

**2019**  
CONSTITUTION/ BY-LAWS  
FOR THE  
TRI- STATE KART CLUB  
Rev 01-19-2019

**PREFACE:**

The Tri-State Kart Club is a non-profit corporation chartered in the State of Connecticut. TSKC's purpose is to provide a sanctioning body to organize and direct the sport of go kart racing in the New England area. The primary functions of the organization are to provide establishment and uniform enforcement of safety and competition rules, liability insurance for the membership, and the promotion and growth of the sport through a strong, fair, and unbiased management organization.

The intent and purpose set forth by the constitution/by-laws here-in is to establish the formal organization and charter for the Tri-State Kart Club, Inc. [TSKC, Inc.] as well as chartering a strong management team to organize, promote, and stimulate the growth of go-kart racing. The management team shall provide for the "Spirit and Intent" of promoting the sport, and conducting the business of TSKC on behalf of and for the benefit of the TSKC general membership. "Spirit and Intent" is defined as: the honest governing of the body, free of outside interest or influence, either personal or financial, insuring to the membership the managements' commitment to the betterment of the sport with the best interest and concerns of the membership at heart. The structure of this organization is detailed in the following pages.

**ARTICLE I**

**SECTION I**

**TITLE**

This club shall be known as TRI-STATE KART CLUB Inc.

**SECTION 2**

**PURPOSE**

The general purpose of this club shall be as follows:

- a. To encourage and promote the ownership of go karts.
- b. To serve as a source of technical information pertaining to go karts and their operation.
- c. To provide a safe facility for the operation of go karts.
- d. To provide events and exhibitions for go karts, their owners, and families.
- e. To cooperate with national, state, and local organizations for the encouragement of safe, skillful, and courteous operation of go karts.

### SECTION 3

This club shall not have the power to dissolve its self as long as there are five (5) active members.

### SECTION 4

No secondary organization or affiliation will exist without the approval of the trustees, officers, and the membership.

## ARTICLE II

### SECTION 5

#### OFFICERS

- a. The elected officers of this club shall be the President, Vice President, Secretary, and Treasurer. Candidates for all offices must have been a member in good standing.
- b. Officers will attend scheduled monthly Trustees meetings.

### SECTION 6

#### TRUSTEES

- a. The Trustees shall consist of five (5) active members. The term of a Trustee will be indefinite unless a Trustee withdraws or a majority of three (3) Trustees vote to replace one of their board members for the good of the club. In the event that a Trustee is to be replaced, a nomination for the replacement of a Trustee can be made by the Trustees or a member of the club and must be approved by the membership. A nominee must be present to accept the nomination. The nominee must have been a member of the Tri State Kart Club for a minimum of (2) full consecutive years to be nominated as a trustee.
- b. A trustee may not simultaneously hold an officer position and a Trustee position.

### SECTION 7

#### ELECTIONS

- a. The Executive Board members, President, Vice President, Secretary, and Treasurer, shall be elected at the December club meeting and shall be installed at the January meeting.

Nominations for these positions will be taken at the November meeting from members in attendance. A nominee must be present to accept the nomination. The nominee must have been a member of the Tri State Kart Club for a minimum of two (2) full consecutive years to hold any Executive Board Position (President, Vice President, Secretary or Treasurer).

- b. An officer may not simultaneously hold an officer position and a Trustee position.

#### SECTION 8

##### TERM OF OFFICE

The regular term of office shall be for one (1) year, with the exception of the Treasurer, which is a two (2) year term or until a successor is elected and seated.

#### SECTION 9

##### TERMINATION OF OFFICE

All officers of the Tri State Kart Club shall at the expiration of their term in office, render to their successors, all documents, money, and/or property of the Tri State Kart Club that they have in their possession.

#### SECTION 10

##### FORFEIT OF OFFICE

If any officer or Trustee of the club fails to discharge the duties of his/her office for three (3) consecutive meetings, he/she will forfeit the position unless they can show good reason, or if the club by a formal vote decides otherwise.

#### SECTION 11

##### VACANCY IN OFFICE

In case of a vacancy in office, the Trustees shall have the power to fill that vacancy until the next annual election or until the membership votes to elect a member to that position.

#### SECTION 12

##### RESIGNATION

Any officer except the Treasurer shall have the privilege of resigning at any time by having his/her resignation read at a meeting. The Treasurer may resign after his/her resignation is read at a meeting and all accounts are audited and reported as correct.

#### SECTION 13

##### DUTIES OF THE TRUSTEES

## Part 1 General

The Trustees will:

- a. Insure that there is continuity from year to year.
- b. Assist new officers by providing them with information on their specific duties, requirements and procedures of each office, and their responsibilities.
- c. Be the keepers of all records so that information is readily available from previous years.
- d. Work with the accountant and treasurer from year to year to ensure all local, state, and federal tax requirements are met and that proper documentation is kept.
- e. Be involved with all multi-year projects approved by the membership and keep officers and membership advised of the progress.
- f. Have the responsibility to the membership to ensure that the clubs best interests are always being looked after. Should, in the Trustees opinion, any action of an officer or member be detrimental to the club, the issue will be brought to the membership.

## Part 2 Assigned Duties

- a. One Trustee shall be designated by the other Trustees to act as spokesperson for the Trustees. The spokesperson will schedule meetings for the Trustees and Executive Board on a regular basis and will ensure that minutes are kept for these meetings and made available to all persons in attendance. The spokesperson will be the recipient of all appeals made to the Trustees by racers and/or members.
- b. One Trustee shall be designated as the keeper of all records. He/she will be responsible for all archives of the club.
- c. One Trustee shall be designated as the financial officer. He/she will ensure that the finances of the club are kept in good order. Be responsible for the signing of any check for any expenditure over one thousand dollars (\$1,000.00) and to ensure that this expenditure has been approved by the membership. He/she will work with the treasurer to ensure that all local, state, and federal documents and forms are kept and filed with the appropriate agency.
- d. One Trustee shall be designated as the property supervisor. He/she will be responsible to oversee the properties Tri State Kart owns, rents, or leases. He/she will ensure that all maintenance is performed and the race facility is safe for operation.

- e. All Trustees will work to ensure that all racing events, club functions, and club meetings are run in a fair, legal, and orderly manner for all members of the Tri State Kart Club.
- f. All Trustees will decide on appeals presented by the spokesperson.

## DUTIES OF THE OFFICERS

### SECTION 14

#### PRESIDENT

- a. The President shall preside at all club meetings during the transaction of business to ensure that the Constitution and By-laws are upheld.
- b. He/she shall conduct all meetings as provided by Roberts Rules of Order. (Revised)
- c. He/she shall oversee all club activities and positions of office.
- d. He/she shall appoint all standing committees when required.
- e. He/she will be held accountable to the Trustees and club membership.
- f. He/she shall be responsible to advise the Trustees of all club activities.

### SECTION 15

#### VICE PRESIDENT

- a. The Vice President shall assist the President and assume his/her duties in his/her absence.
- b. He/she will be responsible for the assigning of annual pit spaces.

### SECTION 16

#### SECRETARY

- a. The Secretary shall record the proceedings of all club meetings and take care of the clubs= correspondence.
- b. He/she will be responsible for maintaining membership rosters.
- c. He/she will be responsible for notifying all members of the date, time, and location of regularly scheduled meetings; No later than two (2) weeks prior to the meeting.

### SECTION 17

#### TREASURER

- a. The Treasurer or his/her designee will be responsible for the collection of all fees and/or dues and all other moneys pertaining to Tri State Kart Club.

- b. The Treasurer will provide a financial report to the officers and Trustees for quarterly review or upon request.
- c. He/she will provide all financial records for a legal audit upon the completion of each fiscal year.
- d. He/she will be responsible for the accounting of all funds and the timely deposit of these funds into a bank approved by the membership.
- e. He/she will be responsible for providing an operational spreadsheet and a spreadsheet for all allocated funds which will include an itemized breakdown of funds.

## SECTION 18

### RACE DIRECTOR

- a. The Race Director, who is appointed by the President and approved by the membership, shall be charged with executing all the duties with the running of any club sponsored competition as well as working in conjunction with the flagman/starter.
- b. The Race Directors decisions during a competition are final.

### Track Workers

- a. Track Workers are independent contractors, not employees of TSKC, and assume full responsibility for any and all taxes or charges on any funds received from Tri State Kart Club, Inc.

## ARTICLE III

## SECTION 19

### MEETINGS

#### Part 1

- a. There shall be a regular business meeting every month unless waived at the previous meeting.
- b. A minimum of fifteen (15) members including two (2) officers and two (2) Trustees shall constitute a quorum for the transaction of business at a scheduled monthly meeting.
- c. Non-members of the club may attend meetings with the consent of the body, but do not have the power to vote or participate in any discussion unless recognized by the President.

- d. All voting is to be done by a show of hands unless 1/3 or more members present request a secret ballot.

Part 2

- a. The regular order of business at a regular meeting shall be:

1. Reading of the minutes of the previous meeting.
2. Treasurer's report.
3. Standing committee reports.
4. Special committee reports.
5. Reading of and action on communications.
6. Old business.
7. Nomination of new officers (November meeting) Election of officers (December meeting) Officers Change Over (January meeting)
8. New business.
9. Presentation of bills other than fixed expenses.
10. Roll call (if requested).
11. Adjournment.

ARTICLE IV

SECTION 20

DUES AND ASSESSMENTS

- a. Dues shall consist of an annual fee to be determined by the officers, approved by the Trustees and presented to the membership, with additional assessments during the year if required.
- b. Dues (renewal) must be paid to receive points. Points will be awarded from the time your dues are paid in full.

ARTICLE V

SECTION 21

FUNDS

- a. All race fees and dues unless otherwise specified, go into the general fund. Pit spot fees will be deposited into the track improvement fund, and may be dispersed to other funds per membership approval.

- b. All monies received are to be deposited into the club's bank account and are used only for the maintenance and interests of the club and its members. However, a two-thirds vote of the members present at a general meeting, constituting a quorum, can vote the appropriation of funds from the club treasury for the disposition by the officers for any practical purpose agreed upon. All capital improvements shall be agreed to by the Trustees and the officers with equal votes and then voted upon by the membership.

## ARTICLE VI

### SECTION 22

#### MEMBERSHIP

##### Part 1 Classes of membership

- a. Individual: All members must be at least eighteen (18) years of age. Any person who has paid annual dues and assessments shall be considered an active member. Annual membership shall run for the club's fiscal year which is January 1<sup>st</sup>-December 31<sup>st</sup>.
- b. Family Plan: Anyone under eighteen (18) years of age will join through the club's Family Plan. The submittal of a membership application to the club will grant members of that family, spouse and children less than eighteen (18) years of age to membership privileges. However, voting privileges will be extended only to those who are at least eighteen (18) years of age and have a paid membership. Any family member upon reaching his/her eighteenth (18<sup>th</sup>) birthday becomes a regular member upon payment of individual membership.

##### Part 2

- a. It is strongly recommended that members attend all club meetings, particularly elections, and exercise your right to vote.

### SECTION 23

No member may sue, threaten to sue, or press charges against another member, any official, any club officer or Trustee. Any member that discredits or brings slander to the club's well-being will be subject to expulsion.

### SECTION 24

All persons participating in any way in a club-sponsored event must sign a personal injury release form.

### SECTION 25

#### SUSPENSIONS

- a. Any member may be suspended or expelled. Such action is warranted as included in the penalty section of these By-Laws, or by acting upon a petition signed by at least



five (5) active members. Such a petition must state the charges involved and the action requested.

- b. The accused will be notified of the complaint and pending action regarding these charges.
- c. The accused may submit a statement or may appear in person before the Trustees and the four (4) elected officers who will all have an equal vote as to the determination of the appeal.
- d. Any member under suspension shall be barred from the premises during the period of suspension.
- e. Upon the expiration of his/her suspension and upon payment of all back dues and fees of the current year, a suspended member may be restored to a member in good standing.

## ARTICLE VII

### SECTION 26

#### PROCEDURAL RULES

Except where these By-Laws may indicate otherwise, business shall be conducted and parliamentary procedure shall be followed in accordance with procedures laid down in Roberts Rules of Order, Revised.

## ARTICLE VIII

### SECTION 27

#### AMENDMENTS

Any suggestion to alter or amend this Constitution shall be in writing and voted on by the membership, subject to the approval of a minimum of 3 Trustees.

## ARTICLE IX

### SECTION 28

#### ENACTMENT

- a. All previous Constitutions and By-Laws with all amendments and additions thereto are hereby repealed and rendered inoperative upon adoption of this consolidating amendment to the By-Laws.

- b. Neither the club, nor its officers, nor its members, shall upon adoption of this consolidating amendment to the By-Laws, be controlled by any other instrument.

## ARTICLE X

### SECTION 29

#### PENALTIES

- a. Reprimand: This will be a verbal/written warning for a rule infraction given by the Race Director.
- b. Disqualification: (one day) Imposed by the Race Director and or officers present at the time of the infraction. This action will lead to the loss of any trophies and/or points.
- c. Suspension: Period of suspension will depend on the severity of the infraction and will be relayed to the offender in writing. Suspension is based on a joint decision of officials and will be imposed on the day of the infraction. If the suspension is for a period of time longer than one (1) day, it will be by a joint vote of the officers and Trustees.
- e. Expulsion from the club: This will be imposed by the officers and Trustees. Their decision would be presented before a regular meeting of the club and the final decision made by the membership. When expulsion is being considered, the offender must be notified in writing no more than (6) days after the infraction that he/she is under suspension until the next regular club meeting. The expelled member, after the expiration of six (6) months, may apply for membership.

#### PROTEST PROCEDURES

### SECTION 30

Any protest of a technical decision should be made in the following manner:

- a. Protests regarding a decision of the tech official should be made in writing to the president or highest elected official at the track within one half hour (30 minutes) of the completion of the race in question.
- b. Only the top 5 finishers in the feature can file a technical protest, including an engine protest for the engine that finishes ahead of them.
- c. An engine protest is two hundred dollars. (\$200)
- d. In addition, the protestor's engine will be torn down and inspected to the same extent that the protest engine is.
- e. If the engine is found legal, Competitor receives the \$200 that was put up for the protest
- f. If the engine is found illegal, \$200 goes back to the protestor

- g. If both the competitor and the protestor's engine is found illegal, the \$200 fee will go to the Tri State Kart Club
- h. Engine and Technical protest forms are available in the tech barn. All engine protests will be the responsibility of the tech man.
- i. Rules for engine protest and tech will also apply to all motors as per current WKA Rule Book and current updates as they become available; except 2 strokes.
- j. The decision to uphold or deny a protest should be written and relayed to the person who filed the protest within one week following the race.
- k. If a protest is denied, the person has the right to appeal to the Trustees in writing.

## APPEAL PROCEDURES

### SECTION 31

An appeal of a denied or dismissed protest should be made in the following manner:

- a. Suspension and Technical violations may be appealed to the trustees within five (5) days after receiving the written notice from the officers. All appeals must be submitted in writing to the secretary within the two (2) day window and then passed on to the trustees. The trustees will respond within 7 days with an answer.