) discount will be applied to subsequent family adult memberships after the first member has paid full maintenance fees.
- E.** New member prorating maintenance fees - From July 1 to December 31, dues for a first time new member will be one half of the annual rates in effect for that year. The City Land Use Fee must be paid in full irrespective of the time of joining.
- F.** Land Use Fees whose amount is determined by the City is payable by all members at the time that they pay their maintenance fees, except for sub junior members, see above.

**ARTICLE V
GUEST PRIVILEGES**

- A.** Any member in good standing may bring guests to the flying site. The guest must have an AMA card or its equivalent from Canada or Europe.
- B.** The Club will extend full field privileges to the guest for a maximum of two (2) weeks in any one (1) calendar year, after which he/she are expected to join the Club.
- C.** The member will be responsible to make sure that the guest is aware and follows all Club safety and flying rules.
- D.** A check flight is required for all guests by an Instructor or an Officer.
- E.** The guest will be issued a “Guest Card” for display when flying.

**ARTICLE VI
TERMINATION OF MEMBERSHIP**

A. AUTOMATIC TERMINATION

- 1.** A member will have their membership terminated if they are issued a Criminal Trespass Warning from a City of Cape Coral authority such as a Park Ranger or a Police Officer, after review of the facts by the Board of Directors.

2. The Board has the right to vote on and determine the consequences of a Board member who creates problems at Board meetings, talks disparagingly about the Board and its members, talks to other than Board members about discussions at Board meetings. The Board has the power to eject any Board member from its ranks. The vote is carried by a simple majority vote of those members present at a monthly Board meeting.
3. The member charged will be given the opportunity to answer the charges at the next Board meeting.
4. Should a Board member be ejected from the Board, the member has 15 days from the date of ejection to pay the maintenance fees to remain a member of the Club.

B. DUE PROCESS TERMINATION

1. This action may be taken against a member who has been charged with any of the following:
2. A member whose actions at the flying site or elsewhere have jeopardized the Club's privilege of using the flying site.
3. A member whose actions at the flying site have repeatedly placed the personal safety or property of others in danger.
4. A member whose actions at Club Meetings, Board of Director Meetings or Special Meetings is continuously disruptive or prevents the Club's business from being carried on.
5. Members should air their problems with the Club, irrespective of what they are, at the General Meetings which are held on a monthly basis. Once the problems have been brought forth and discussed, resolutions will be voted on. A simple majority vote will carry the resolutions. It is required that members do not air the financial status of the Club in any Public forum. Doing so will lead to disciplinary action of the member concerned.

C. PROCEDURE FOR DUE PROCESS TERMINATION

1. Any member in good standing can submit charges to the Board of Directors against a member.
2. These charges must be submitted in writing to the Board of Directors.
3. Termination charges can be addressed at a Board of Directors meeting
4. The member charged will be given the opportunity to answer the charges at the next Board of Directors meeting. In addition, anyone wishing to speak on behalf of and in defense of the member charged will be heard. The Board reserves the right to conduct an investigation into all charges and will conduct such investigations as it sees fit and shall not show any malice or favoritism to any party regardless of their stature in the Club.
5. At the following General Monthly Club meeting, the Board of Directors will advise the membership of what action, if any, is to be taken. The membership will vote on such action.
6. The Board of Directors has the right to suspend a member's flying privileges at the Club flying field for a given period of time in lieu of termination of membership. In the event of a termination, Club dues shall be prorated and returned to the terminated party. Suspended members are not eligible for any return of dues.

ARTICLE VII

OFFICERS AND BOARD OF DIRECTORS

A. ELECTION OF BOARD OFFICERS

1. At the regular monthly meeting for November, nominations for all positions will be presented by the President, and additional nominations will be accepted from the general membership. Nominees must be in good standing in the Club. Nominees must be present at the November General Club Meeting unless they provide a written notice to the President, prior to the meeting, that they are unable to attend the meeting and that they will run for a specific office. Nominees must agree to serve before a nomination is made. Nominees must be permanent residents of the State of Florida. The Board of Directors positions are: President, Vice-President, Treasurer, Secretary, Helicopter Field Marshal, Jet Field Marshal, Fixed Wing Field Marshal, Electric/Glider Field Marshal, Safety Officer Fuel, Safety Officer Electrics, and Safety Officer Field.
2. Nominees names and the positions they are running for will be given at and will appear in the written minutes of the November General Meeting.
3. No nominees will be accepted after the November General Meeting.
4. The elections will take place by electronic voting using a non-biased third party during the week of, but before the day of, the December monthly meeting. All candidates will be listed by name and position on a ballot which will be emailed to all members who have submitted their email address. The members will follow the instructions on the ballot by filling out their choice for each position and submitting their vote. Those members who are unable to vote by computer will be issued ballots at the December monthly meeting if they attend. These written ballots will be added to the electronic count. It must be noted that a list will be generated of all those people who voted by computer so that duplicate voting does not occur. Anonymity of the vote remains intact since the vote is handled by a third party. The vote count will be given out at the December monthly meeting and will be reported in the Meeting Minutes.
5. The week before the election week, each candidate will be allowed to a one time email of not more than 300 words to be sent to all Club members. In the email they should put forth their position on the issues, and what they would do in the position they are running for to help and improve the Club. The email from each candidate must be submitted to the Club Secretary for distribution to all members.
6. To be elected, a nominee must have a clear majority of those voting. In case of a tie vote for any position, the vote will be rerun at the December meeting with a show of hands by those members in attendance. A simple majority will win the vote.
7. If only one name is submitted for a position, that person will be assigned to the said position by acclamation.
8. If no nominees are received for a particular position, then that position will be left open until either the Board appoints a person to fill the position or a nominee is submitted at the next annual election procedure, ie. the next November General monthly meeting.

B. INDIVIDUAL OFFICER DUTIES

1. President

- a. Presides over and direct all meetings
- b. Appoint all committees, permanent and temporary.
- c. May be one of the Club's bank account(s) signatories.
- d. Is empowered to spend up to \$2,000.00 with the approval of two other Board members over the course of one term year.
- e. Is Chairman of the Board of Directors and may assign tasks as required.
- f. The President or his designee will act on behalf of and as sole official contact in all matters involving the City Officials and Club business.
- g. The President or his designee is the sole person to distribute information to the media concerning Club business.
- h. Is exempt from paying the Club's annual membership dues.

2. Vice-President

- a. Assume all the duties of President in his/her absence.
- b. Chief Field Marshal, Chief Safety Officer and Chief Training Officer
- c. May be one of the Club's bank account(s) signatories
- d. Is exempt from paying the Club's annual membership dues.

3. Treasurer

- a. Maintain the Club's bank account(s)
- b. May be one of the Club bank account(s) signatories
- c. Make regular financial status reports to the membership
- d. Report all expenditures and income to the Club.
- e. Responsible for all accounts receivable and accounts payable.
- f. Maintains a roster of all members, and ensures that all members belong to the AMA
- g. The incoming Treasurer may request an independent audit of the Club's financial records
- h. Is exempt from paying the Club's annual membership dues.

4. Secretary

- a. Be the custodian of the Club's non-financial records.
- b. Be responsible for all the Club's correspondence and present to the membership all correspondence received.
- c. Keep the minutes of all meetings of the Board of Directors and of the General Membership.
- d. Record the attendance at each meeting.
- e. Will handle the City Permits with the Parks and Recreation Dept. required for events at the Flying field.
- f. Is responsible for maintaining an Email distribution list or delegate such activity to another Board Member.
- g. Is exempt from paying the Club's annual membership dues.
- h. May be one of the Club bank account(s) signatories.

5. Field Marshals

- a.** Consist of Jet Field Marshal, Electric Field Marshal, Fixed Wing Field Marshal and Helicopter Field Marshal.
- b.** Will vigorously enforce all Club field and safety rules. They may appoint assistant Field Marshal(s) with Chief Field Marshal's approval.
- c.** The area of responsibility is at the flying site, in the air, plus on the ground forward of the pilot line. Other duties are:
- d.** Know how to contact the nearest hospital, Park Ranger and Police Department.
- e.** Know how to use fire extinguisher apparatus and fire truck..
- f.** Be willing to offer first aid and know the location of a first aid kit.
- g.** Make presentations on problems to the Club at open meetings.
- h.** Have ability to handle non-flyers who may disrupt operations.
- i.** The Field Marshals are empowered to ground any aircraft/pilot not in compliance with AMA or Club rules immediately, at the flying site, until the cause for grounding is corrected to the Marshal's satisfaction. The Field Marshals shall report all such actions to the Board for secondary review.
- j.** The Jet Field Marshal should have a Jet Waiver issued by the AMA.
- k.** Are exempt from paying the Clubs annual membership dues.

6. Safety Officers

- a.** Consist of Field Safety Officer, Electric Safety Officer and Fuel Safety Officer.
- b.** Will concern themselves with the wellbeing of the individual members and spectators, the recognition of possible safety hazards and the prevention of personal injuries which might occur from unsafe practice in the use of tools, aircraft and/or equipment. They will insure compliance with all AMA and Club safety rules and regulations. The area of responsibility at the flying site is on the ground only, behind the pilot line. They may appoint assistant safety Officers with the Chief Safety Officer's approval.
- c.** Be available for pre-flight inspection of new aircraft.
- d.** Be available for pre-flight inspection of repaired aircraft.
- e.** At the pit area, ensure that all pilots and aircraft have proper identification and that all transmitters display the name and telephone number of the owner and the channel number.
- f.** Ensure that all transmitters not in use are off and in the off position excluding 2.4Ghz radios.
- g.** Ensure that Club noise suppression regulations are followed.
- h.** Be concerned with spectator and parking area safety.
- i.** Observe for proper securing of aircraft when engines are started.
- j.** Observe for proper taxiing, with no returning aircraft to taxi under power beyond the first yellow boundary line closest to the runway.
- k.** In regard to the above, the Safety Officer is empowered to immediately ground any pilot/aircraft not in compliance, at the flying site, until the cause for grounding has been corrected to the Officer's satisfaction. All such actions will be reported to the Board for secondary review.
- k.** Inform the Chief safety Officer of new information regarding hazards in the building or maintenance of model aircraft, examples being unreliable tools and toxic reaction to adhesives. Members are urged to report such information to the Safety Officer for further dissemination to the general membership.
- l.** Are exempt from paying the Club's annual membership dues.

C. BOARD OF DIRECTOR DUTIES

1. Will have control and management of the affairs and business of the Club.
2. As such, the board will act in the name of the Club only when convened by the President after adequate notice to all officers.
3. Six members of the Board must be present to constitute a quorum.
4. Each member has one vote and must be present at the Board meetings to exercise that right.
5. In the event of a tie vote, the President will cast the tie breaking vote.
6. The Board is comprised of the officers previously described.
7. Vacancies arising during the year will be filled by Board appointment for the remainder of the term.
8. The Board is empowered to approve and spend up to \$5,000.00 over the course of a year for safety upgrades and repairs to the field, to include replacement of items necessary for the safe and convenient operation of the Club flying site (chairs, tables, signs, fencing, etc.) The Board shall also be empowered to spend necessary amounts in preparation for special events.
9. Expenditures exceeding \$5,000.00 over the course of a year by the Board must be approved by a majority vote of the General membership at a regular monthly meeting.
10. The Board will be responsible for all Club Meets and will work through the appointed CD for the specific event.
11. Will ensure that all rules and regulations of the City of Cape Coral Parks and Recreation Department are kept and adhered to.
12. Will ensure that all Club money checks will be signed by two of the four elected official allowed to sign checks.

D LENGTH OF TERMS

1. All officers serve one year terms. There is no limit on the number of terms they may serve. They serve from January 1st to December 31st.

E. ORGANIZATIONAL CHART

1. See Fig. 1

**ARTICLE VIII
VOTING**

A. QUORUM

1. No vote may be taken at any general meeting, whether it be a regularly scheduled or called for a special purpose, unless a quorum, consisting of six (6) officers and seven (7) members in good standing, is present.

B. VOTING PROCEDURE

1. "Show of Hands" voting will be adequate for all issues raised except for election of officers which will be done as explained in Article VII, section A, paragraphs 5,7 and 8.

2. Voting privileges are extended to members present in good standing (except sub-junior members), but may be withdrawn from those who are in arrears in their dues, at the discretion of the Board of Directors. Voting privileges may be restored by the Board when the member has met their financial obligation to the Club.

3. When technology allows, electronic procedures to give all members the chance to vote on all matters may be used.

**ARTICLE IX
SPECIAL MEETINGS**

A. The President is empowered to call special meetings of the membership or Board as he deems necessary.

**ARTICLE X
COMMITTEES**

1. All committees, standing and ad hoc, will be appointed by and serve at the discretion of the President and the Board of Directors.

**ARTICLE XI
SPECIAL ASSESSMENT AND FIELD FUND**

A. SPECIAL ASSESSMENTS

1. Special assessments made on the membership must be approved by a majority vote of all members using the email electronic voting system.

B. FIELD FUND AND ITS OBJECTIVES

1. This fund consists of money accumulated and placed into an account for the purpose of buying, leasing or developing another flying site. These funds have come from the proceeds of our annual shows, donations and the interest earned on this account. Future deposits into this account will be decided on by the general membership on a year to year basis with a majority vote of members present. Capital improvements to the field may also be drawn from this fund with a majority vote of members present. Further, the Field Fund shall be exempt from field maintenance and day to day expenses which are funded by the Club's dues and special assessments as directed by the Board. Interest from the Field Fund will be available for use in the general operating fund so long as the Field Fund remains at the amount set by the membership.

2. Upon securing a new field, Field Fund monies will be used only to establish that flying field in accordance with the Club's Board of Directors and AMA safety regulations and recommendations.

ARTICLE XII DISSOLUTION

A. AUTHORIZATION

1. The Cape Coral R/Seahawks may be dissolved under this article. The proposal for dissolution will be emailed to all members. The dissolution will be finalized by a majority vote of the members present at the Special Dissolution Meeting.

B. DISTRIBUTION OF ASSETS AND CAPITAL.

1. After paying and/or satisfying all liabilities, the Treasurer will auction all tangible assets at a special meeting called for such purpose.

2. All members of the Club will receive a statement of total remaining capital of the Club. Said statement will be emailed to all active members of the Club within ten (10) working days of the special meeting.

3. At the special meeting the membership will discuss and vote on a plan to distribute all liquid assets to charities or other not-for-profit organizations engaged in the promotion of model aviation. In the event consensus on distribution of assets cannot be reached at the special meeting, the Treasurer will make a donation consisting of all the Club's assets to the AMA in the name of the Club.

ARTICLE XIII AMENDMENTS

1. Amendments to the Constitution and By-Laws must have a majority vote of the members in good standing voting by an electronic third party voting system emailed to all members.

2. The proposed amendments will be emailed to all members as an attachment to the minutes of the General Meeting.

3. The vote on the proposed amendments will be held during the week of but before the day of the subsequent General Monthly meeting. The results of the vote will be announced at the

General Monthly meeting.

R/Seahawks Organization Chart

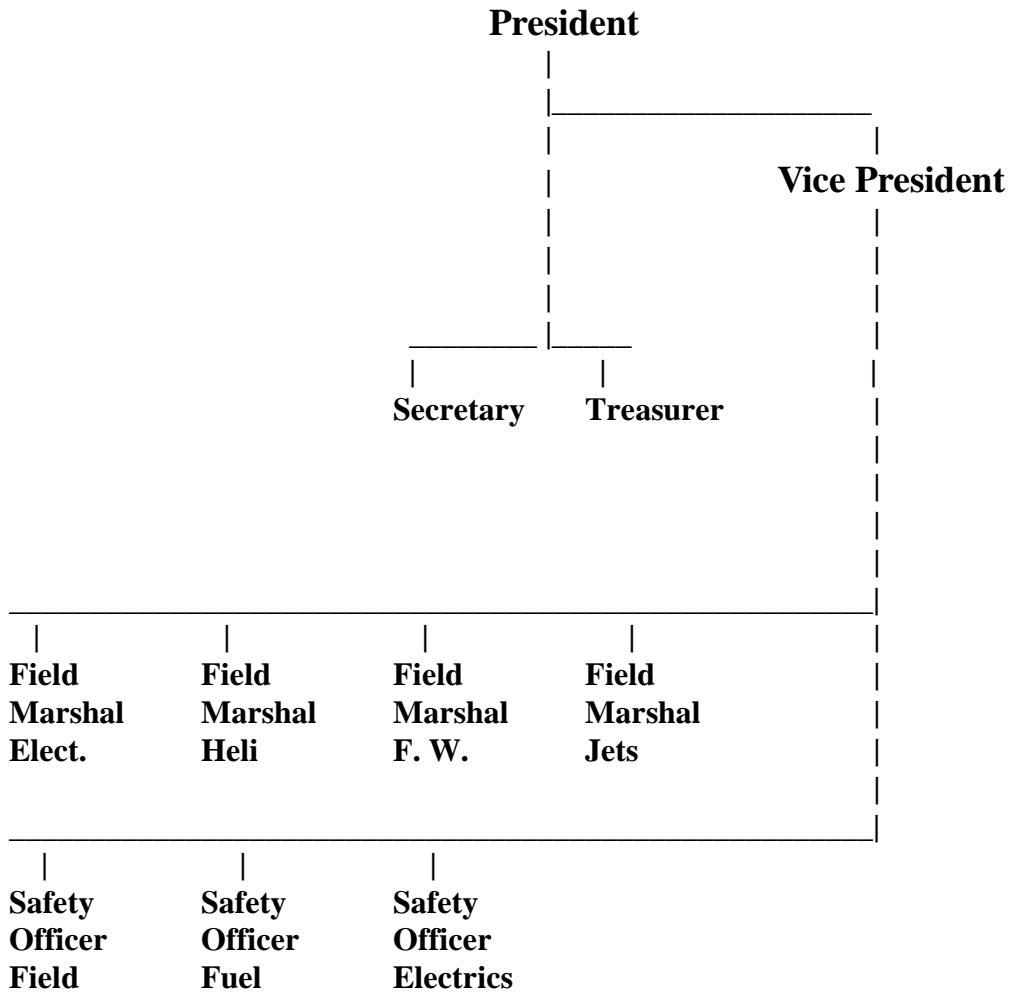


Fig 1

Approved March 14, 1983

Amended December 10, 1984

Amended February 10, 1986

Amended March 10, 1986

Amended June 9, 1986

Amended December 8, 1986
Amended October 8, 1990
Amended May 9, 1994
Amended July 20, 1995
Amended March 21, 1996
Amended April 18, 1996
Amended May 15, 1997
Amended January 15, 1998
Amended January 21, 1999
Amended November 18, 1999
Amended November 21, 2002
Amended April 21, 2005
Amended October 20, 2005
Amended October 19, 2006
Amended October 18, 2007
Amended January 10, 2008
Amended February 18, 2010
Amended May 19, 2011
Amended June 1, 2012
Amended August 9, 2013
Amended September 24, 2015