

**BYLAWS OF  
THE BREVARD COUNTY AIR AND POWERBOAT ASSOCIATION,  
INC.**

AS AMENDED JANUARY 2, 2008  
RE-TYPED AND RE-FORMATTED FOR ELECTRONIC STORAGE SEPTEMBER 17, 2001

**ARTICLE I. NAME**

THE NAME OF THIS ORGANIZATION SHALL BE **“THE BREVARD COUNTY AIR AND POWERBOAT ASSOCIATION”**.

**ARTICLE II. OBJECTIVE**

THE PURPOSES FOR WHICH THIS ASSOCIATION IS ORGANIZED ARE TO ENCOURAGE A COMBINED EFFORT ON THE PART OF ALL MEMBERS SO THAT THE MUTUAL ADVANTAGES IN THE PARTICULAR PURSUITS OF THE INDIVIDUAL MEMBERS MAY BE ENJOYED.

FURTHERMORE, IT IS THE PURPOSE OF THIS ASSOCIATION TO FORWARD THE DEVELOPMENT OF THE CHARACTERISTICS OF HONESTY, GOOD FELLOWSHIP, SELF-DISCIPLINE, TEAMWORK, AND SELF-RELIANCE, WHICH ARE THE ESSENTIALS OF GOOD SPORTSMANSHIP. IT SHALL BE OUR OBJECTIVE TO CONSERVE FISH, GAME, AND OTHER WILDLIFE AND IT'S HABITAT IN THE STATE OF FLORIDA, AND TO ESTABLISH AND ENGENDER A FRIENDLY AND MUTUALLY BENEFICIAL RELATIONSHIP BETWEEN LANDOWNERS AND SPORTSMEN. TO OBTAIN A BETTER KNOWLEDGE ON THE PART OF MEMBERSHIP IN THE SAFE HANDLING AND PROPER OPERATION OF AIRBOATS AND TO COOPERATE IN OBTAINING PROPER RESPECT FOR AND OBSERVATION OF FISH AND GAME LAWS. TO MAKE OUR BOATS AVAILABLE TO LAW ENFORCEMENT OFFICIALS OF BREVARD COUNTY, STATE GAME COMMISSION, CIVIL DEFENSE, AND TO RESPOND TO ALL CALLS FROM RESCUE UNITS OF BREVARD COUNTY.

**ARTICLE III. MEMBERSHIP**

SECTION 1. ANY RESIDENT OF THE STATE OF FLORIDA OF LEGAL AGE AND APPROVED BY A MAJORITY VOTE OF TWO THIRDS (2/3) OF THE MEMBERSHIP PRESENT DURING ANY REGULAR MEETING.

SECTION 1.1 APPLICATION FOR MEMBERSHIP SHALL REQUIRE SUBMISSION OF AN APPLICATION FORM AS APPROVED BY THE ASSOCIATION, COMPLETED AND LEGIBLE, TO THE BOARD. THE APPLICATION SHALL REQUIRE THE SIGNATURE OF A SPONSORING MEMBER IN GOOD STANDING.

SECTION 2. MEMBERS OF THE ASSOCIATION SHALL BE THOSE PERSONS ENROLLED ON THE ORGANIZATION ROSTER. THE ROSTER SHALL BE UNLIMITED UNTIL THE ASSOCIATION DEEMS IT NECESSARY TO AMEND IT. THE ROSTER SHALL BE FOR ASSOCIATION BUSINESS ONLY AND MISUSE OF SAME SHALL BE CAUSE FOR EXPULSION.

**ARTICLE III. (CONT)**

SECTION 3. MEMBERSHIP DUES AND/OR INITIATION FEES SHALL BE DETERMINED BY THE BOARD OF DIRECTORS WITH APPROVAL BY A TWO-THIRDS (2/3) MAJORITY VOTE OF THE MEMBERS PRESENT AT ANY REGULAR MEETING.

SECTION 3.1 DUES ARE PAYABLE BEGINNING WITH THE JANUARY REGULAR MEETING OF EACH YEAR AND DUE AT THE MARCH MEETING. DUES NOT PAID BY THE END OF THE MARCH REGULAR MEETING WILL BE CONSIDERED DELINQUENT. A TWO MONTH GRACE PERIOD (APRIL AND MAY) WILL PROVIDE FOR DUES TO BE PAID IN ADDITION TO A LATE FEE OF TEN DOLLARS (\$10.00). ANY MEMBER'S DUES AND APPLICABLE LATE FEES DELINQUENT BEYOND THE MAY REGULAR MEETING SHALL BE DROPPED FROM THE ROSTER AND THAT MEMBERSHIP TERMINATED AS PROVIDED FOR IN ARTICLE IX, SECTION 2. THE RE-INSTATEMENT PROCESS IS DEFINED IN ARTICLE IX, SECTION 3.

SECTION 3.2 A PRORATION OR REDUCTION OF DUES FOR NEW MEMBERSHIP WILL BEGIN IN THE MONTH OF NOVEMBER WITH THE AMOUNT BEING REDUCED BY TEN DOLLARS (\$10.00) PER MONTH THROUGH THE MONTH OF FEBRUARY. HOWEVER, THIS PROVISION WILL NOT PRECLUDE NOR PREVENT ANY PROPOSED NEW MEMBER FROM PAYING THE FULL DUES AMOUNT FOR THE COMING YEAR BEGINNING WITH THE JANUARY REGULAR MEETING.

SECTION 4. HONORARY MEMBERS MUST BE NOMINATED BY A MEMBER OF THE ASSOCIATION IN GOOD STANDING AND APPROVED BY A TWO-THIRD (2/3) MAJORITY VOTE OF THE MEMBERS PRESENT AT ANY REGULAR MEETING. NO DUES SHALL BE REQUIRED OF HONORARY MEMBERS. HONORARY MEMBERS MAY NOT VOTE IN ANY CASE, NOR ENJOY USE OF CLUB FACILITIES WITHOUT AN ASSOCIATION MEMBER PRESENT.

SECTION 4.1 SENIOR MEMBERS SHALL BE THOSE MEMBERS IN GOOD STANDING WHO HAVE REACHED THE AGE OF SIXTYFIVE (65) YEARS. A SENIOR MEMBERSHIP SHALL BE EXEMPT FROM REGULAR DUES BUT SHALL NOT BE EXEMPT FROM ANY SPECIAL ASSESSMENTS OF THE GENERAL MEMBERSHIP AS MAY BE APPROVED FROM TIME TO TIME BY THE BOARD. SENIOR MEMBERS SHALL ENJOY ALL RIGHTS AND PRIVILEGES OF REGULAR DUES PAYING MEMBERS.

SECTION 4.1.1 SPOUSES OF SENIOR MEMBERS, IF ENJOYING A PAID FAMILY MEMBERSHIP AS PROVIDED FOR IN ARTICLE III, SECTION 4.2, AT THE TIME, SHALL ALSO BE EXEMPTED FROM REGULAR DUES ALONG WITH THE SENIOR MEMBER.

SECTION 4.1.2 A PROPOSED NEW MEMBER, WHO BY VIRTUE OF HAVING REACHED THE AGE OF SIXTYFIVE (65) YEARS AND WOULD OTHERWISE QUALIFY FOR SENIOR MEMBERSHIP, SHALL FOR A PERIOD OF ONE (1) YEAR (THE 1<sup>st</sup> YEAR) BE REQUIRED TO FULFILL ALL REQUIREMENTS OF A REGULAR MEMBERSHIP INCLUDING DUES, APPLICABLE ASSESSMENTS, AND NORMAL APPROVAL PROCESSES.

SECTION 4.2 FAMILY MEMBERS SHALL BE THOSE LEGALLY MARRIED SPOUSES (AS DEFINED BY FLORIDA STATUTE) OF MEMBERS IN GOOD STANDING AFTER HAVING BEEN APPROVED AS PROVIDED IN ARTICLE III, SECTION 1. DUES FOR FAMILY MEMBERSHIP SHALL BE SET AT FIFTY PERCENT (50%) OF THE REGULAR FULL MEMBER DUES AMOUNT. FAMILY MEMBERS SHALL ENJOY ALL RIGHTS AND PRIVILEGES OF FULL MEMBERS BUT SHALL NOT BE SUBJECT TO ANY SPECIAL ASSESSMENTS.

**ARTICLE IV. MEETINGS**

SECTION 1. REGULAR MEETINGS OF THE ASSOCIATION ARE FOR THE TRANSACTION OF ORDINARY BUSINESS. MEETINGS SHALL BE HELD ON THE FIRST WEDNESDAY OF EACH MONTH AT A TIME AND PLACE AS DETERMINED BY THE ASSOCIATION. THE FIRST WEDNESDAY IN MARCH OF EACH YEAR SHALL START THE ASSOCIATION YEAR.

SECTION 2. ORDER OF BUSINESS

1. CALL MEETING TO ORDER ... (PRESIDENT OR VICE PRESIDENT)
2. MINUTES OF PREVIOUS MEETING ... (SECRETARY)
3. TREASURER'S REPORT ... (TREASURER)
4. REPORTS OF OFFICERS
5. ANNOUNCEMENTS AND ENTERTAINMENT
6. COMMITTEE REPORTS ... (VICE PRESIDENT)
7. OLD BUSINESS
8. NEW BUSINESS
9. MEETING AJOURNMENT

SECTION 3. SPECIAL MEETINGS OF THE ASSOCIATION MAY BE CALLED AT ANYTIME BY THE OFFICERS OF THE ASSOCIATION BY WRITTEN NOTICE TO EACH MEMBER STATING TIME, PLACE, AND NATURE OF BUSINESS. NOTICE MUST BE GIVEN THREE (3) DAYS IN ADVANCE OF EACH SPECIAL MEETING.

SECTION 4. ALL MEETINGS SHALL BE CONDUCTED IN ACCORDANCE WITH PARLIMENTARY PROCEDURE. OPEN DISCUSSION FROM THE FLOOR ON ALL MEASURES SHALL BE PERMITTED AFTER RECOGNITION BY THE CHAIR.

**ARTICLE V. QUORUM**

SECTION 1. SEVEN MEMBERS OF THE ASSOCIATION SHALL CONSTITUTE A QUORUM AT ANY REGULAR MEETING.

SECTION 2. AT ANY MEETING OF THE BOARD OF DIRECTORS, A MAJORITY OF THE TOTAL NUMBER OF MEMBERS OF THE BOARD SHALL CONSTITUTE A QUORUM AND A MAJORITY VOTE OF THE BOARD MEMBERS PRESENT AT ANY BOARD MEETING SHALL PREVAIL.

**ARTICLE VI. MANAGEMENT**

SECTION 1. THE BOARD OF DIRECTORS SHALL CONSIST OF FIVE (5) MEMBERS WITH THE CURRENT PRESIDENT BEING THE FIFTH MEMBER. THE CHAIRMAN OF THE BOARD SHALL BE ELECTED BY THE BOARD MEMBERS. THE FIRST FOUR (4) MEMBERS OF THE BOARD SHALL HAVE BEEN A MEMBER OF THE ASSOCIATION IN GOOD STANDING FOR A MINIMUM OF FIVE (5) YEARS.

SECTION 2. THE MANAGEMENT OF THE ASSOCIATION SHALL BE VESTED IN THE BOARD OF DIRECTORS IN ADDITION TO THE CURRENT PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER, AND SARGENT OF ARMS.

SECTION 3. DISAGREEMENTS BETWEEN MEMBERS, BE THEY OFFICERS OR NOT, SHALL BE REGISTERED WITH THE SECRETARY. THE SECRETARY WILL PREPARE A

**ARTICLE VI (CONT)**

FULL REPORT FOR PRESENTATION TO THE BOARD OF DIRECTORS. THE BOARD WILL THEN REVIEW AND TAKE UNDER CONSIDERATION THE DISAGREEMENT. IF THE DISPUTE INVOLVES ANY MEMBER OR MEMBERS OF THE BOARD, THOSE INVOLVED WILL NOT BE INVITED TO PARTICIPATE IN THE FINAL DECISION. ACTION BY THE BOARD WILL TAKE PLACE WITHIN SEVEN (7) DAYS OF THE REPORT OF THE DISAGREEMENT EVEN BY SPECIAL MEETING WHEN NECESSARY. THE DECISION OF THE BOARD WILL BE FINAL AND THE DISSENTING PARTIES SHALL BE SO ADVISED.

IF THE BOARD IS UNABLE TO RESOLVE THE DISPUTE, A SPECIAL COMMITTEE OF FIVE (5) MEMBERS SHALL BE APPOINTED. THIS COMMITTEE WILL BE CHOSEN BY LOT FROM CANDIDATES (NON OFFICERS) NOMINATED BY THE MEMBERSHIP. COMMITTEE MEMBERS WILL SERVE FOR THE PERIOD OF TIME REQUIRED TO REACH A DECISION. THE COMMITTEE WILL THEN BE DESOLVED.

CANDIDATE MEMBERS WILL EXCEED THE REQUIREMENTS OF FIVE (5) BY A MINIMUM OF THREE (3). THE COMMITTEE SHALL APPOINT IT'S OWN CHAIRMAN. ALL COMMITTEE MEMBERS SHALL CONSIDER THE MATTER AND VOTE THE FINAL OUTCOME WITH A SIMPLE MAJORITY DECIDING THE ISSUE. THE DECISION OF THE COMMITTEE WILL BE PRESENTED TO THE GENERAL MEMBERSHIP AT THE NEXT REGULAR MEETING. THE DECISION OF THE BOARD OR THE COMMITTEE SHALL BE FINAL. NO FURTHER DISCUSSION OF THE MATTER WILL BE PERMITTED. IF THE DISSENTING PARTIES OR ANY MEMBER/S DISAGREE WITH THE DECISION AND INSIST ON BRINGING UP THE SUBJECT, THEY WILL BE REQUESTED TO LEAVE THE MEETING BY THE SARGENT AT ARMS.

**ARTICLE VII. ELECTION OF OFFICERS**

SECTION 1. THE BOARD OF DIRECTORS SHALL BE ELECTED TO FIVE (5) YEAR TERMS AND MAY SERVE CONSECUTIVE TERMS IF RE-ELECTED BY A MAJORITY VOTE OF TWO THIRDS (2/3) OF THE MEMBERS PRESENT AT ANY REGULAR MARCH MEETING AS TERMS EXPIRE.

SECTION 2. OFFICERS, CONSISTING OF PRESIDENT, VICE PRESIDENT, SECRETARY, TREASURER, AND SARGENT OF ARMS SHALL BE ELECTED BY A MAJORITY VOTE OF THE MEMBERS PRESENT AT ANY REGULAR MARCH MEETING. OFFICERS SHALL BE ELECTED TO ONE (1) YEAR TERMS AND MAY SERVE CONSECUTIVE TERMS IF RE-ELECTED. ALL OFFICERS MUST BE AN ASSOCIATION MEMBER IN GOOD STANDING AND HAVE BEEN A MEMBER A MINIMUM OF ONE (1) YEAR PRIOR TO NOMINATION.

SECTION 3. IN ANY EVENT OF AN OFFICER VACANCY, A MEMBER OF THE BOARD SHALL FILL THE VACANCY UNTIL AN ASSOCIATION MEMBER IS ELECTED AT THE EARLIEST REGULAR MEETING TO FILL THE UNEXPIRED TERM.

**ARTICLE VIII. DUTIES OF OFFICERS**

SECTION 1. THE PRESIDENT SHALL PRESIDE AT ALL MEETINGS OF THE ASSOCIATION AND SHALL PERFORM ALL OTHER DUTIES PERTINENT TO HIS/HER OFFICE.

**ARTICLE VIII. (CONT)**

- SECTION 2. THE VICE PRESIDENT SHALL COORDINATE ALL COMMITTEE ACTIVITIES AND SHALL TAKE OVER THE PRESIDENT'S DUTIES IN HIS/HER ABSENCE. SHOULD THE OFFICE OF PRESIDENT BECOME VACANT, THE VICE PRESIDENT WILL AUTOMATICALLY BECOME PRESIDENT.
- SECTION 3. THE SECRETARY SHALL CONDUCT ALL CORRESPONDENCE PERTAINING TO THE ASSOCIATION AND ALL PUBLIC RELATIONS. HE/SHE SHALL KEEP A TRUE RECORD OF ALL MEETINGS OF THE ASSOCIATION. THE SECRETARY SHALL HAVE AN ACCURATE ROSTER OF THE MEMBERSHIP AVAILABLE AT ALL MEETINGS.
- SECTION 4. THE TREASURER SHALL HAVE CHARGE OF ALL ASSOCIATION FUNDS AND PLACE SUCH FUNDS IN A BANK OR BANKS AS MAY BE APPROVED BY THE BOARD OF DIRECTORS. ASSOCIATION FUNDS MAY BE WITHDRAWN ONLY BY CHECK AND REQUIRES TWO (2) AUTHORIZED SIGNATURES. AMOUNTS NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) ARE AUTHORIZED TO THE TREASURER WITHOUT BOARD APPROVAL. EXPENDITURES IN EXCESS OF FIVE HUNDRED DOLLARS (\$500.00) SHALL REQUIRE APPROVAL OF THE BOARD AND A MAJORITY VOTE OF MEMBERS PRESENT AT ANY REGULAR MEETING. THE TREASURER SHALL KEEP AN ACCURATE ACCOUNTING OF ALL TRANSACTIONS AND RENDER A DETAILED REPORT WITH VOUCHERS AT ALL REGULAR MEETINGS. THE TREASURER'S RECORDS AND FINANCIAL ACCOUNTS SHALL BE AUDITED QUARTERLY BY A COMMITTEE SELECTED BY THE BOARD.
- SECTION 5. THE BOARD OF DIRECTORS SHALL HAVE THE OVER-ALL RESPONSIBILITY FOR THE GOVERNING AND OPERATION OF THE ASSOCIATION.
- SECTION 6. DONATIONS TO PERSONS OR ORGANIZATIONS WILL NOT EXCEED ONE HUNDRED DOLLARS (\$100.00) WITHOUT APPROVAL OF THE BOARD.
- SECTION 7. THE SARGENT OF ARMS SHALL HAVE THE RESPONSIBILITY OF MAINTAINING ORDER AT ALL MEETINGS.

**ARTICLE IX. SUSPENSION, EXPULSION, AND/OR REINSTATEMENT**

- SECTION 1. ANY MEMBER MAY BE SUSPENDED OR EXPELLED FROM THE ASSOCIATION FOR CAUSE OR CAUSES DEEMED SUFFICIENT BY MAJORITY VOTE OF THE MEMBERS PRESENT AT ANY REGULAR MEETING. NO VOTE SHALL BE TAKEN UNLESS AND UNTIL THE CHARGED MEMBER HAS RECIEVED WRITTEN NOTICE PRIOR TO SUCH MEETING STATING THE NATURE OF THE CHARGES. CHARGES MAY BE PREFERRED BY ANY MEMBER IN GOOD STANDING. CHARGES SHALL BE IN WRITING STATING ALL RELATIVE FACTS AND PROVIDED TO THE SECRETARY WHO WILL NOTIFY THE PRESIDENT OF THE CHARGES. THE BOARD WILL REVIEW AND CONSIDER SUCH CHARGES PERSUANT TO ARTICLE VI, SECTION 3. THE CHARGED MEMBER WILL BE GIVEN A FULL HEARING.
- SECTION 2. ANY MEMBER IN ARREARS OF DUES FOR A PERIOD OF SIXTY (60) DAYS WILL BE REMOVED FROM THE ROSTER.
- SECTION 3. RE-INSTATEMENT:

**ARTICLE IX. (CONT)**

NO MEMBER, HAVING BEEN SUSPENDED OR EXPELLED, OR HAVING TENDERED HIS/HER RESIGNATION FROM THE ASSOCIATION SHALL BE RE-INSTATED TO MEMBERSHIP IN THE ASSOCIATION UNLESS AND UNTIL A WRITTEN APPLICATION IS PROVIDED TO THE BOARD BY THE APPLICANT. THE BOARD SHALL HAVE THE POWER TO IMPOSE SUCH TERMS AND CONDITIONS AS IT MAY DEEM APPROPRIATE FOR RE-INSTATEMENT. NO APPLICATION FOR RE-INSTATEMENT SHALL BE BROUGHT BEFORE THE GENERAL MEMBERSHIP AT ANY REGULAR MEETING UNLESS AND UNTIL ANY/ALL TERMS AND CONDITIONS FOR RE-INSTATEMENT SHALL HAVE BEEN COMPLIED WITH. A MAJORITY VOTE OF TWO THIRDS (2/3) OF THE MEMBERS PRESENT AT ANY REGULAR MEETING SHALL BE REQUIRED FOR RE-INSTATEMENT AND SAID RE-INSTATEMENT WILL BE ASSESSED THE STANDING INITIATION FEE OF THE ASSOCIATION.

**ARTICLE X. AMENDMENTS**

SECTION 1. ANY RESIDENT OF THE STATE OF FLORIDA UNDER THE AGE OF EIGHTEEN (18) YEARS AND APPROVED BY MAJORITY VOTE OF TWO THIRDS (2/3) OF THE MEMBERS PRESENT AT ANY REGULAR MEETING SHALL BE ELIGIBLE TO BECOME ASSOCIATE MEMBERS.

SECTION 2. ASSOCIATE MEMBERS MUST BE PROPOSED BY A MEMBER IN GOOD STANDING OF THE ASSOCIATION.

SECTION 3. ASSOCIATE MEMBERSHIP ANNUAL DUES WILL BE FIVE DOLLARS (\$5.00) PAYABLE IN ADVANCE, OR AN AMOUNT AS DETERMINED BY THE BOARD AND APPROVED BY A SIMPLE MAJORITY VOTE OF THE MEMBERS PRESENT AT ANY REGULAR MEETING.

SECTION 4. BYLAWS OF THIS ASSOCIATION WILL APPLY TO ALL ASSOCIATE MEMBERS WITH THE STIPULATION THAT THEY MAY NOT VOTE.

**ARTICLE XI. BYLAWS – AMENDMENTS, ADDITIONS, ALTERATIONS**

SECTION 1. AMENDMENTS, ADDITIONS, OR ALTERATIONS TO THESE BYLAWS MAY BE PROPOSED BY ANY ASSOCIATION MEMBER IN GOOD STANDING. ANY PROPOSED CHANGES SHALL BE SUBMITTED IN WRITING TO THE BOARD OF DIRECTORS AND REQUIRE A MAJORITY VOTE OF THE BOARD TO BE PUT BEFORE THE MEMBERSHIP.

APPROVAL OF ANY CHANGES TO THE BYLAWS OF THE ASSOCIATION SHALL REQUIRE MAJORITY VOTE OF TWO THIRDS (2/3) OF THE MEMBERS PRESENT AT TWO (2) CONSECUTIVE REGULAR MEETINGS. THE GENERAL MEMBERSHIP SHALL BE NOTIFIED IN WRITING OF THE PROPOSED CHANGES PRIOR TO THE REGULAR MEETING AT WHICH THE FIRST VOTE WILL BE TAKEN.

**ARTICLE XII. CONVICTED FELONS**

ANY MEMBER OF THE ASSOCIATION CONVICTED OF ANY FELONY AND/OR ANY INDIVIDUAL APPLYING FOR MEMBERSHIP IN THE ASSOCIATION WHO IS A CONVICTED FELON WILL HAVE THEIR MEMBERSHIP OR APPLICATION PUT BEFORE THE BOARD FOR REVIEW. THE BOARD WILL DECIDE IF A SUSPENSION, EXPULSION OR REJECTION OF APPLICATION AS APPLICABLE IS WARRANTED BY MAJORITY VOTE. THE VOTE OF THE BOARD WILL BE FINAL. ANY MEMBER OR PROPOSED MEMBER WHO KNOWINGLY LIED OR LIES RELATIVE TO ANY FELONY CONVICTION ON HIS/HER APPLICATION WILL AUTOMATICALLY BE EXPELLED FROM OR DENIED MEMBERSHIP IN THE ASSOCIATION.