



# **Constitution and By Laws of the Huntsville Amateur Radio Club, Incorporated**

**Revised - August 1, 2012**

*Huntsville Amateur Radio Club*

*K4BFT Club Call Sign*

*PO Box 423*

*Huntsville, Al 35804*

*Revision 2.7*

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# Constitution of the Huntsville Amateur Radio Club

## Organization Mission and Charter:

The Huntsville Amateur Radio Club (HARC) mission and charter is to provide for the education and training of community personnel in the obtainment of properly licensed and trained emergency communications personnel and practices in the support of local emergency management .

As a local resource to emergency management organizations in the North Alabama region the HARC provides communication facilities in the event of a local disaster or emergency. The HARC also provides free training yearly to community personnel in obtainment of proper FCC licensing in order to support this mission.

All personnel in the organization are non-paid volunteers drawn from the local community that meet regularly to deliver educational programs on how to effectively conduct emergency communications in the event of disaster such as Tornadoes, Floods and other community emergencies.

## Club History

### A Bit of Early Club History

The first Huntsville Amateur Radio Club was organized on October 6, 1947, with Bill Neal, W4FZD, as the first President. The constitution was approved March 22, 1948. There were twenty-two members of this first Huntsville Amateur Radio Club; but due to a lack of interest, the club was disbanded in the spring of 1949.

The second Huntsville Amateur Radio Club (HARC), as it is today, was organized April 18, 1952, at the WFUN Studio, 410 W. Holmes Street with John Garrison, W4FOG, elected as the first President. The constitution and by-laws were adopted June 20, 1952. 16 members were on the first club roster. HARC participated in its first Field Day event on June 21 and 22, 1952, with 16 members participating (WOW 100%) and has continued participating each year to present. The first auction was held July 11, 1952. The club became affiliated with the American Radio Relay League on September 26, 1952, and has continued until the present. The Huntsville Novice CW net was organized in November of 1952, and met on 3.735 KHz with twelve members checking into the net. The first club call, K4DTV, was obtained in July of 1954. In April of 1956 the ladies' auxiliary was formed and named the QRM Club.

The first issue of the club bulletin was published in December of 1961, with Mary Campbell, K4VAL, Genie Weaver, W4ERX and Dick White, W4MEM volunteering to get it started. The February 1962 bulletin had the name VOX on the cover, which was given by Bill Owens, W4YXW. In December of 1965 Mary Campbell, K4VJL resigned as editor of the VOX. The next month (January 21, 1966), Frank Emens, W4HFU became editor and publisher.

The first North Alabama Ham fest was held in Decatur in August of 1954, and was alternated between Decatur, Florence and Huntsville. The North Alabama Ham fest later alternated between Decatur and Huntsville. The last North Alabama Ham fest was held in Huntsville in August of 1980. The Decatur club voted to withdraw from participation and the first Huntsville Ham fest was held in Huntsville in August of 1981.

The club's current call sign is K4BFT, in honor of one of our members, Hammond "Ham" Carpenter. K4BFT was voted by the club members as the official club station call on April 3, 1964.

## ***ARTICLE ONE: MEMBERSHIP***

### **Section One**

All persons interested in amateur radio shall be eligible for membership. Membership will be by application and election upon such terms as the club shall by its by-laws provide.

### **Section Two**

There shall be two classes of membership – Active and Honorary.

### **Section Three**

To be eligible for active membership a person must hold a valid radio amateur license and not be in arrears in dues.

### **Section Four**

Any person who has distinguished themselves in unusual and praise worthy manner may be elected to honorary membership in this club, same requiring two-thirds vote of the club membership present at a regular meeting.

## ***ARTICLE TWO: BOARD OF GOVERNANCE***

### **Section One – Governing Body and Management**

The club officers have a fiduciary and legal governing responsibility to the membership of the organization and to all external entities such as local, state and federal governing bodies. This includes a code of ethics and legal compliance in all matters of the organization.

### **Section Two – Legal Compliance and Financial Management**

The club will abide by the rule of precedence in accordance with compliance first at the Local City, then Local County, Local State and then Federal laws and regulations. All financial records will be published to the membership annually and made available for independent audit and investigation by any external organization. External parties will be required to submit their

request in writing to any club officer. The club will be responsible to provide the requested information within 30 calendar days of the request.

All financial records will be updated on a quarterly basis as a minimum and all transactions reconciled and accounted for within the next quarterly period.

### **Section Three – Fund Raising and Contributions**

Permitted fundraising events include the following categories

- Membership dues
- Direct contributions of cash
- Funds and proceeds from resale of used and donated ham radio equipment and accessories
- Grants from civic and industry organizations in pursuit of furthering the hobby of amateur radio
- Compensation resulting from any services rendered by the organization and received from the support of an occasional commercial venture

Disallowed fund raising include the following categories

- Solicitation for or on behalf of any political party or candidate
- Solicitation for any political interest or advocacy not related to the amateur radio hobby
- Like in kind fundraising where there is either an explicit or non-explicit form of compensation to the club in the support of other organizations or parties in their pursuit of fund raising not related to the amateur radio hobby
- Any illegal or detrimental activity shall not be used for fund raising that places a burden to the public or any negative perception of the club, to the membership, or the public at large
- Any illegal lottery or illegal gaming activity

### **Section Four – Grant Making**

Grants to organizations or individual parties such as student scholarships will be provided for from excess fund balances and approved by the majority vote of the officers on an annual basis.

Application for grants is required in writing along with a documented justification of the benefits of the expenditure. There is no guarantee a grant will be approved annually, announcements of

solicitation for applicants for grants will be made on an annual basis. Grant forms will be provided to each applicant at time of annual announcement of grant availability.

## **Section Five – Code of Ethics**

### **Policy Statement**

In accordance with the Governance of the Huntsville Amateur Radio Club it prohibits, officers, directors, agents, and attorneys of the club from soliciting, demanding, or accepting anything of value from any person intending to be influenced or personally rewarded in connection with any business or transaction of the Huntsville Amateur Radio Club.

This policy also prohibits anyone from corruptly giving, offering, or promising anything of value to any person, with the intent to influence or reward an officer, director, employee, agent, or attorney of the club.

Members of the board of directors, management officials, and member are expected to:

- Conduct the business of the club in full compliance with both the letter and the spirit of the law and the guidelines established by this policy.
- Use confidential information properly.
- Recognize and avoid conflicts of interest.
- Protect HARC property, including information, products, services, and assets.
- Properly manage club finances.
- Treat fairly and with respect all members, and others with whom they have dealings.

### **Authorized Activity**

The acceptance of fees (including special discounts or any direct or indirect payment of money or property) and other items of value in return for services the club renders are generally prohibited. The following exceptions may be allowable:

- Payments of fees or other compensation, whether paid or reimbursed, when these payments are made in the usual course of business by the club or sponsoring organization
- Acceptance of gifts, gratuities, or favors based on obvious family or personal relationships where circumstances are clear that the relationship rather than club business is the motivating factor
- Acceptance of meals, refreshments, or entertainment of reasonable value (not to exceed \$25 per individual) in the course of a meeting or occasion while holding a bona fide business discussion, provided these expenses are otherwise reimbursable by the club as a justifiable business expense
- Except where prohibited by law, the acceptance of loans from banks or other financial institutions provided such transactions are made with the customary terms and are used to finance legitimate and usual activities by club officials, such as for asset acquisition.
- Acceptance of unsolicited promotional materials of nominal value (limited to \$10 per item, per person)
- Acceptance of discounts or rebates on merchandise or services, provided they do not exceed those that are available to other members or the general public
- Acceptance of gifts of reasonable value (limited to \$25 per item, per person) on the occasion of recognized events such as special events, or celebrations



- Acceptance of civic, charitable, educational, or religious awards in recognition of a service performed or an accomplishment

Other activities not identified in this policy may be acceptable on a case-by-case basis with prior written approval from the board of directors.

## **Disclosure**

If officers, member, directors, committee members, agents or attorneys of the club are offered or receive anything of value beyond what is authorized in this policy, that person must disclose the following information in writing to the president or chair of the board of directors.

- The gift offered or accepted;
- The name of the donor and his/her company affiliation;
- The value of the gift;
- The circumstances surrounding receipt of the gift.

The club officers will review the disclosures and determine what is acceptable and reasonable and does not pose a threat to the integrity of the club. Officials of the club must disclose all potential conflicts of interest, including those where the person has inadvertently been placed in a situation due to either a business or personal relationship.

## **Rules and Regulations**

Regardless of whether a conflict of interest constitutes a violation of the any state or federal Bribery Act, certain activities could be in violation under the Rules and Regulations and are not permitted by the club.

### *Investments*

It is prohibited that club officials and members receive any monetary considerations in connection with the making of an investment or deposit by the club.

### *Loans and Lines of Credit or Grants to Members*

It is a conflict of interest for a club official, member, or an immediate family member to receive a direct or indirect commission, fee, or other compensation in connection with any loan or grant the club makes.

### *Loans and Lines of Credit to Officials*

A loan or line of credit made to or endorsed or guaranteed by any of the following cannot contain preferential rates, terms, and/or conditions:

- An official of the club
- An immediate family member of an official
- An individual who has a common ownership, investment, or other financial interest in a business enterprise with an official or immediate family member of an official” Immediate family member” is defined here as a spouse or other family member living in the same household.

### *Group Purchasing Activities*

The club prohibits officials, members, and any of their immediate family members from receiving any compensation or benefit, either directly or indirectly, in conjunction with any group purchasing activity made available to the membership of the club.

The definition of “immediate family member” shall include spouse, child, parent, grandchild, grandparent, brother, sister, or spouse of any of these individuals.

### *Investments*

*It is a conflict of interest when individuals who serve as officials of, or are employed by an affiliated organization (one that has either invested in or made loans to a that organization), or any of their immediate family members, receive any salary, commission, investment income, or other income or compensation from the Club directly or indirectly, or from any person being served through the relationship.*

### *Management Official Interlocks*

It is prohibited for an officer with management functions, including a named or “At large” officer, or any person serving in such capacity from serving as a management official of another conflicting institution or commercial company.

## **Review and Reporting**

This policy is to be reviewed and reaffirmed annually by the board of directors. Evidence of the review and affirmation will be entered in the minutes of the board meeting for the date of the review.

Additionally, each member of the board and the senior management of the HARC will, on an annual basis, execute a code of conduct affirmation form which will be kept on file by the ethics committee.

The ethics committee is responsible for follow-up on any suspicious activity evidenced from its review of the affirmation form. The committee will report to the board of directors any findings that might compromise the integrity of the club or be in violation of the code of conduct requirements of this policy.

## **Section Six – Conflict of interest**

The standard of behavior at the HARC Organization is that all staff, volunteers, and board members scrupulously avoid conflicts of interest between the interests of the HARC Organization on one hand, and personal, professional, and business interests on the other. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest.

All Officers understand that the purposes of this policy are to protect the integrity of the HARC Organization's decision-making process, to enable our constituencies to have confidence in their integrity, and to protect the integrity and reputations of volunteers, staff and board members. Upon or before election, hiring or appointment, all Officers will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated it as appropriate. All

HARC Officers understand that the purposes of this policy are to protect the integrity of the HARC Organization's decision-making process, to enable our constituencies to have confidence in our integrity, and to protect the integrity and reputations of volunteers, staff and board members. Upon or before election, hiring or appointment, any officer will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated it as appropriate.

In the course of meetings or activities, officers will disclose any interests in a transaction or decision where (including business or other nonprofit affiliations); family and/or significant other, employer, or close associates will receive a benefit or gain. After disclosure, the officer understands that they will be asked to leave the room for the discussion and will not be permitted to vote on the question.

All HARC Officers and understand that this policy is meant to supplement good judgment, and will respect its spirit as well as its wording.

Penalties for violation of the conflict of interest include immediate removal from any elected position or decision making role in the HARC organization with also possible exclusion from all HARC activities.

## ***ARTICLE TWO: OFFICERS***

### **Section One**

The officers of the club shall be: a President, a Vice President, a Secretary and a Treasurer. Only active members qualify to serve as officers of this club. Three at large Officers will serve as officers of the club and serve the same term and election schedule of the President, Vice President, Secretary and Treasurer.

### **Section Two**

The officers of this club shall be elected for a term of one year by ballot of the members present provided there be a quorum, at the annual meeting held in June of each year.

### **Section Three**

Vacancies occurring between elections must be filled by special ballot at the first regular meeting at which the withdrawal or resignation is announced.

### **Section Four**

Officers may be removed from office on a motion and by a two-thirds vote of the dues paying membership present as a specially called, previously published and announced subject at a regular members meeting.

## ***ARTICLE THREE: DUTIES OF THE OFFICERS***

### **Section One**

#### ***President***

The President shall preside at all meetings of this club and conduct the same according to the rules adopted; he shall enforce due observance of the constitution and by-laws; decide all questions of order, and perform all customary duties pertaining to the office of President. The President shall act as a member of the board of directors of the Huntsville Hamfest and the Huntsville Amateur Radio Club Scholarship Fund during their tenure of office.

### **Section Two**

#### ***Vice President***

The Vice-President shall assume all duties of the President in the absence of the latter.

### **Section Three**

#### ***Secretary***

The Secretary shall keep a record of the proceedings of all meetings, carry on all correspondence and review all communications with the membership at each meeting shall, in the absence of the Treasurer, submit application review all communications with the membership at each meeting. The Secretary shall, in the absence of the Treasurer, submit applications for membership, receive and receipt all monies paid to the club and turn over to the Treasurer all funds, receipts and updates in a timely manner. The Secretary shall maintain the constitution and the by-laws for Huntsville Amateur Radio Club and have amendments, changes and additions noted therein. The Secretary shall hold these documents available to be consulted upon request by the membership.

### **Section Four**

#### ***Treasurer***

The Treasurer shall receive and receipt all monies paid to the club. He shall keep an accurate account of all funds received and expended. The Treasurer shall pay no bill without proper authorization of the officers. At the end of each quarter the Treasurer shall submit an itemized statement of disbursements and receipts. The Treasurer shall keep and maintain a roll of members and submit applications for membership. In addition the Treasurer shall act as the club property officer and maintain an accurate and current listing of all club property, its location and value. The value shall be appraised annually prior to the installation of officers, using advertisements in the current issues of QST and other amateur radio magazines as a reference for determine current value. In the event any club property is lost or stolen, the Treasurer shall report to the membership concerning such losses or thefts to determine a proper course of action. The Treasurer shall, within three weeks of the annual elections,

participate with a three member committee appointed by the club President in an audit of the club's books. the Treasurer shall, at the expiration of his term, convey to his successor everything in his possession belonging to the club.

## **Section Five**

### ***Officers at Large***

Officers at large are elected from the general membership and participate in regular board of officer's business meetings and contribute to the official quorum of officers and voting members of the board. The Officers at Large represent themselves to the club as officers aiding in organizational governance, to enhance membership communications and can be a proxy representative of the other officers as authorized by the President, Vice President, Secretary or Treasurer in order to conduct business affairs of the Huntsville Amateur Radio Club as directed by the officers of the club.

## ***ARTICLE FOUR: MEETINGS***

### **Section One**

The by-laws shall provide for regular and special meetings. At regular meetings, those members present shall constitute a quorum for the transaction of business.

## ***ARTICLE FIVE: DUES***

### **Section One**

The Huntsville Amateur Radio Club by a majority vote of those present at any regular meeting may levy upon the regular membership such dues or assessments as deemed necessary for the business of the organization within its objects as set forth in the preamble. Nonpayment of such dues or assessments shall be cause for expulsion from the club at the discretion of the membership.

## ***ARTICLE SIX: RADIO INTERFERECE***

### **Section One**

This club shall enact appropriate rules for the prevention of interference in operation between the stations of its members and particularly for handling cases of broadcast or television listener interference caused by any amateur station in the area of the club jurisdiction. The club, through a Television Interference (T.V.I.) committee, will provide technical advice to members concerning equipment design and operation, clean signals, and the absence of spurious radiation from club member stations.

## ***ARTICLE SEVEN: RULES***

### **Section One**

Robert's Rules of Order shall govern proceedings.

# **By-Laws of the Huntsville Amateur Radio Club**

## ***Section One: Budget***

The officers of the Huntsville Amateur Radio Club shall, within 6 weeks after their installation, prepare and submit to the club for approval a budget for the year of their term of office. The budget will include an estimate of funds to be received from membership or other sources and an estimate of routine or predictable expenditures for the year. On acceptance of this budget by the club membership, budgeted expenditures shall be considered pre-approved and the officers do not need to submit them to the membership for approval before paying them. The previous year's officers, along with the present officers of HUNTSPAC and TVATV shall hold themselves available for consultation in the budget process.

## ***Section Two: Membership***

Application for membership shall be submitted at a regular meeting in writing. Two-thirds of those present shall approve the applicant before he/she shall be considered elected to membership.

## ***Section Three: Meetings***

Regular meeting shall be held each week at such time and place as the president shall order. Regular meetings that would coincide closely with major holidays or other special events may be skipped on the approval of a majority of the membership present at a regularly scheduled meeting. Special meeting may be called by the President upon the written request of any five members of the club. Notice shall be sent to all members informing them of the special meetings and the business to be transacted.

## ***Section Four: Dues***

### **Section 4.1**

A yearly assessment of \$12.00 per active member and \$15.00 for family membership is hereby assessed in accordance with the provisions of Article Five of the constitution for the purpose of providing funds for the current expenses.

### **Section 4.2**

Honorary members will not be assessed dues

## ***Section Five: Committees***

The President shall appoint committees from the club membership as he deems necessary such as technical committee, program or entertainment committee, special committee for special work, publicity committee, etc.

## ***Section Six: Meetings***

### **Section 6.1**

Meetings of the Huntsville Amateur Radio Club will be opened to all members of the Huntsville Amateur Radio Club. Eligible resident non-members may attend meetings prior to joining. Visitors will be welcome.

## ***Section Seven: Functions***

### **Section 7.1**

Special functions may be held from time to time at the direction of the membership. Such functions may include auctions, picnics, contests, Christmas party, etc.

### **Section 7.2**

Each function deemed desirable shall be submitted at regular business meeting shall have been declared acceptable by a majority vote of those members present, and voted on by a committee appointed by the president.

### **Section 7.3**

Any awards voted for any special function shall be paid from the club treasurer after having been approved by a majority vote of those members present and voting at a regular business meeting.

## ***Section Eight: Field Day***

In keeping with its emphasis on emergency preparedness and education, the club shall annually participate in the American Radio Relay League's Field Day activities. The president shall appoint a Field Day Chairman to plan and coordinate this activity.

## ***Section Nine: Programs***

The club shall sponsor technical talks or other programs to be presented at the completion of the regular business meetings. The President may appoint a program committee to provide such programs and advise the membership of such by publishing a program calendar within the VOX newsletter on a monthly basis.

## ***Section Ten: Newsletter***

The club shall publish a monthly newsletter entitled "VOX" which shall be distributed to all members of the club. It shall be a responsibility of all club officers to support the "VOX" where possible with items of interest, technical articles, etc. to be published.



## ***Section Eleven: Nominating Committee***

### **Section 11.1**

A nominating committee shall be appointed by the second Friday in May.

### **Section 11.2**

The nominating committee shall be charged with the responsibility to select at least one qualified and willing nominee for each office.

### **Section 11.3**

The committee shall report the nominations on the fourth Friday in May.

## ***Section Twelve: Elections***

Elections shall be held on the first Friday in June. Elections for any office for which there are two or more candidates shall be by written secret ballot. Newly elected officers shall be installed in the second week in June.

## ***Section Thirteen: Outstanding Amateur Award***

In recognition of outstanding achievement through Amateur Radio in the Tennessee Valley area, the Huntsville Amateur Radio Club shall present an award to an "Outstanding Amateur" in the Tennessee Valley area. The Recipient shall be named by the outgoing club officers and the award presented the second week in June at the installation banquet for new officers. Recommendations by the club members for this award should be presented in writing to the club officers no later than May 15<sup>th</sup>. It is further recommended that club officers shall not be eligible for this award. This award is to be paid out of the club treasury.

## ***Section Fourteen: Public Service***

### **Section 14.1**

The Huntsville Amateur Radio Club and its individual members shall actively endorse and support local emergency preparedness efforts by participation in local emergency nets and volunteering their time, effort and equipment during emergency and disaster drills.

### **Section 14.2**

The Huntsville Amateur Radio Club and its individual members shall recognize and maintain our special relationship with the American Red Cross by supporting their emergency services needs whenever possible.

### **Section 14.3**

The Huntsville Amateur Radio Club shall participate in local civic functions when requested, if possible, in order to engender good will and public enthusiasm for Amateur Radio in the community.

### **Section 14.4**

The Huntsville Amateur Radio Club being an ARRL affiliated club shall sponsor and support the Amateur Radio Emergency Service (ARES), an activity of the American Radio Relay League.

## ***Section Fifteen: Packet Radio Special Interest Group (HUNTSPAC)***

### **Section 15.1**

A Packet Radio Special Interest Group is established under the umbrella of the Huntsville Amateur Radio Club.

### **Section 15.2**

The HUNTSPAC membership shall elect a chairman and such officers as it deems necessary.

### **Section 15.3**

Membership shall be open to all persons holding a valid amateur radio license of any class, regardless of affiliation with the Huntsville Amateur Radio Club.

### **Section 15.4**

Regular meetings shall be held bi-monthly at such time and place as the chairman shall order.

### **Section 15.5**

A yearly assessment of \$15.00 per family is hereby assessed.

### **Section 15.6**

Assessments and other funds received by HUNTSPAC shall be separately accountable.

### **Section 15.7**

HUNTSPAC shall arrange for the operation of a Packet Bulletin Board System in the Huntsville area operating under the call sign K4BFT.

### **Section 15.8**

The HUNTSPAC membership shall decide other matters not covered in this section in any manner suitable to the HUNTSPAC membership.

## ***Section Sixteen: Amateur Television Special Interest Group (TVATV)***

### **Section 16.1**

An Amateur Television Special Interest Group (SIG) is established under the umbrella of the Huntsville Amateur Radio Club. This SIG is to be known as Tennessee Valley Amateur Television (TVATV).

### **Section 16.2**

The TVATV membership shall elect a chairman and such officers as it deems necessary.

### **Section 16.3**

Regular membership shall be open to all persons holding a valid amateur radio license of any class. Associate membership shall be open to all persons regardless of license status.

### **Section 16.4**

Regular meetings shall be held bi-monthly or as the chairman shall order.

### **Section 16.5**

A yearly assessment of \$15.00 per family is hereby assessed. Assessments and other funds received by TVATV shall be separately accountable.

### **Section 16.6**

TVATV is authorized to operate an Amateur Television Repeater System in the Huntsville and/or Tennessee Valley operating area under the call sign K4BFT.

### **Section 16.7**

The TVATV membership shall decide other matters not covered in this in any manner suitable to the TVATV membership.

## ***Section Seventeen:***

That these recommendations be adopted as by-laws to the constitution and shall be put into effect the first day of April, 1981 that the club President appoint a committee to review these by-laws and recommended changes to them when necessary. This document represents revisions and additions made July 10, 2011.

## ***Signatures and Agreement of Constitution and Bylaws***

We, the undersigned, being desirous to secure for our community the benefits of the association of persons commonly interested in amateur radio used in Disasters, Emergencies, furthering knowledge and cooperation among its members, develop individual efficiency, bettering the interest of communications in the general community, do hereby constitute

ourselves, the Huntsville Amateur Radio Club and do enact this revised constitution as our governing document. By our signature we pledge to follow the club Code of Ethics.

*Club Officers:*

_____	_____
President	Date

_____	_____
Vice President	Date

_____	_____
Secretary	Date

_____	_____
Treasurer	Date

*Club Officers at Large:*

_____	_____
Officer at Large	Date

_____	_____
Officer at Large	Date

_____	_____
Officer at Large	Date