

# ANDOVER SPORTSMEN'S CLUB

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[WWW.ANDOVERSPORTSMENSClub.ORG](http://WWW.ANDOVERSPORTSMENSClub.ORG)



## BY - LAWS

AMENDED March 9, 2023

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## **BY - LAWS**

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### **ARTICLE I -NAME**

The corporation shall be called the Andover Sportsmen's Club Inc.

### **ARTICLE II -OBJECTIVES**

The objectives of the Club are to conserve, restore and manage the game, fish and other wildlife and its habitat in the Andover communities and its environs; to seek to procure and maintain friendly relations with landowners, and sportsmen; to cooperate in obtaining proper respect for and observation of the fish and game laws; to spread knowledge of wildlife among the residents of Andover and the Andover communities and to encourage and promote good fellowship, marksmanship and the safe handling of all firearms and other hunting equipment. The association shall operate without profit, and shall be non-political and non-sectarian.

### **ARTICLE III - MEMBERSHIP**

1. Any citizen of the United States, eighteen (18) years of age or older, of suitable character and interest, is eligible to become a member of the Club, on application sponsored by a club member in good standing. Details of the applicant will be posted on the club bulletin board. Said details will also be presented to the Board of Directors by the Membership Director at regular or special Board of Directors Meeting at which time the Board of Directors will determine if the applicants should be recommended to the membership for consideration. The applicant(s) will become member(s) upon a majority vote of the Members at a Regular or Special Membership Meeting. If an applicant does not become a member then any funds accompanying said applicant's application will be promptly returned to the applicant.
2. Fees for any activity, except Dues and the Entrance Fee shall be regulated by the Board of Directors. The Dues and the Entrance Fee will be approved by a majority vote of the members present at the September meeting. In the event the members at the annual meeting in September do not vote to set new Dues and/or an Entrance Fee, the then prevailing dues and entrance fees will remain in full force and effect until such time as the members at a special or annual meeting vote otherwise. Any member shall be deemed delinquent for nonpayment of dues as of December 31st and shall be

dropped from the membership in the Club. He/she shall be reinstated on application to the Board of Directors, filed within 30 days after being dropped from membership. The Application for reinstatement must contain an explanation as to why the then former member was unable to pay their dues on-time. The dues in arrears, plus the late must be paid at the time of filing the application for reinstatement. There is no guarantee that the Board of Directors will accept the reinstatement application. If the reinstatement application is not accepted then the funds accompanying the application will be promptly returned to the applicant. A member, after being dropped from membership and who fails to be reinstated as provided for, may be readmitted to membership as a new member upon payment of the regular entrance fee and current dues. Upon application to the Board of Directors, a member with special financial circumstances can be granted an extension of time by the Board of Directors, to pay the annual dues with or without any late fee.

- 3a. A member's son or daughter, from eighteen (18) years of age to his/her 28th birthday, may choose to join the Club without payment of the entrance fee, paying only annual dues. If a parent and son and/or daughter from eighteen (18) years of age to his/her 28th birthday, join the club simultaneously, the son and/or daughter, may join without payment of the entrance fee, paying only annual dues.
- 3b. A member's spouse may join the Club without payment of entrance fee, paying only annual dues. If a married couple join the club simultaneously, one spouse may join without payment of the entrance fee, paying only annual dues.
- 3c. In the case of an individual who has been a member of the Club's Scouting Program, subsequent to December 31, 2021, or the Club's Youth Program for two years and has not exceeded his/her 21st birthday, he/she may join the Club without payment of the entrance fee, paying only annual dues.
4. Members who have paid at least ten years dues and have been a member in good standing for at least (120) months, are eligible to become a Life Member. If the eligible member is aged 65 or older, said member shall become a fully Paid-Up Life Member upon notification to the Treasurer. If the eligible member is less than 65 years old, Life Membership may be acquired upon payment of ten (10) times the annual dues. Additionally, if he/she, is less than 65 years old and elects to become a life member after having paid his/her annual dues, he/she shall be given credit for same, provided that he/she pays the balance within the same calendar year.
5. Honorary/Special members may be elected to membership upon recommendation of the Board of Directors and by a majority vote of members at a membership meeting. Honorary/Special members shall not be subject to dues or be entitled to any voting power.

6. Members upon being called into active military service and providing the Board of Directors with a copy of their orders or other satisfactory proof, shall remain a member in good standing and shall not pay dues until the January following his/her release from active duty and timely notification to the Board of Directors.
7. Any individual who is accepted for membership during the months of September, October, November and December shall pay dues applicable to that year on a pro rata basis whereby a person joining the club in September will pay 1/3 of that year's annual dues, a person joining in October will pay 1/4, a person joining the club in November will pay 1/6 and a person joining in December will pay 1/12 of that years dues.
8. Membership is not transferable. Any member who allows a non-member to use his/her membership badge to use Club property may be subject to expulsion from membership.
9. Any member may be dropped from membership for failing to conduct him or herself in a manner consistent with the objectives of THE ANDOVER SPORTSMEN'S CLUB INC. on complaint in writing of a Club member to the Board of Directors, after a hearing and a majority vote of the Board of Directors.
10. When necessary, the Board of Directors shall hold a hearing to determine appropriate action resulting from a complaint. The affected member will be notified of said hearing. A member's failure to respond or attend shall subject him/her to suspension, forfeiture of membership privileges and pending appearance at a hearing. Actions to be taken by the Board of Directors may include: expulsion, suspension, reprimand, or exoneration. No refunding of entrance fees or dues shall be provided to a member that has been suspended or expelled.
11. Membership may be held open for a period of up to five (5) years for any member who has relocated to another area and is unable to use the club facilities, provided the following requirements are met:
  - a) Member must have been a member in good standing for a minimum of 24 months prior to relocation.
  - b) Relocation must not be within commuting distance to the club. Commuting distance from the club shall be defined as being less than 30 statute miles from the town limits of North Andover, Massachusetts.
  - c) Member must notify the Board of Directors in writing within 60 days of the relocation, including the reason for it. Upon return to the area, the member will notify the Board of Directors in writing, including his/her new address. Membership will be reinstated upon payment in full of current year's dues,

range fees, or other applicable charges, and review and approval of the Board of Directors.

#### **ARTICLE IV – ADMINISTRATION**

1. The Officers of the Club in order of succession, shall be a President, Vice President, Treasurer and Secretary. No member can stand for election to more than one Officer Position. The Vice President, Treasurer & Secretary, by unanimous vote, shall identify two to three members to whom they feel are suitable candidates for each of the Department Director positions. The President must select one name, from each group, to be the Director of each Department. No member can be appointed, by the President, to more than one Department, except when filling a vacancy. There shall be a Board of Directors, four of whom shall be the Club Officers, and the others, the Director of each of the Departments. The Term of each Officer and Each Director will expire on December 31<sup>st</sup> of each year. If a member of the Board of Directors is sanctioned, as the result of a hearing as set forth herein, or if the member fails pay dues or fines, the position of the member becomes vacant immediately. Any vacancy in the Officer position shall be temporarily filled, within 60 days, at a meeting of the Board of Directors until a special membership election is held to permanently fill such a vacancy. Any vacancy of a Departments or in the event that a special membership election cannot be held due to the lack of candidates, the ~~President~~ The Vice President, Treasurer & Secretary, by unanimous vote, shall identify two to three members to whom they feel are suitable candidates for said vacant Departments Director position(s). Pursuant to filling a vacancy, a member can be appointed to more than one Department. The President must select one name from each group to fill the vacant position(s) for a Director of that Department.
2. The President shall preside at the meetings of the Club, and the Board of Directors, and shall appoint the Director of each Department. The President shall be an ex-officio member of all Special Committees. The President may only cast one vote to break a tie.
3. The Vice-President shall assist the President in the discharge of his/her duties and act as President in the absence or disability of the President.
4. The Treasurer, under the direction of the Board of Directors, shall have charge of all monies, securities, financial reports and valuable documents associated with the financial status of the club. The Secretary will be in charge of all other important documents. The Treasurer will prepare and present at each meeting of the Board of Directors and of the membership a complete set of commonly accepted financial statements. The Treasurer may be required by a majority vote of the Board of Directors and at the expense of the club, to provide a surety bond for the faithful performance of his duties in such an amount determined by the Board of Directors.

The office of Treasurer requires a person having proven financial management background. Therefore, it is intended that the Treasurer should be a person having proven educational or commercial training and skills in order that the Treasurer's responsibilities as now constituted can be effectively carried out. Candidates for Treasurer shall be required to provide his or her qualifications to the membership by oral or written presentation before the close of nominations at the November membership meeting.

#### FINANCIAL CONTROLS AND PROCEDURES

- a. The Treasurer will be responsible for overseeing all budgeting activities including a process that will commence in October of each year resulting in a detailed recommended budget for the following year.
- b. At its January meeting the Board of Directors will approve a detailed line item budget for that operating year. Reallocation of funds may occur at the direction of the Board of Directors or by the affected Directors.
- c. Each budgeted line item will not only reflect the amounts budgeted but also when within the fiscal year such amounts may be incurred.
- d. A member of the Board of Directors will be directly responsible for every line item budgeted.
- e. No invoice will be paid until said invoice is presented to the Treasurer after having been approved (signed) by the responsible director as being valid consistent with the budget. The Treasurer will then independently verify that the amount of charges and the timing when spent are consistent with the budget and will reject any expense incurred that the Treasurer believes does not meet the approved budget criteria. If a Director improperly makes a commitment that results in an invoice being received by the club that is inconsistent with the approved budget the Club will not be liable and the Director will be responsible for the amount involved unless otherwise agreed by a majority vote of the Board of Directors.
- f. Only membership dues and entrance fees received during the previous fiscal year can be used to establish (the "Maximum Operating Budget"). To the extent that the Maximum Operating Budget exceeds the actual amount spent at the end of the fiscal year, the difference will be accumulated and identified as the "Emergency Fund". The Emergency Fund will only be utilized by a positive vote from at least nine(9) members of the Board of Directors upon a sudden, urgent and unexpected occurrence or occasion requiring immediate action for which such an event (i) is not first a Capital Improvement Fund expenditure or (ii) is not otherwise reflected in a line item(s) of the Maximum Operating Budget. The "Capital Improvement Fund" shall consist of an accumulation year to year of all forms of income except membership dues and entrance fees. By majority vote of the Board of Directors,

capital expenditures including construction costs and capital asset acquisitions may be incurred so long as the amount does not exceed the then Capital Improvement Fund balance.

- g. All monies received by the Club will be deposited in a timely manner in banks selected by the Treasurer and approved by the Board of Directors.
  - h. All disbursements in excess of \$2,500 must be approved by both the Treasurer and the President.
5. The Secretary shall be the clerk of the Corporation and shall have charge of the muniments of title and of the corporate seal. He/she shall secure and organize the correspondence of the Club, keeping proper files and records of the same. The Secretary shall: (a) keep a record of all the proceedings of the Club, the Membership and Board of Directors, and (b) give notice to the members of the time and place of meetings.
  6. The Board of Directors shall have general supervision of the Club's property and shall control all expenditures, make rules for the use and care of the Club's property and transact any business in the Club's interest, incurring on or off the property, in a manner that is not inconsistent with the Club's By Laws.
  7. The Board of Directors will hold its regular monthly meeting during the first week of each Calendar month. The President may call a special meeting of the Board of Directors on 24 hour's notice to each member thereof. Seven(7) Board Members shall constitute a quorum for transaction of business at a regular or special meeting.

#### **ARTICLE V - ELECTION OF OFFICERS**

1. At the Board of Directors meeting in September, the President shall appoint a nominating committee of three members, and this committee shall submit to the President the names of candidates for President, Vice President, Treasurer, Secretary to be filled by a majority vote of the members at the annual meeting held in December. To qualify for nomination, a nominee must be a member in good standing for a minimum of 12 months prior to nomination. Nominations shall be closed and presented to the President by the Nominating Committee at the regular Member's meeting in November. Elected officers shall be sworn in at the annual meeting by the Chairman of the Nominating Committee, or in his/her absence, by another Nominating Committee member. Elected Officers will take office effective January 1<sup>st</sup>. Any member standing for election to any of the officer positions must provide a statement of their intentions in writing to the Chairman of the Nominating Committee in order that their nomination may be considered as valid. No member can stand for election to more than one Officer Position. Any person standing for the election to the position of President must include in his or her written submission a statement of his or her



expertise/working knowledge of Roberts Rules of Order for that position. Any person standing for election to the position of Treasurer must include in his or her written submission a statement of his or her qualifications for that position. The position of Treasurer may be bonded at the direction of the Board of Directors and at the expense of the Club.

2. The President, Vice President, Secretary and Treasurer shall be elected to and serve a 1-year term. The President and Vice President shall retain their existing individual voting authorities but will be nominated and elected as a declared unit as if they were a single entity.

#### **ARTICLE VI – MEMBERSHIP MEETINGS**

1. Regular meetings of the Club will be held on the second Thursday of each month except the months of July and August. In the event of a civil, weather or facilities emergency, the Board of Directors, by 2/3 vote, may postpone a Regular Membership Meeting.
2. Annual meetings will be on the second Thursday of December in each year.
3. Special meetings may be called by the President at his discretion, or upon written request of ten (10) members in good standing, setting forth the reason for the request. Notice of a Special Meeting must be posted on the Club's Bulletin Board by the Club Secretary not less than seven (7) days before the date on which the Special Meeting is to be convened. No other business shall be transacted at a special meeting except that business for which the meeting was called.

#### **ARTICLE VII – MEMBERSHIP MEETING QUORUMS**

Fifteen (15) Club members shall constitute a quorum for transaction of business at a regular or annual meeting. Ten (10) members shall constitute a quorum at any special meeting.

#### **ARTICLE VIII - DEPARTMENTS**

- 1) Following are Departments of the Club: Archery & Axe Ranges, Indoor Pistol Range, Outdoor Rifle & Pistol Ranges, Trap Ranges, Training, Facilities, Membership, Club Development (includes Educational & Camping Scholarships as well as Scouting & Youth Affairs) and Safety & Security. Once appointed as a Director to a Department, that person could only be removed from that position in the following manner:
  - 1) Not complying with Article III section 2.
  - 2) Being suspended or expelled pursuant to Article III section 10.

3) By the president of the club but only under the following conditions:

- a) Must show the reason(s) for relieving the Director of that position.
- b) Must have a vote of 3 out of the 4-elected officers. The president would have a vote on this matter.

#### **ARTICLE IX - AUDITING COMMITTEE, BY-LAW COMMITTEE & SPECIAL COMMITTEES**

An Audit Committee of three (3) members skillful in such matters shall be chosen by the President at the next regular membership meeting prior to the annual meeting, for the purpose of auditing the books of the Treasurer. The Audit Committee shall review the practices and procedures undertaken by the Treasurer in the performance of his duties as well as inspect the financial records including but not limited to: bills paid, receipts, bank statements reconciled and reports such as the balance sheet, income statement, working capital, accounts receivables, accounts payable, inventory, and capital improvements. At the January meeting the committee shall report in writing to the membership the results of such audit and submit any recommendations arising therefrom.

A By-Law Committee consisting of three members shall be appointed by the President and announced at the January membership meeting. The purpose of the By Law Committee is to insure a clarity of understanding and that the proposed amendment does not conflict with existing provisions of any other article in the bylaws. The By Law Committee does not have the authority to approve or disapprove any proposed amendment to the By Laws.

**Special Committees.** Members of a Special Committee will be appointed annually by the President. The following Special Committees will be chaired and represented on the Board of Directors by the Vice President and consist of those persons responsible for the following operating activities:

- 1) Essex County League
- 2) Historian
- 3) Functions & Food Services

Additional Special Committees and the chairmen thereof may be created and appointed by the President when such action is deemed by him to be essential to the best interest of the Club, after submission of a formal request and approval by the Board of Directors. All funds collected by committees and Departments shall be turned over to the Treasurer upon proper receipt each month.

#### **ARTICLE X -AMENDMENTS**

The By-Laws may be amended or changed as follows:

- 1) A proposed change and the reason for the change may be submitted to the Board of Directors for its review at any Board of Directors meeting after having been

submitted to the By Law Committee for comment at least two weeks before the intended By Law is submitted to the Board of Directors for consideration. This proposed change must be submitted in writing and signed by at least four members in good standing.

- 2) After review, a recommendation to the membership shall be rendered by the Board of Directors. Immediately following a recommendation by the Board of Directors, the membership will be provided with a 60 day notice of the proposed change, and, a vote will take place at the second scheduled members' meeting following the notification. The definition of notification may include, but is not limited to, posting on club grounds, publishing in the normal club communication, E-Blast or direct mailing.

## **ARTICLE XI -ORDER OF BUSINESS**

The business discussed at each monthly membership meeting will consist of, but will not be limited to, the following items in the order determined by the Chairman to be in the best interests of the Club:

The Chairman declaring that a quorum is/is not present and the meeting is called to order

1. The pledge of allegiance to the flag of the United States of America
1. The reading and acceptance of the minutes of the preceding membership meeting.
2. The reporting of the actions of the previous Board of Directors meeting.
3. Department reports
4. Old and New business

## **ARTICLE XII -PROCEDURE**

The rules of Parliamentary procedure contained in Roberts Rules of Order shall govern the Conduct of Club meetings wherever not inconsistent with the By-Laws. The President shall have a working knowledge of such Rules in order to properly conduct the Club meetings.

## **ARTICLE XIII -DISSOLUTION**

Upon dissolution of the corporation, all property, real and personal, shall be donated by gift to any organization within the Town of Andover, or the Commonwealth of Massachusetts, solely for the public use in conservation and propagation of wildlife.

## **ARTICLE XIV -LIABILITY**

No Director of this club shall be held liable for any action or accident occurring on the club property. There is no liability, express or implied, to any Director, and by signing a

membership application and accepting membership into the Club, a member acknowledges this and accepts that use of the facilities is at his/her own risk.

#### **ARTICLE XV – SAFETY/SECURITY INCIDENT REPORT**

Any improper discharge of a firearm, improper use of an archery bow or a gross violation of the club's safety and range rule, including temporary range rules having been posted by a Director or Officer, must be immediately reported in writing, (“incident report”) by either the responsible member or any person having observed the event to the Safety/Security Director. The Safety/Security Director must investigate the circumstances surrounding the event and provide a written report to the President within fifteen (15) days after receiving the incident report. If the Safety/Security Director’s report confirms that a serious event has occurred the President will then be required to make a written recommendation to, and convene a meeting of, the Board of Directors within fifteen (15) days of receiving the Safety/Security Director’s report. The responsible member will be requested to attend that meeting and will be given an opportunity to make a statement to the Board of Directors on his or her personal behalf. Should the responsible member not attend that will have no effect on the Board of Directors rendering a formal decision.

Upon a negative report being submitted by the Safety/Security Director, the responsible member will be notified of such and will be automatically suspended from discharging any firearm and/or use of an archery bow on Club premises until the Board of Directors has been convened and a hearing held on reported the violation and a decision rendered. Upon submission of a negative report, the Safety/Security Director shall take whatever actions are necessary to prevent the responsible member from discharging a firearm and/or archery bow until the matter has been resolved by the Board of Directors.

The Board of Directors may, by majority vote, levy any penalty including that of the responsible member's membership being permanently revoked. The Board of Directors may also determine if further action is appropriate such as, but not limited to, reporting the incident to the appropriate law enforcement or other regulatory authorities. Conversely, if the Safety/Security Director’s report states that in his or her opinion a serious event did not occur no further action will be pursued.