

**NJ BMX, INC**

**By-Laws**

Revised: January, 2009

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## **ARTICLE I**

### **Name**

**SECTION A.** The name of this organization shall be NJ BMX, Inc.

## **ARTICLE II**

### **Purpose**

- SECTION A.** The NJ BMX, Inc. shall be a 501C-3 non-profit organization and is duly registered as such under the laws of the State of New Jersey.
- SECTION B.** The NJ BMX, Inc. will act in such a manner as to further the policies and purposes of the National Bicycle League (NBL).
- SECTION C.** The NJ BMX, Inc. shall give support and encouragement to the concerns and interests of bicycle motocross (BMX) racers, regardless of age, sex, race, color, creed or disability.
- SECTION D.** No member of NJ BMX, Inc. either officially or otherwise shall be personally or otherwise liable for any debts, liabilities or other obligations of NJ BMX, Inc.
- SECTION E.** NJ BMX, Inc. may accept gifts, legacies, donations, and/or contributions in any amount and in any form, upon such terms and conditions as may be decided by the Board of Directors.
- SECTION F.** Invalidation of any article or section of these by-laws by the laws of the United States, the State of New Jersey, local ordinances or rules and regulations promulgated by the NBL, will not invalidate remaining articles and/or sections.

## ARTICLE III

### Membership

- SECTION A.** Official membership of NJ BMX, Inc. shall be made up of the Board of Directors and active members.
- SECTION B.** The Board of Directors shall consist of the NJ BMX, Inc. Corporate Officers, and two (2) representatives from each NJ BMX, Inc. affiliated track.
- SECTION C.** The NJ State Commissioner, NJ Assistant State Commissioner, Secretary and Treasurer shall be the corporate officers of NJ BMX, Inc. Their qualifications and election are described in Article VI.
- SECTION D.** The affiliated tracks' representatives will consist of two (2) delegates, one (1) alternate delegate, and one (1) non-voting rider representative, aged 16 or older, all of who must be active participants in local and state events for NJ BMX, Inc. The tracks' delegates will be installed on the NJ BMX, Inc. Board of Directors at the annual organizational meeting for one (1) year terms.
- SECTION E.** An affiliated track, may change its alternate representative by presenting written notification to the board of directors at a regularly scheduled meeting. The new alternate will be installed at the following meeting. The alternate delegate acts only in the place of an absent delegate.
- SECTION F.** The NJ BMX, Inc. affiliated tracks shall be: Central Jersey BMX, Egg Harbor Township BMX, Hunterdon County BMX, and Trilogy Park BMX and any new NBL sanctioned tracks within the State of New Jersey.
- Any NBL sanctioned track, in the states of Delaware, Maryland, New York or Pennsylvania, which contacts the NJ BMX, Inc. Board of Directors and requests membership in the organization may join after approval by the NBL Director of Competition and at least a 51% vote in favor by the NJ BMX, Inc. Board of Directors. Article IV, Section B. shall apply.
- SECTION G.** Full voting privileges will be granted to all official, active members of the NJ BMX, Inc. Board of Directors, except the State Commissioner, who may vote only in the case of a tie. This voting restriction includes elections.

## ARTICLE III

### Membership

(continued)

- SECTION H.** No more than one (1) member of any immediate family may serve as an officer at the same time and no more than two (2) members of any immediate family shall serve on the NJ BMX, Inc. Board of Directors at the same time.
- SECTION I.** Any member of the NJ BMX, Inc. Board of Directors missing more than two (2) consecutive, regularly scheduled meetings shall be responsible for providing written notification to the State Commissioner as to the reason for the absences. The notification will then be read into the minutes of the next regularly scheduled meeting and the Board of Directors will vote to decide if the absences will be excused. If the absences are not excused, the member will be removed from the Board of Directors.
- Failure of any member of the NJ BMX, Inc. Board of Directors to attend at least fifty percent (50%) of the regularly scheduled meetings per year shall result in dismissal from the Board of Directors Regardless of the reasons for the absences.
- SECTION J.** Removal of any member of the NJ BMX, Inc. Board of Directors due to dereliction of duty may be accomplished by a fifty-on percent (51%) or greater vote in favor of the removal by the remaining members of the NJ BMX, Inc. Board of Directors. A quorum must be present as set forth in Article IV, Section B.
- SECTION K.** All outgoing officers or members of NJ BMX, Inc. shall render, within 30 days after leaving office, all material and/or property of NJ BMX, Inc. Failure to return said material and/or property may result in legal action being taken as set forth by the laws of the State of New Jersey.

## ARTICLE IV

### Meetings

**SECTION A.** The NJ BMX, Inc. will meet at least twice a year at a location central to the geographical boundaries of the State of New Jersey. The two (2) required business meetings will be held in January and November. Other meetings will be held at one NJ BMX, Inc. State Series event at each track.

Meeting dates and times will be determined at the organizational meeting in January. All scheduled meetings will be publicly announced on [www.njbmx.org](http://www.njbmx.org) and will include date, time and location.

**SECTION B.** All NJ BMX, Inc. meetings will follow the guidelines set forth in Robert's Rules of Order.

**SECTION C.** A quorum must be present to conduct official NJ BMX, Inc. business. Fifty-one percent (51%) of the active members of the NJ BMX, Inc. Board of Directors must be present to constitute a quorum.

**SECTION D.** At the November meeting, the nominations of officers shall be conducted as prescribed in Article V.

**SECTION E.** At the November meeting, following nominations of officers the meeting will be adjourned. A second meeting will be called to order and elections will be held as prescribed in Article V.

**SECTION F.** The first regularly scheduled meeting of the new calendar year shall be the reorganization meeting whereby the new officers and the NJ BMX, Inc. Board of Directors will be installed. Also, appointments and policies for the coming year shall be set forth, the annual budget presented, and the meeting schedule with locations established for the year.

**SECTION G.** Special meetings may be called by the NJ State Commissioner or by request of an active member of the NJ BMX, Inc. Board of Directors to conduct business during periods of high activity that cannot or should not be delayed until the next regularly scheduled meeting. Article IV, Section B. shall apply. Notice of the time, place and purpose of special meetings shall be given to each member of the Board of Directors with not less than 24 hours notice before the Meeting. No other business shall be transacted during a special Meeting except that for which the meeting was called.

## ARTICLE IV

### Meetings

(continued)

**SECTION H.** All regularly scheduled and special meetings shall be conducted in an “open forum” format, under the control of the NJ State Commissioner or NJ Assistant State Commissioner as the presiding officer. However, the NJ BMX, Inc. Board of Directors may enter into closed session to address emergency situations, and/or matters that require discreet conduct, such as legal matters, matters under the non-profit incorporation laws of the State of New Jersey, and/or amending the by-laws.

**\*\*Clarification:** “Open Forum” shall mean that all attendees may participate in the meeting when recognized by the Chair (presiding officer) and within the format of the agenda set forth.

**SECTION I.** The meeting agenda should follow, but is not limited to the following basic format:

1. Call to order
2. Attendance and verification of a quorum
3. Minutes of the previous meeting
4. Financial report
5. Committee reports
6. Old Business
7. New Business
8. Adjournment



## **ARTICLE V**

### **Qualifications, Nominations, Elections and Vacancies**

- SECTION A.** NJ BMX, Inc Corporate officers will be elected by the total active members eligible to vote.
- SECTION B.** On the even years, the NJ Assistant State Commissioner and the Treasurer will be elected for a two-year (2) term. On the odd years the NJ State Commissioner and the secretary will be elected for a two-year (2) term. In following years, elections will continue to alternate with two officers being elected each year for two-year terms.
- SECTION C.** Nominations for the NJ BMX, Inc. Corporate officers shall be submitted at the regularly scheduled meeting prior to the election meeting.
- SECTION D.** All nominees for any NJ BMX, Inc. Corporate office must meet the following qualifications:
1. Candidates for NJ State Commissioner must have been an active NBL official (licensed) for at least three (3) years, and have previously served as a member of the NJ BMX, Inc. Board of Directors.
  2. The State Treasurer must be a permanent resident of the State of New Jersey.
  3. Must be 21 years of age or older.
  4. Must be an active participant of a NJ BMX, Inc. affiliated track.
  5. Must have been an active NBL official (licensed) for at least two (2) years.
- SECTION E.** Election of NJ BMX, Inc. officers shall be performed via paper ballot prepared by the secretary. All eligible voters in attendance shall vote for the candidate of their choice. In case of a tie, a revote shall be conducted with the State Commissioner voting. In the case of an unopposed candidate, the office shall be filled by one vote cast by the secretary.
- SECTION F.** Officer vacancies shall be filled by special election held at any regularly scheduled or special meeting as near as possible to the development of the vacancy.

## **ARTICLE VI**

### **Duties of the Officers**

#### **SECTION A.** The NJ State Commissioner shall:

1. Preside at all regularly scheduled, special and open meetings of NJ BMX, Inc.
2. Act as or appoint the referee for all NJ BMX, Inc. State events.
3. Be ex-officio member of all committees.
4. Provide NJ State representation to the NBL. This is to include all correspondence and dialogue concerning problems that may develop within the state with regard to the NBL.
5. Chair the NJ delegation to the NBL's Competition Congress.
6. Provide a focal point for intra and inter-state relations.
7. Act as liaison to obtaining information regarding additional NBL tracks desiring to join NJ BMX, Inc. for presentation to the Board of Directors.
8. Perform any other duties necessary to promote and enhance the NJ BMX, Inc. program.
9. Only vote in the case of a tie.
10. Appoint the state clerk of course.
11. Appoint the state points keeper.

#### **SECTION B.** The NJ Assistant State Commissioner shall:

1. Perform the duties of the NJ State Commissioner in the absence and/or inability of the NJ State Commissioner to serve.
2. Assist the NJ State Commissioner in duties relevant to enhancing the policies and purpose of NJ BMX, Inc.
3. Perform other such duties that may be assigned by the NJ State Commissioner and/or the Board of Directors.

#### **SECTION C.** The Secretary shall:

1. Be the official recorder of the minutes of all meetings.
2. Be responsible for the timely distribution of the minutes to all members of the Board of Directors, and track directors. Distribution can be made by mail, email, or in person within two-weeks following the meeting.
3. Maintain all NJ BMX, Inc. records as may be assigned by the NJ State Commissioner and/or Board of Directors. These records shall include, but are not limited to:
  - i) Corporate meeting minutes.
  - ii) Tax records for public inspection.
  - iii) A list of all property owned by NJ BMX, Inc.

## **ARTICLE VI**

### **Duties of the Officers**

(continued)

#### **SECTION C.** The Secretary shall: (continued)

4. Cast a single vote for unopposed candidates.
5. Notify the NBL of any new tracks that become a part of NJ BMX, Inc., in a timely manner.
6. Perform other such duties that pertain to the office of Secretary.
7. Provide the NBL with a list of the Corporate Officers of NJ BMX, Inc.
8. Provide the NBL with a list of the NJ BMX, Inc. State Championship Series dates and locations.

#### **SECTION D.** The Treasurer shall:

1. Be custodian of all funds of NJ BMX, Inc.
2. Give a written, itemized financial report at each regularly scheduled meeting and/or upon request by the Board of Directors.
3. Conform to the financial policies as set forth in Article XI.
4. Prepare an annual budget to be presented at the organizational meeting.
5. Prepare and file all federal and state tax returns.
6. Perform other such duties that pertain to the office of Treasurer.

## ARTICLE VII

### Committees

**SECTION A.** It is suggested there be the following standing committees established annually. Committees will be comprised of volunteers. Each committee shall elect a chairperson. If no one volunteers for a given committee, the NJ State Commissioner shall appoint a board member to perform the committee's duties.

1. By-law Committee

To provide clarification and interpretation of the organizations official by-laws when called upon. Also, to evaluate recommendations to amend the by-laws when the need arises.

2. State Competition Committee

To provide guidelines pertaining to the rules and regulations to be used at NJ BMX, Inc. state series events and to make recommendations for the annual state series.

3. Annual Awards and Ceremony Committee

To make arrangements for and distribution of awards to the NJ BXM, Inc. state series participants.

4. President's Cup Committee

Advises riders who are eligible to attend the president's cup race, collects jersey deposits, orders the official NJ State jerseys, coordinates the distribution of the jerseys to the riders.

5. Nominating Committee

Prepares a slate of candidates for the officials' positions that are up for election that year. Written resumes must be collected and verified from all interested candidates.

6. Sponsorship Committee

To solicit sponsors for the NJ BMX, Inc. state series races.  
Coordinates any needs of those sponsors.  
Organizes raffles of the sponsor's products.

## ARTICLE VII

### Committees (continued)

#### **SECTION A. (Continued)**

##### 7. State Race Committee

To select and organize volunteer workers for the NJ BMX, Inc. state events.

**SECTION B.** Committees need not be limited to the standing committees mentioned in Article VII, Section A. Special committees as deemed necessary shall be appointed and charged with certain duties as the need arises.

## **ARTICLE VIII**

### **Amendments**

- SECTION A.** Suggested amendments to the by-laws must be submitted, in writing, by a member of the NJ BMX, Inc. Board of Directors. After establishing merit and wording, the amendment shall be read to the active membership of NJ BMX, Inc. At the next regularly scheduled meeting, the proposed by-law change/changes will be read a second time after which a vote will be taken. Upon a fifty-one percent (51%) vote in favor by the active members of the NJ BMX, Inc. Board of Directors, the amendment will be adopted into the by-laws. Article IV, Section B shall apply.
- SECTION B.** The by-laws committee will be responsible for the placement of the amendment into the official by-laws and the timely distribution of the revised by-laws to the Board of Directors.

## **ARTICLE IX**

### **Dissolution**

**SECTION A.** In the event it becomes necessary to dissolve NJ BMX, Inc., and after all liabilities have been paid, any and all remaining assets and funds shall be transferred in full or part to another non-profit incorporation within the State of New Jersey as may be set forth by the Board of Directors.

## **ARTICLE X**

### **NJ BMX, Inc. State Championship Series**

- SECTION A.** NJ BMX, Inc. is responsible for establishing, organizing, and conducting an annual NJ State Series. The beginning and ending dates for the series, qualifier dates, and the championship date, qualifications and rules for the series will be determined at the NJ BMX, Inc. re-organizational meeting held in January.
- SECTION B.** After the initial one (1) year probationary period and two (2) years full membership in NJ BMX, Inc, an NJ BMX, Inc. affiliated track outside of the geographic boundaries of the State of New Jersey may be eligible to enter into the rotation to hold the NJ BMX, Inc. State Championship race, with the approval of a fifty-one percent (51%) vote of the NJ BMX, Inc. Board of Directors.
- SECTION C.** Each NJ BMX, Inc. affiliated track is required to prepare and maintain its track in a manner suitable to host a NJ BMX, Inc. State Series event.
- SECTION D.** It is the responsibility of all NJ BMX, Inc. affiliated tracks to provide certified medical personnel for all NJ BMX, Inc. State Series events.
- SECTION E.** NJ BMX, Inc. will be responsible for the purchase of all trophies, the registration of all riders, and the paperwork resulting from any NJ BMX, Inc. State Series event.
- SECTION F.** Each NJ BMX, Inc. affiliated track that holds a NJ BMX, Inc. State Series event will be paid a per rider fee at each State Series event. The per rider fee amount will be determined at the annual re-organizational meeting held in January.



## **ARTICLE XI**

### **Financial Policies**

#### **SECTION A.**

1. All monies are to be deposited in one primary account. That account to be interest bearing if possible.
2. Any other accounts deemed necessary for monies must be approved by the NJ BMX, Inc. Board of Directors prior to the establishment. Reports for that/those accounts to be the same as for the primary account.
3. Authorized check signers are to be the NJ BMX, Inc. State Commissioner, Treasurer and/or a third individual to be selected by the Board of Directors if required.
4. All three signers are to be bonded.
5. Written treasurer's reports are to be made at each regular meeting with sufficient copies so that each member may have one. Documentation to support deposits and expenditures will be available for inspection.
6. All expenditures over \$500.00 are to be approved by the NJ BMX, Inc. Board of Directors.
7. All checks and monies received are to be deposited within three (3) banking days of receipt.

## **ARTICLE XII**

### **Competition Congress**

**SECTION A.** As recommended by the National Bicycle League, the State Commissioner will be a representative to the annual Competition Congress held each year.

**SECTION B.** The NJ BMX, Inc. shall pay for the State Commissioner to attend Competition Congress. Registration, hotel and transportation will be handled by the NJ BMX, Inc. State treasurer in the name of the State Commissioner or the designated appointee.



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