

# **BY-LAWS OF THE RISING SUN 4 WHEEL DRIVE CLUB OF COLORADO, INC.**

As amended by vote, current February 1 2023  
Secretary, Tim Nakari

## **Article I Membership**

### **Section A. Active Membership**

1. Active membership shall be limited to those individuals owning a Toyota or Lexus 4-wheel drive vehicle with selectable transfer case & low range.
2. An active member shall have the right and privilege of voting and also the privilege of holding office.
3. There shall be one vote per membership, and that vote shall not be fractionated.
4. Club business which requires voting may be decided by a web vote in the member's section of the forum or a vote at an official club meeting. A web vote will be open for fourteen days unless the Commander determines that the vote must conclude sooner due to extraordinary circumstances or should be open longer, however in no case will a web vote be open for less than seven days. Any member may request the Commander to defer a vote for further discussion, and the Commander may grant that request at his/her discretion.
5. A pass is 50.1% of the paid members who vote in the thread or in person at a meeting. This is different than 50.1 % of the paid members of record. However, two-thirds of those voting are needed to change the bylaws.
6. Any member whom the Club views as objectionable may be removed by a two-thirds vote of active membership.
7. No member, sponsor, or chair of any committee shall have the authority to commit the Club to any action or function until approval is granted by the Club Officers.
8. Application for membership will be according to **Section F of Article II.**
9. Active members who fulfill the requirements of TLCA shall become members of TLCA.

### **Section B. Associate Membership**

1. To be eligible for associate membership, and individual must:
  - a. Live outside the greater Denver Metropolitan area, or
  - b. Own an off-road 4WD vehicle other than a Toyota 4WD, or
  - c. Already be an active member of some other local 4WD club, or
  - d. Be otherwise deemed eligible by approval of the BOD.
2. To be approved for associate membership, an individual must be voted on by the active membership.
3. Associate members shall have no voting privileges, nor can they be officers of the Club.
4. Application for associate membership will be according to **Section G of Article II.**
5. Any associate member whom the Club views as objectionable may be removed by a vote of two-thirds of the active membership.

### **Section C. Club Affiliations**

1. Rising Sun is a Toyota Land Cruiser Association Chapter.
  - a. TLCA membership is optional for Associate members of Rising Sun 4WD Club.

### **Section D. Goals and Objectives**

1. As a chapter in good standing of the TLCA, Rising Sun members share these goals and objectives in common:
  - a. Get out and enjoy our Toyota/Lexus 4x4's, in an inclusive, family-friendly environment.
  - b. Education, training, and development of responsible trail use and etiquette, TREAD principles, and best practices in recovery, spotting, and trail leadership.
  - c. Support for land use causes, and efforts towards keeping trails open to motorized access.
  - d. Supporting the Toyota Land Cruiser Association.
2. Officers will establish metrics and methods to measure our goals at the beginning of the year for Land Use, and Member Participation, to be presented to and agreed upon by membership.
3. Member Expectations
  - a. Participate in club functions and club events every year, maintaining appropriate balance of family, work, and other social obligations.
  - b. Attend at least two meetings per year.
  - c. Read, understand, and agree with the club bylaws.
4. Events. Events help determine membership eligibility and participation. The goal is to have at least one official club event per month. An official club event is determined by the current club officers. Examples include:
  - a. An adopt-a-road effort, most often coordinated by the Land Use Coordinator and Event Coordinator, where we as a club act to support one of our adopted trails.
  - b. Another trail run or other organized event (i.e. Rally, holiday party) posted to the club forum at least one week in advance.

## **Article II Dues, Finances**

### **Section A. Active Membership**

1. Membership dues shall be determined annually by the officers and approved by the active membership no later than December 31st. Dues are currently \$50 per year. Dues shall be received by the treasurer upon approval for membership. Due date for renewal is January 1.
2. Club officers who are re-elected after their first year will pay \$25 in annual dues.
3. Dues must be renewed before the March meeting. Any member who has not renewed by the March meeting will be dropped from the club roster, and access to the members only forum removed. **Dues are non-refundable.**

### **Section B. Associate Membership**

1. Membership dues shall be determined annually by the officers and approved by the active membership no later than December 31st. Dues are currently \$25 per year. Dues shall be received by the treasurer upon approval for membership. Due date for renewal is January 1.
2. Dues must be paid within 30 days of the due date. Members not paying dues by the end of 60 days will have member status removed from the club forum. Members not paying dues by the end of 90 days will be dropped from the club roster. **Dues are non-refundable.**

### **Section C. Membership Year**

1. The membership year shall be defined as the calendar year.

2. New members who join during the months of November and December are automatically enrolled in the following year and will not need to pay dues again in January.

#### **Section D. Other Association Dues**

1. Toyota Land Cruiser Association dues are separate and must be paid according to TLCA requirements.

#### **Section E. Finance**

1. All expenditures in excess of \$75 must be approved by a majority vote of the members present.
2. No member, chairman of any committee, or officer of the Club shall have any authority to expend or commit for expenditure, any monies above and beyond that authorized by the membership for the designated purpose.
3. The Commander of the Club shall have at his/her disposal an amount up to \$75 for any single emergency or occasion deemed necessary by him/her. This shall not require prior approval of the membership.
4. Reimbursement of any Club expenses requires original receipts to be submitted to the Club Treasurer.

#### **Section F. Application for Active Membership**

1. Individuals applying for membership must:
  - a. Acquaint themselves with the rules and policies of the Club as well as the members.
  - b. Must attend a minimum of one club meeting, and one club event-
2. Upon completion of **1.b** above, each prospective member may submit an application for a vote by membership. A majority of those present and voting shall determine whether the applicant is accepted.
3. Dues shall be received by the treasurer upon approval for membership.
4. In special circumstances, membership may be granted to an individual who does not satisfy the membership requirements 1a and 1b by a 2/3 majority vote of the current club Officers.

#### **Section G. Application for Associate Membership**

1. Associate members shall acquaint themselves with the rules and policies of the Club.
2. Each prospective Associate member must submit an application for a vote of the membership. The majority voting shall determine whether an applicant is accepted.
3. Annual dues shall be paid upon acceptance.

#### **Section H. Membership Records**

1. All active and associate members will be required to have a current membership application/bio on file with the Club Treasurer.

### **Article III Duties of the Officers**

#### **Section A. Commander**

1. The Commander shall preside at all of the club meetings. The Commander may appoint a delegate to represent the Club at any meetings or functions at which the club is represented. The Commander may call special meetings of the officers, as well as the general membership. The Commander may appoint committees as necessary, and shall act as an ex-officio member of all committees. Upon the Commanders direction, or in The Commanders absence, the Vice-

Commander shall act in The Commanders behalf, with full powers thereof, even though the Commander may be present.

2. Provide a monthly report to membership.

#### **Section B. Vice-Commander**

1. The vice-Commander shall assist the Commander in all matters pertaining to the Club. When requested to do so, he/she will act on the Commander's behalf.
2. The vice-Commander shall fill, by appointment, and for the remainder of the current term, any vacancies that may occur among the officers.
3. Membership Director duties shall be a function of the Vice Commander.
4. Provide a monthly report to membership.

#### **Section C. Secretary**

1. It shall be the duty of the Secretary to keep a true and accurate record of the minutes of the meeting of the general membership, as well as those meetings of the officers, and post to the forum within 7 days of the meetings.
2. It shall be the duty of the Secretary to provide a meeting notice to the general membership at least 10 days before the next meeting, updating the forum calendar and notifying webmaster as appropriate to update the forum banners.
3. If the Secretary is unable to provide a meeting notice he/she will find someone else to provide that month's meeting notice. If unable to find someone, he/she will notify the Commander.
4. Provide a monthly report to membership.

#### **Section D. Treasurer**

1. It shall be the duty of the Treasurer to have custody of all monies and titles to all properties and any securities held by the Club. He/she shall pay all expenditures of the Club, when directed to do so, in accordance with the by-laws.
2. The Treasurer shall be required to give a financial report of the Club at each general meeting of the membership.

#### **Section E. Land Use Coordinator**

1. It shall be the duty of the Land Use Coordinator to serve as the club's authority on land use issues, primarily related to the club's adopt-a-road(s) and areas the club frequently uses for recreation.
2. It shall be the duty of the Land Use Coordinator to provide contact between the Club and the United States Forest Service and/or the Bureau of Land Management.
3. It shall be the duty of the Land Use Coordinator to manage the Adopt-a-Road program, and report on any activities.
4. It shall be the duty of the Land Use Coordinator to provide contact between the Club and the Colorado Association of 4 Wheel Drive Clubs, Inc.
5. Work with Event Coordinator to form work groups for trail clean ups.
6. It shall be the duty of the Land Use Coordinator to maintain record of the club's reported land use hours, and submit that information accordingly.
7. Provide a monthly report to membership.

#### **Section F. Webmaster**

1. Maintain current web site and supervise its content.

2. Maintain contact with host provider and inform club of rate changes and new policies.
3. Keep entire site updated and delete dead links.
4. Have the ability to change or modify web site content per Rising Sun's Officers' request.
5. Provide a monthly report to membership.

#### **Section G. Event Coordinator**

1. Enable and promote at least 12 events a year (at least 1 per month), engaging other members as necessary. Events can be four wheeling runs, swap meets, clinics, repair sessions, guest speakers or socials.
2. Include a recap of past and near future events as part of the monthly Officer report, and answer questions as needed.
3. Routinely poll members and solicit feedback to get recommendations on desired events and trail runs for the club.
4. Work with Land Use Coordinator to form work groups for trail clean-ups.
5. Events originated by Rising Sun members do not require the Event Coordinator's consent.
6. Update calendar with activities and events as necessary.

#### **Section H. TLCA Delegate**

1. Serve as the primary communication channel between club membership and the Toyota Land Cruiser Association Board of Directors.
2. Provide feedback to the TLCA from club members, and provide feedback and updates from TLCA to club members.
3. Participate in the regular TLCA meetings, as appropriate, appointing a delegate when necessary to fulfill absence.
4. Prepare or solicit a Chapter Report for Toyota Trails. Or assign this task to an active club member.
5. Provide a monthly report to membership.

### **Article IV Election of Officers**

#### **Section A. Nominations**

1. Nominations for office shall be made on or before the meeting where elections take place, most often the December meeting.
2. Any member may only accept nomination for one of the following positions: Commander, Vice-Commander, Treasurer, or Secretary.

#### **Section B. Sequence of Election**

1. Officers shall be elected in the following order:
  - a. Commander
  - b. Vice-Commander
  - c. Secretary
  - d. Treasurer
  - e. Land Use Coordinator
  - f. Webmaster
  - g. Event Coordinator
  - h. TLCA Delegate

### **Section C. Elections**

1. Elections of the officers shall be held at the November or December general meeting.
2. All officers shall be elected by a majority of those active members present.
3. Officers shall take office January 1 and serve a term of one year, terminating on December 31.
4. Persons elected as Officers of the Club may hold only one Officer position during any term, exception being the Commander and Vice Commander who may each fulfill 2 Officer positions.

### **Section D. Impeachment/Recall**

1. Any officer who is deemed objectionable to the Club, may, upon written complaint, be removed from office by a two-thirds majority vote of the active membership. Information on such vote shall be supplied to each member not less than ten (10) days prior to such vote.

### **Section E. Mid-term appointments**

1. A vacant officer position may be filled outside of the Election process outlined in section C by a 2/3 majority vote of all current Officers.

## **Article V Meetings**

### **Section A. Schedule**

1. One meeting of the general membership shall be held each month, unless cancelled by the Commander with 7-day prior notice.
2. Meetings will be held the first Wednesday of each month, 7:30 pm at the location determined by the club Commander.

### **Section B. Quorum**

1. Members present shall constitute a quorum for the transaction of business at any scheduled meeting.
2. One-half of the membership shall constitute a quorum at any special meeting called by the Commander.

### **Section C. Order of Business**

1. Business meetings shall be conducted in the following order:
  - a. Call to order
  - b. Approval of minutes from previous meeting.
  - c. Acknowledgement and highlights of officers and committee chairman forum reports.
  - d. Meeting topic
  - e. Adjournment

## **Article VI Amendments**

### **Section A. By-laws**

1. These by-laws may be amended by a two-thirds majority vote of those voting, a quorum being present, at any regular or special meeting of the Club.

## **Article VII Parliamentary Procedure**

## **Section A. Petitioning**

1. Upon petitioning by 10% of the membership questioning, protesting any action, or decision by any officer, committee, or member, the officers should hold a hearing at the next officers meeting. They should rule on the matter, either on its legality or advisability. Upon further petition by 20% of the membership on any action, the Commander shall conduct a hearing before the membership. The membership is the final authority.

## **Article VIII Safety**

### **Section A. Requirements for Club Functions**

1. Intoxicated or otherwise impaired persons shall not operate any vehicle at Club events or functions. Furthermore, the Club assumes no responsibility or liability for their care or actions by them that may result in accidents, losses, injury(s) or death while participating in a Club event or function.
2. Rising Sun is a 4WD club, not a gun club. We acknowledge that some members may have the legal right to carry concealed weapons. In these cases, the laws of the state supersede our bylaws, and our members may carry concealed weapons if they are legally authorized to do so. Members who have earned this privilege should keep their weapons concealed at all club events, unless a legitimate situation arises in which a firearm is needed. In all other regards, Rising Sun members should not bring firearms to club events. Open carry of firearms is expressly prohibited for all members in order to maintain a family friendly environment.
3. All pets or animals must be kept under control at all times. Liability for pets or animals brought to a Club event is the sole responsibility of the owner or caretaker of said pets or animals. The Club assumes no responsibility or liability for their care or safety.
4. Children are the responsibility of their parents and or a legal guardian. The Club assumes no responsibility or liability for their care or safety.
5. Vehicles must have a solid hard top or a roll bar. Safety belts or seat belts or safety harnesses in conjunction with seat belts must be provided for drivers and all passengers participating in a Club event. The Club assumes no responsibility or liability for accidents or injuries resulting from faulty or inadequate safety devices or their use or disuse by persons participating in a Club event or function.
6. Any trip leader may refuse participation of a member or guest if their vehicle is deemed unsafe. Any trip leader may refuse participation of a member or guest if said participant is observed partaking of alcoholic beverages or illegal controlled substances or is intoxicated or otherwise impaired. Any trip leader may refuse participation of a member or guest if said persons behavior is deemed to be reckless or irresponsible or could endanger their own or others safety. Particular trips may have specific safety requirements, which members need to verify with the trip leader.
7. The Club assumes no responsibility or liability for accidents, losses, injury(s) or death resulting from unsafe equipment or vehicles or improper use of said equipment or vehicles used by any person(s) participating in a Club event.
8. The Club assumes no responsibility or liability for accidents, losses, injury(s) or death resulting from the action(s) or inactions of any person(s) participating in a Club event.
9. Trail leaders, gunners, and other run participants are volunteers acting on their own initiative and not representing the Club unless authorized by an official Club act. Club Officers, members, guests, trail leaders, trail tail gunners, and other trail run or other organized activity of the Club participants assume no responsibility or liability for the action(s) of any other participants in the activity.