

## Utah Hang Gliding and Paragliding Association (UHGPGA) Bylaws

### Article I NAME

The name of the Association is the Utah Hang Gliding and Paragliding Association. The official abbreviation for the name of the Association shall be **UHGPGA**.

The Point of the Mountain refers to both the North Side Point of the Mountain and the South Side Point of the mountain flying sites. These are but two of the many insured sites managed by the UHGPGA. Point of the Mountain may be abbreviated as **POM** and refers to both sites.

### Article II PURPOSE

The purpose of the UHGPGA is:

- Section 1 To maintain, safely regulate, and insure numerous HG and PG flying sites located in Utah.
- Section 2 To seek and secure new flying sites.
- Section 3 To promote safety through communication and education of members as well as the local community.
- Section 4 To promote a feeling of fellowship and establish closer relations and communications among the community and people interested in hang gliding and paragliding.
- Section 5 To educate in, but not limited to, Federal Air Regulations (FAR), Federal Communications Commission (FCC) regulations, maintenance of free flight flying and safety equipment, as well as macro and micro meteorology.
- Section 6 To provide a means of acquiring weather information at the POM and other insured flying sites.
- Section 7 To present free flight educational programs to various community organizations.
- Section 8 To cooperate, by all suitable and practical means, with aviation agencies and other organizations, both public and private, to promote awareness and safety for hang and paragliding.
- Section 9 To serve in an advisory capacity to other organizations and agencies, to realize, foster, and promote safe hang gliding and paragliding.

### Article III: BOARD OF DIRECTORS

- Section 1 The Board of Directors (abbreviated as Directors, Board, or BOD) shall be composed of nominated and elected active resident members serving as the President, Vice-President, Secretary, and Treasurer of the Association.
- Section 2 Directors will be elected by a majority vote of active members in good standing present at the Annual Meeting of the Members.
- Section 3 Nominations for Directors for service during the next fiscal year will begin at the Fall Meeting of the Members and will continue through the month of November. Members wanting to serve shall notify the Secretary by E-Mail.
- Section 4 The Secretary shall compile a list of members who have been nominated, and who have agreed to serve if elected. This list of nominees shall be placed on the Agenda for the Annual Meeting of Members. For a nomination to be accepted as an official nomination, the individual being nominated MUST agree in writing to the Secretary to serve in the position to which he/she is nominated.
- Section 5 The President's duties will be to schedule and hold the general and board meetings to organize the activities of the Association, form committees and appoint Liaisons, and as necessary to conduct the business of the Association. The President is also the primary spokesperson for the Association.
- Section 6 The Vice-President is responsible for standing in the President's place, should the president be unavailable. The Vice-President can, by mutual agreement between him/herself and the President assume any of the responsibilities of the President.
- Section 7 The Secretary is responsible for preparing meeting minutes, preparation of meeting agendas, and handling the Director nomination process. He/she will also be responsible for incorporating into the Bylaws approved amendments voted into effect by the membership. The Secretary shall document in meeting minutes and update the Bylaws to reflect all motions passed by the Association.
- Section 8 The Treasurer is responsible for keeping the membership records and issuing of helmet stickers. He/she shall receive and deposit all funds, execute all checks for expenditures authorized by the Board, account for all receipts, disbursements, and preparation of a quarterly compilation of disbursements. Additionally, the Treasurer is responsible for the investment of club funds in CD's as stated herein.

The Treasurer shall prepare an annual budget to be reviewed by the Directors prior to the Annual Meeting of Members. The Director recommended annual budget shall present at the Annual Meeting of the Members, and voted upon at that meeting.

Based upon the member approved budget, the Treasurer shall invest funds other than necessary for the routine operations of the Association with the following considerations:

- A. FDIC Insurance coverage of the CD is mandatory

- B. Only at major banks with local branch office(s)
- C. Maximum investment window shall be 13 months
- D. CD's maturities shall be staggered

- Section 9 Vacancies on the Board of Directors shall be filled by the appointment of a member in good standing by the majority vote of the remaining members of the Board of Directors.
- Section 10 Resignation and Removal – Members of the Board may be removed from office if deemed necessary by a  $\frac{3}{4}$  majority of active members. Resignation will become effective within 30 days of the President's receipt of a Director's written notice of resignation.

## Article IV: OTHER OFFICER ROLES

- Section 1 Thorough operation of the Association requires that members with special expertise serve in other key leadership roles. Such positions or roles may be titled as Officer, Chairperson, Manager, Liaison, Coordinator or any other descriptive term other than "Director".

### Section 2 **MEMBER ELECTED POSITIONS:**

**SAFETY OFFICERS:** Two Safety Officers, a Hang Gliding Safety Officer and a Paragliding Safety Officer shall be elected by the members. The Hang Gliding Safety Officer shall have a H4/H5 certification and the Paragliding Safety Officer shall have a P4/P5 certification. Ideally, the safety officers will have biwingal experience. In the event of a voluntary or involuntary vacancy of either of these positions, a replacement Safety Officer shall be appointed by the Board to serve the remainder of the term.

The Safety Officers shall present to the Association, no later than March 1st of each year, an Annual Safety Plan. The Annual Safety Plan shall outline site rules, the flight and safety rules and regulations, and shall conform to the regulations of the United States Hang Gliding and Paragliding Association, Inc. (**USHPA**), and otherwise protect the interests of the Association. The members shall amend and approve the Annual Safety Plan presented by the Safety Directors at this meeting. Once approved, the Safety Plan shall be e-mailed to all members with the meeting minutes. At the Annual Meeting of the Members, the Safety Officers shall present a formal report of safety performance of the Association for the preceding flying season.

**OTHER KEY ROLES:** As necessary, additional positions may be identified and added to the list of Member Elected Positions. Such additions are for the term of service (one year or less) and do not require amendment of these Bylaws.

- Section 3 **BOARD APPOINTED POSITIONS:** The Board may solicit member volunteers as necessary to fill various leadership positions (e.g. to chair an ad hoc committee) beyond those listed above in Article IV Section 2. When identified, the Secretary will solicit member volunteers via e-mail to members. The board will consider the results and will collectively appoint the best qualified volunteer to serve in each appointed key leadership position.

- Section 4 The head of POMIC (Point of the Mountain Instructor's Committee) or an appointee shall be a non-voting officer to attend Directors/Officers meetings, and function as a liaison between UHGPGA and POMIC.

## **Article V: MEMBERSHIP**

- Section 1 Membership of the Association will consist of active members in good standing and who have remained current in paying their dues.
- Section 2 Members of the Association will receive meeting minutes via e-mail. Members in good standing may vote as provided for in these Bylaws.
- Section 3 Members in good standing with the Association may fly at club insured sites and receive all benefits associated with membership.
- Section 4 Members and schools shall comply with all safety rules, laws and regulations established by the Association and all regulating agencies such as (but not limited to) USHPGA, FAA, FCC, and law enforcement agencies. Failure to comply with established safety rules, laws and regulations will result in revocation of flying privileges and membership benefits.
- Section 5 Directors will receive their membership free during the course of their service to the Association.

## **Article VI: MEETINGS**

- Section 1 Meeting of the Members will be held at least quarterly. Meetings will generally be held on the third Thursday of designated months, or as deemed appropriate by the Board of Directors. All members shall be notified by e-mail of meetings no less than seven days in advance of the meeting. Meetings shall generally be held outside of the normal working hours (day shift) to promote maximize participation.
- Section 2 Meetings will follow parliamentary procedure as defined by the President.
- Section 3 A quorum shall consist of members in good standing who are present at a duly advertised meeting. In the case of online voting, the quorum for each motion will be the total number of members who vote on that motion.
- Section 4 A motion may be passed by a 2/3-majority vote of a quorum present at any meeting. Under no circumstances will a motion pass with a quorum of less than 30 members.
- Section 5 With the exception of issues that are extremely time sensitive; no vote will be conducted on any motion until that motion has been listed on the Agenda provided by the Secretary. Fast breaking or critical issues requiring the approval of the membership may be decided without said notification, but only with a 4/5 approval of members in good standing at the meeting AND the concurrence of three members of the Board of Directors.

Section 6 A member of the Association may grant another current member of the Association his or her proxy vote at any or all regular or special meetings of the members. Any such proxy must be in writing, must be signed and dated by the member granting the proxy, and must be delivered to a Director of the Association before the start of any advertised meeting of members. The proxy grant is effective only for a particular meeting of the members, which shall be identified by date. A proxy appropriately granted may be exercised only at those regular or special meetings of the members when the member granting the proxy is not present and the member receiving the proxy is present. A proxy made by a purported member who is not current on the payment of dues or is otherwise not in good standing with the Association, shall be void. Likewise, a proxy made to a purported member who is not current on the payment of dues or is otherwise not in good standing with the Association, shall be void.

Section 7 Online or email voting may be utilized at the discretion of the Board. The Board will determine the voting methodology (paper ballot, online, email or a combination), keeping in mind one member/one vote. Where online or email voting is allowed, the membership status of voters may be verified against UHGPGA membership rolls to validate active membership status, and to ensure only one vote per member.

## **Article VII: DUES**

Section 1 Dues will be established by the Treasurer in the annual budget presented and approved at the Annual Meeting of the Members.

Section 2 Annual dues are due January 1st of each year and are considered late by the first day of March.

Section 3 The two Safety Officers shall have their membership fees waived for the year they serve in this capacity.

Section 4 All memberships shall expire on December 31.

## **Article VIII: FINANCIAL CALENDAR**

Section 1 The fiscal year shall begin on January 1 and concludes on December 31.

Section 2 The Treasurer will present financial statements to the general membership quarterly and at the annual meeting of members.

Section 3 The Treasurer will present the Director recommended budget to the members at the Annual Meeting of the Members.

## **Article IX: AMENDMENTS**

Section 1 Proposed amendments to the UHGPGA Bylaws must be presented by the Secretary in writing via e-mail to members at least 30 days in advance of a vote at the Annual Meeting of Members.

Section 2 UHGPA Bylaws may be amended by an affirmative vote of 2/3 majority of members present at the Annual Meeting Of Members.

Section 3 Any such amendments will become effective immediately unless otherwise stated. Amendments may not be retroactive.

## **Article X: FINANCIAL OBLIGATIONS OF THE CLUB**

UHGPGA may only be financially obligated by any one of the following three methods.

1. The annual budget approved at the annual meeting by the membership.
2. The 2/3 quorum vote for a motion properly presented and voted upon by the membership at any quarterly meeting of the members.
3. The 4/5 quorum vote for an emergency measure proposed at a quarterly meeting, or at an emergency meeting or online vote of the members. Membership will have at least 24 hours notice via the club email server for any emergency vote.

## **Article XI: EXPENSES, GIFTS, CONTRIBUTIONS, and DONATIONS**

Section 1 No Director of this Association may be entitled to any portion of the net earnings of this Association. Said earnings shall not inure to the benefit of any private person and shall be held and used only for the purpose specified in the Articles of Incorporation of this Association: however, nothing herein contained shall be construed as preventing this Association from paying any member or non-member for services rendered, property sold to the Association, or from being reimbursed for goods or services as authorized by the Directors consistent with these Bylaws.

Section 2 For duly obligated expenditures over \$300 membership authorization is granted only IF three or more of the four Directors (President, Vice President, Secretary and Treasurer) provide the President their written approval for the expense.

For duly obligated expenditures equal to or less than \$300, membership authorization is granted if two or more of the four Directors (President, Vice President, Secretary and/or Treasurer) provide their written approval of the expense.

Section 3 This Association may accept gifts of money, property or services from individuals; trust estates, partnerships, corporations or other entities or enterprises that are supportive of its purposes. Such donors may, contingent upon their consent, be listed in the official publication of the Association and receive information on the Associations activities. Such donors may be invited to meetings of the Association as observers.

## **Article XII: DISCIPLINARY ACTIONS**

- Section 1 A member who violates the Association's Rules, club Bylaws, Articles of Incorporation, or regulations promulgated by the FAA, FCC, USHPA or other legal entities (referred to as "Rules") will be at risk of losing their membership and all rights and privileges pursuant to their membership. The general procedures in such instances are to be follows:
- Section 2 In a professional and dispassionate manner, a club Director, Officer, or POM Instructor's Committee (POMIC) instructor shall verbally warn the individual that he or she is in violation of our Rules. The Director or POMIC instructor is required to follow-up this verbal warning in writing to the President and the Secretary. This documentation will remain on file with the Secretary. Secretary shall provide (via e-mail) the individual involved a copy of this documentation. Should no further violations by this individual occur, the matter will be considered resolved.
- Section 3 If the offending behavior or activity persists, the individual will be given formal verbal notice by at least two club Directors, Officers, or POMIC instructors that they are to immediately cease and desist in the offending behavior, that the individual(s) involved are to immediately leave the flying site for the day, and that their continued behavior has placed their status as a member in good standing at risk. The warning Directors, Officers, or POMIC instructors shall provide to the President and the Secretary, via e-mail, a formal written summary of the circumstances, witnesses and their interpretation of the offending behavior. As time permits, the individual will be presented a copy of this notice and it shall be approved by no less than two Directors of the Association. In the Association's written notice to the offending individual, the individual shall be advised that continued or repeated violation of Rules will result in the immediate revocation of their membership.
- Section 4 Depending on the severity of the infraction, the member's response to the above verbal warnings, and the circumstances surrounding the event, the Board of Directors shall determine the appropriate response of the Association to the event. The goal is not to punish members, but to ensure that they understand the situation and to correct it. The Directors shall ensure that the consequences levied appropriately matches the severity of the infraction(s). The response by the Board of Directors shall be in writing and must be approved by no less than three Board Members. Should a recommendation involving the possible revocation of a pilot's ratings be involved, such proceedings shall be in accordance with USHPA SOP 12-7.
- Section 4 Should such behavior violate USHPA, FAA or FCC regulations, the behavior shall be reported to the appropriate agency for their consideration.

**Article  
XIII:**

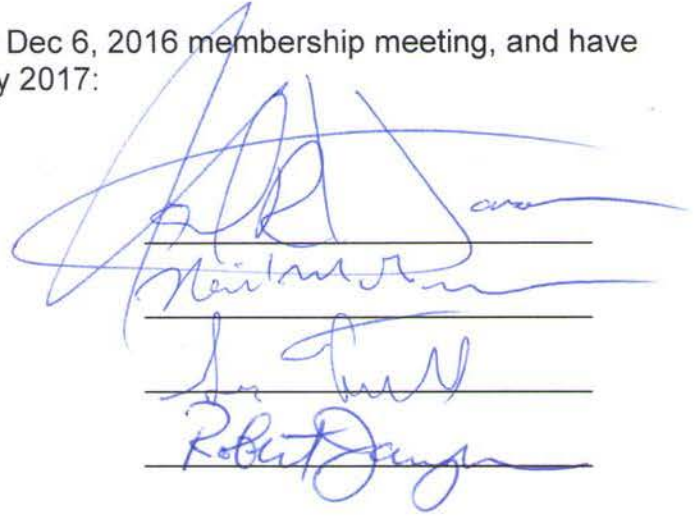
**DISSOLUTION**

Dissolution of the Association shall be carried out in a special meeting. The Secretary must provide prior notice to members of such meeting via e-mail at least sixty (60) days in advance and only after consultation with the Board of Directors of the Association.

Dissolution of the Association shall become effective only if approved by 4/5 of all members in good standing by a written and signed vote.

These Bylaws were approved at the Dec 6, 2016 membership meeting, and have been signed this 9<sup>th</sup> day of February 2017:

President	Neil Hansen
Vice President	Neil McGarry
Treasurer	Greg Fackrell
Secretary	Bob Janzen



Four handwritten signatures in blue ink are positioned over four horizontal lines. The signatures are: 1. A large, stylized signature that appears to be 'Neil Hansen'. 2. A signature that appears to be 'Neil McGarry'. 3. A signature that appears to be 'Greg Fackrell'. 4. A signature that appears to be 'Bob Janzen'.