

**SOUTH CANADIAN AMATEUR RADIO SOCIETY  
(SCARS)  
BY LAWS**

**ARTICLE I – CERTIFICATION OF MEMBERS**

1. Pursuant to Article III, of the Articles of the Constitution, the following membership requirements are established.
  - a. Upon receipt of application for full membership or associate membership in SCARS along with the required dues, the secretary shall furnish the member with “certification of membership”.
  - b. Any person interested in amateur radio shall be eligible to become an “associate member”. Upon attaining possession of an amateur radio license, as “associate member” shall be transferred to “full membership” upon his application.
  - c. “Special membership” will be authorized “full membership” privileges.

**ARTICLE II – OBLIGATIONS AND PRIVILEGES**

Section 1. SCARS Obligation. It shall be the duty of each member to support SCARS with his participation, time and money to the extent that he feels obligated to help make a success of the organization.

Section 2. Code of Ethics. Each member shall endeavor to abide by the Amateur Code of Ethics to the best of his ability. (Attachment 1.)

Section 3. Conflict of Interest. Each member shall abide by the Conflict of Interest statement. (Attachment 2.)

Section 4. Privileges. All members are urged to enjoy all privileges of SCARS as outlined herein and as offered during the existence of SCARS.

**ARTICLE III – DUES AND ASSESSMENTS**

Section 1. Each member is required to pay annual dues at the time of joining SCARS and at the beginning of each year thereafter. Dues will become delinquent at the end of the month of December. The Secretary will maintain a file of membership and notify those whose dues are delinquent. Any member not paying their dues by the March Meeting will be considered delinquent. Any delinquent member may be reinstated upon receipt of his dues at any time, providing he is eligible for membership. Additional eligible persons residing in the same household may be granted full membership privileges by payment of \$1.00 provided that one member of the household has paid full annual dues.

Section 2. Special assessments may be voted by two-thirds of the membership, provided however, the entire membership is notified in writing the purpose and amount of the proposed assessment at least thirty days prior to the meeting at which the assessment is to be voted upon.

Section 3. Officers are not required to pay dues.

#### **ARTICLE IV – ELECTION OF OFFICERS**

Section 1. On or about October 1<sup>st</sup> of each year, the Secretary shall notify all members of SCARS that the Annual Election of officers will be held at the regular meeting in November. The President shall appoint a Nominating Committee of three members.

Section 2. The term of office of any officer of SCARS shall be one calendar year, beginning January 1<sup>st</sup> and ending December 31<sup>st</sup>.

Section 3. Any officer may succeed himself in office, if elected.

Section 4. At the first regular meeting in November, the presiding officer will accept nominations from the Nominating Committee and from the floor. An election will be held and the candidate for each office who receives the majority vote of the members present is elected. Secret ballot will be used.

Section 5. Nominees for office shall give their approval before becoming a candidate for officer.

Section 6. All officers must be full members.

#### **ARTICLE V. DUTIES OF OFFICERS**

The duties of the officers shall be such as their titles by general usage would indicate.

##### **A. PRESIDENT**

- a. Preside at the all regular and special meetings of SCARS; conduct same in accordance with these By-Laws and Roberts Rules of Order.
- b. Decide all questions of order.
- c. Sign official documents that are adopted by SCARS.
- d. Be a non-voting member in regular or special meetings except in the case of a tie and then their vote shall be cast and counted.
- e. Be chairman and voting member of all board or officer meetings
- f. Shall appoint all committees as necessary or required.
- g. Be the spokesman for SCARS at all official functions.

##### **B. VICE-PRESIDENT**

- a. Conduct meetings and other business of SCARS in the absence of the President.
- b. They shall have all the authority of the President when acting in the presidential capacity.
- c. They shall perform other duties as directed by the President.
- d. Serve as Secretary whenever the regular Secretary is absent.
- e. In the event the President's office becomes vacant, the Vice-President shall assume the duties of that office for the remainder of the current year.

#### C. SECRETARY

- a. Shall keep the minutes of regular and special meetings of SCARS.
- b. Handle all correspondence except as the President deems it his own duty to handle.
- c. In the absence of the President and Vice-President, shall appoint a temporary person to assume the duties of the President until such time as the President or Vice-President returns.
- d. Maintain records and correspondence pertinent to SCARS in an orderly and business like manner.
- e. Perform all other duties pertinent to the office.

#### D. TREASURER

- a. Keep accurate records of all receipts and disbursements of SCARS and promptly deposit monies in the designated depository.
- b. Sign all checks along with the President
- c. Keep an up-to-date list of all members
- d. Shall not be authorized to pay any expenditure greater than One Hundred dollars (\$100.00) without the majority vote of a Quorum at any Club meeting.
- e. Will be held personally responsible for the funds entrusted to him and give an accounting to SCARS at the first Club meeting of the calendar year or upon request.
- f. Be responsible for the collection of all dues and assessments
- g. Be responsible for maintaining all data pertinent to this office in a business like manner
- h. Perform all other duties pertinent to the office

### **ARTICLE VI – TRUSTEES**

There shall be a Trustee and an Alternate Trustee both for the SCARS Station and for the SCARS Repeater Station

Section 1. The Trustees and Alternate Trustees shall be nominated by the Executive Committee and confirmed by a majority vote of members present at any regular meeting.

Section 2. Each trustee appointment shall expire either with the expiration of the Trustee's amateur license or five years after the Trustee's appointment or upon the receipt of a written resignation by the Trustee submitted to the President. Each Alternate Trustee appointment shall expire on December 31 of each year. Trustees and/or Alternate Trustees may be reappointed for additional consecutive or no-consecutive terms provided the reappointments meet the requirements of Section 1. Any Trustee or Alternate Trustee may be removed from office by a majority vote of members present at any regular meeting. Each Trustee and Alternate Trustee shall furnish the Secretary a copy of his amateur license to be posted at the Stations.

Section 3. The Alternate Trustee for each Station shall assist the Trustee in discharging the responsibilities defined in Article VII and shall assume responsibility for the Station in the event of the incapacitation or resignation of the regular Trustee.

Section 4. The Trustees shall be members of the Executive Committee as ex-officio members.

## **ARTICLE VII – DUTIES OF TRUSTEE**

Each Trustee shall be responsible for actions as outlined in this article.

Section 1. The Trustee will represent SCARS to the FCC and as Station Licensee ensure that operation of the station is legal within FCC regulations.

Section 2. The Trustee will submit a list of control operators to the Executive Committee for approval.

Section 3. The Trustee will select a four person maintenance team consisting of at least two other qualified members plus the Alternate Trustee and themselves. The proposed team members will be approved by the Executive Committee. This team will be responsible for maintaining the station in continuous operation as nearly as possible.

Section 4. The Trustee will maintain complete technical records for the station including schematics, interconnection diagrams and control station network diagrams. One copy of these records and copies of all changes will be provided to the Secretary for permanent file.

Section 5. The Trustee will submit a semi annual report to the Executive Committee containing a current inventory listing of all SCARS equipment within the Trustee's control and records of acquisition and disposition of all gains and losses. These reports will be submitted within ten days after 20 June and 31 December. A special report will be submitted by each outgoing Trustee if more than 30 days have passed since the last regular report.

Section 6. The Trustee may designate portions of his duties to the Alternate Trustee for implementation. However the ultimate responsibility for the legal operation

of the Station rests with the Trustee and hence the final decisions regarding the operation of the Station must be vested in the Trustee.

Section 7. The Trustee and the Alternate Trustee shall make every effort to operate the Station to best serve the objectives of SCARS as specified in the Constitution and/or By Laws and according to the policies recommended by the Executive Committee and approved by the majority of the members at any regular or special meeting provided these objectives or policies do not require violating FCC regulations.

## **ARTICLE VIII – VACANCIES**

Section 1. A vacancy in the office of President shall be filled by the Vice-President.

Section 2. A vacancy in the office of Vice-President, Secretary, or Treasurer shall be filled by a majority vote of the members present at a regularly scheduled meeting or at a special meeting.

## **ARTICLE IX – COMMITTEES**

Section 1. An Executive Committee shall be established as a Standing Committee. This committee shall consist of the President, Vice-President, Secretary, Treasurer, Trustee, Alternate Trustee and three other full members appointed by the President, subject to the approval of the membership president at any regular meeting. Duties of this committee are to govern SCARS and act for SCARS under provisions of Article XI of the Constitution and Article XIII of the By-Laws.

Section 2. Special or Standing Committees may be appointed by the Presiding Officer at regular or special meetings.

## **ARTICLE X – MEETINGS**

Section 1. Regular monthly meetings shall be held the 2nd Saturday of each calendar month at a time and place announced by the governing body. Notification of the membership will be by the best means available under the prevailing circumstances. Selection of the meeting place shall be the responsibility of the governing body.

Section 2. Special meetings may be called as prescribed in the Constitution and the date, time, and place, likewise designated. Notification of the membership will be by the best means available under the prevailing circumstances.

Section 3. ROBERT'S RULES OF ORDER, latest Edition, shall be recognized as the authority of procedures governing any regular or special meeting, when not in conflict with the Constitution and the By-Laws.

## **ARTICLE XI – EXPULSION**

Section 1. A member may be expelled from membership in SCARS in the following manner:

- a. Proposed expulsion on a member shall be openly discussed at a regular meeting or special meeting and reasons for expulsion explained.
- b. The Secretary shall notify the affected member at least seven (7) days in advance of the next regular or special meeting, at which time a vote of the members shall be taken.
- c. Any member who becomes delinquent in the payment of his dues for a period of two (2) month shall be automatically dropped from the roll.

## **ARTICLE XII – CODE OF ETHICS**

A Code of Ethics, modeled after the code of Ethics of the ARRL, to be used and adhered to by members of SCARS, shall be prepared and approved by SCARS (Attachment 1)

## **ARTICLE XIII – OWNERSHIP AND TRANSFER OF PROPERTY**

SCARS may own property as provided by the Constitution. Any purchase or sale of SCARS property must have the approval of the majority of the members present at a regular or special meeting. This does not exclude the Trustee from making or authorizing others to make repairs to the station equipment to keep it operational.

## **ARTICLE XIV – AMENDMENTS**

These By-Laws may be amended by a majority vote of the members present at any two consecutive meetings.

DATE ACCEPTED: (None entered on original file copy)

AMENDED: May 18, 1985 after being approved by a majority of the members present at regular meeting on April 13 and May 18.

Davis M. Egle, President

By-Laws re-typed from file copy April 2010 by Douglas Forsyth

**AMENDED:** July 10, 2010 after being approved by a majority of the members present at regular meetings on June 19, 2010 and July 10, 2010.

## The Amateur's CODE of 1947

### One

*The Amateur is Gentlemanly . . .* He never knowingly uses the air for his own amusement in such a way as to lessen the pleasure of others. He abides by the pledges given by the ARRL in his behalf to the public and the Government.

### Two

*The Amateur is Loyal . . .* He owes his amateur radio to the American Radio Relay League, and he offers it his unswerving loyalty.

### Three

*The Amateur is Progressive . . .* He keeps his station abreast of science. It is built well and efficiently. His operating practice is clean and regular.

### Four

*The Amateur is Friendly . . .* Slow and patient sending when requested, friendly advice and counsel to the beginner, kindly assistance and cooperation for the broadcast listener; these are marks of the amateur spirit.

### Five

*The Amateur is Balanced . . .* Radio is his hobby. He never allows it to interfere with any of the duties he owes to his home, his job, his school, or his community.

### Six

*The Amateur is Patriotic . . .* His knowledge and his station are always ready for the service of his country and his community.

The Amateur's CODE of 1947 is written here with the permission of The American Radio Relay League, Inc., Copyright 1947.

# The Amateur's CODE of 1998

**CONSIDERATE . . . never knowingly operates in such a way as to lessen the pleasure of others.**

**LOYAL . . . he offers loyalty, encouragement and support to other amateurs, local clubs, and the American Radio Relay League, through which Amateur Radio in the United States is represented nationally and internationally.**

**PROGRESSIVE . . . with knowledge abreast of science, well-built and efficient station and operation above reproach.**

**FRIENDLY . . . slow and patient operating when requested; friendly advice and counsel to the beginner, kindly assistance, cooperation and consideration for the interests of others. These are the hallmarks of the amateur spirit.**

**BALANCED . . . Radio is an avocation, never interfering with duties owed to his family, job, school or community.**

**PATRIOTIC . . . station and skill always ready for the service to country and community.**

*-- The original Amateur's Code was written by Paul M. Segal, W9EEA, in 1928*

The Amateur's CODE of 1998 is written here with the permission of The American Radio Relay League, Inc., Copyright 1997.

APPROVED as the SCARS Code of Ethics by a majority of the members present at a regular meeting on June 19, 2010.

**South Canadian Amateur Radio Society  
Conflict of Interest Policy**

**ARTICLE I**

**Purpose**

The purpose of the conflict of interest policy is to protect this tax-exempt organization's (Organization) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

**ARTICLE II**

**Definitions**

**1. Interested Person**

Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

**2. Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement,
- b. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article 111, Section 2, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### **ARTICLE III Procedures**

#### **1. Duty to Disclose**

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

#### **2. Determining Whether a Conflict of Interest Exists**

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

#### **3. Procedures for Addressing the Conflict of Interest**

a. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

#### **4. Violations of the Conflicts of Interest Policy**

a. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

#### **ARTICLE IV Records of Proceedings**

The minutes of the governing board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

#### **ARTICLE V Compensation**

a. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

## **ARTICLE VI** **Annual Statements**

Each director, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Organization is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

## **ARTICLE VII** **Periodic Reviews**

To ensure the Organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining,
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

## **A** **ARTICLE VIII** **Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used, their use shall not

relieve the governing board of its responsibility for ensuring periodic reviews are conducted.

**South Canadian Amateur Radio Society  
Conflict of Interest Policy**

I, \_\_\_\_\_ have:  
(Print Full Name)

- a. received a copy of the conflicts of interest policy,
- b. read and understand the policy, and
- c. agreed to comply with the policy.

I understand that the South Canadian Amateur Radio Society is a charitable organization and in order to maintain its federal tax exemption it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date