

# **BYLAWS OF NATIONAL OVAL TRACK RACING ASSOCIATION AN UNINCORPORATED ASSOCIATION**

## **ARTICLE I. OFFICES**

### **Section 1.01. PRINCIPAL OFFICES**

The principal office of the Association for the transaction of its business is located at the address of the Secretary - Treasurer. The National Race Director is authorized to change the principal office at his or her discretion, and shall notify all Club Members of any such change on writing.

## **ARTICLE II. MEMBERS**

### **Section 2.01. CLUB MEMBERSHIP**

- (a) Club Membership shall be only class of membership in this Association.
- (b) A Club Member shall be a Sighthound club, Association, or corporation duly admitted to membership by the Association.
- (c) Club Members only shall have voting rights in the Association, and the voting rights of each Club Member shall be equal.
- (d) The interest of any member of this Association is the personal property of that member, and no member shall have any interest in property held by the Association, regardless of the time or manner in which said property is acquired.

### **Section 2.02 QUALIFICATIONS**

An application for Club Membership shall be a sighthound club, association, or corporation which has:

- (a) Previously sponsored National Race Programs held under the rules set forth by the American Whippet Club, or the North American Whippet Racing Association or, other recognized Racing Association, or
- (b) Has held one duly scheduled Qualifying Race Meet under the Rules of the Association.

### **Section 2.03 ADMISSION**

Qualified Clubs shall be admitted to membership on making application therefore and on approval of the application by the Board of Governors. Application for Club Membership shall contain the statement that the applicant's directing officer and Club Representative have read the Constitution, Bylaws, and Rules of this Association, are familiar with and understand them, and that if admitted to membership, agree to be bound thereby.

### **Section 2.04 FEES, DUES, ASSESSMENTS, AND APPLICATION FEES**

- (a) No fees shall be charged a Club Member applying for membership in the Association.

(b) Club Membership in the Association is subject to assessments, which shall be levied and collected in the form of a \$1.00 per capita charge for each Sighthound entered in a race sponsored by the Club Member pursuant to the Rules of the Association.

#### **Section 2.05 TERMINATION , RIGHTS, AND REINSTATEMENT OF MEMBERSHIP**

(a) The membership of any Club Member of the Association shall automatically be terminated:

(1) On its written request for such termination mailed to the Secretary - Treasurer; or

(2) By its failure to pay its assessments when they become due within thirty (30) days thereafter; or

(3) By its failure to provide results of a Sighthound Race held pursuant to the Rules of the Association within ten (10) days of the date of the Race.

(b) All rights and interest of a Club Member in the Association shall cease upon termination of membership as herein provided.

(c) Any Club Member whose membership is terminated may have its membership reinstated on such terms as the Board of Governors deem appropriate by filing a written request therefor.

#### **Section 2.06 SUSPENSION AND EXPULSION**

(a) The Board of Governors is authorized to suspend or expel from membership a Club Member or a Club Representative for good cause.

(b) "Good cause" as used in this section means:

(1) Any conduct that brings the Association into public disrepute or violates the purposes for which this Association is formed:

(2) Any willful failure or refusal to abide by the Constitution, Bylaws, or Rules of this Association.

(c) Definitions:

(1) A "suspension" requires violation of Subparagraph (b)(2) of this section and in addition all voting rights of the Club Member are terminated.

(2) An "expulsion" requires violation of Subparagraph (b)(2) of this section and in addition thereto the membership of the Club Member and Club Representative in this Association shall immediately and conclusively be terminated, provided, however, that such member shall not be relieved of any liability for the payment of assessments accruing prior to the hearing on charges against it.

(d) Procedure.

(1) Proceedings against a member may be initiated by a resolution of a majority of the Board of Governors specifying charges, and served by personal service or by certified mail on the Club Representative and President of the Club Member, and, if by mail, a Return Receipt shall be required. Said Resolution shall specify a hearing date not less than fifteen (15) days, nor more than forty-five (45) days after passage and service of the resolution of the Board of Governors.

(2) The Member shall be entitled to participate in the hearing. The National Director shall appoint a hearing committee consisting of the Regional Director from the region of the club and two additional members. The hearing shall be informal and the rules of evidence and rules of judicial procedure need not be observed.

(3) The hearing shall be presided over by the Regional Director for their club's region who shall:

- (a) Read the charges against the subject member;
- (b) Require that the charges be verified by the testimony of the person making them, and such witnesses as the President deems appropriate;
- (c) Allow the subject Club Member, by its Club Representative to question each witness or written statement;
- (d) Allow the Club Member, by its Club Representative, to make a statement in its own behalf, and call witness in its own behalf;
- (e) Allow the Board of Governors to question witness; and
- (f) Rule on the admission and exclusion of evidence and on questions of hearing procedure.

(4) After the hearing is closed, the committee shall vote on whether to impose discipline or dismiss the mater. The vote imposing discipline or dismissing the mater shall reviewed and approved or rejected by the Board of Governors prior to the vote becoming final.

## **ARTICLE III. MEETINGS OF ACTIVE MEMBERS**

### **Section 3.01 MEETINGS**

Due to the widely dispersed geographical area of the Association, and its nonprofit nature, the lack of compensation of its officers and members, there shall be no Member meetings, and business of the Association and elections shall be conducted by mail. However, the National Race Director is authorized to schedule meetings at such time and place as he or she may designate.

### **Section 3.02 MEETINGS AND NOTICES**

Written notice of the time and place of meeting shall be delivered by United States Mail to the Club Representative at least fourteen (14) days prior to such meeting.

### **Section 3.03 VOTING**

Voting shall be by mail on ballots mailed to the members by the Secretary. Each Club Representative shall mail his or her ballot back to the Secretary. Election of Officers by the Club Representatives shall be by secret ballot.

### **Section 3.04 CONDUCT OF MEETINGS**

(a) In the event a meeting of Club Representatives is held, the meeting shall be presided over by the National Race Director, or in the National Race Director's absence, by a chairman chosen by the Club Representatives present. The Secretary of the Association shall act as secretary of all meetings, provided that in the absence of the Secretary, the presiding officer shall appoint another person to act as Secretary.

(b) Meetings shall be governed by Robert's Rules of Order, insofar as such rules are not in conflict with these Bylaws or the Constitution of this Association, or with the law.

## **ARTICLE IV. CLUB REPRESENTATIVES**

### **Section 4.01 ELECTION OR APPOINTMENT, AND TERM OF OFFICE**

Club Representatives shall be elected or appointed by the Club Members. Each Club Member shall advise the Secretary - Treasurer in writing of the name, address, and telephone numbers of its representative.

### **Section 4.02 QUALIFICATIONS**

When possible, the Club Representative that is elected or appointed by a Club Member should have at least two (2) years experience in sighthound racing.

### **Section 4.03 DUTIES AND COMPENSATION**

It shall be the duty of the Club Representative:

- (a) To perform any and all duties imposed on them collectively or individually by law, by the Constitution of this Association, or these Bylaws.
- (b) To register their addresses and telephone numbers with the Secretary - Treasurer of this Association
- (c) Club Representative shall serve without compensation.
- (d) Any two (2) Club Representatives by joint written request presented to the Association Secretary - Treasurer, may require any decision or act of the National Race Director be placed before the Club Representatives for approval or reversal.

### **Section 4.04 REMOVAL**

Club Representatives shall serve at the pleasure of the Club Member electing or appointing them, and can only be removed by their respective Club Member.

### **Section 4.05 VACANCIES**

A vacancy of Club Representative shall be filled by election or appointment of the Club Member whom the Club Representative represents. The Club Member shall provide the Association with notice, as set forth in Section 4.01.

## **ARTICLE V OFFICERS**

### **Section 5.01 OFFICERS AND TITLES**

The Board of Governors of this Association and their titles shall be:

- (a) National Race Director
- (b) National Race Director - Minor Breeds
- (c) Secretary - Treasurer
- (d) Registrar - Recorder

## **Section 5.02 ELECTION AND TERM OF OFFICE**

The four (4) officers named in Section 5.01 shall be elected by the Club Members by written ballot. The term of office shall be two (2) years commencing on January 1st of the even numbered years. The following procedure shall be followed:

- (a) Nominations shall be made in writing by the Club Representatives and approved by the nominee, and mailed to the Association Secretary in the odd-numbered years between October 1st and November 1st.
- (b) Each candidate for office shall prepare a short campaign statement to be included with the ballot. This statement should include why they want to run for office and what they intend to do while in office.
- (c) The Association Secretary shall prepare and mail the candidate statements along with the ballots to the Club Representatives by November 10th.
- (d) The Club Representatives shall vote promptly and mail the ballots back to the Secretary. The ballots must be received by the Secretary no later than December 9th to be counted. Ballots received after that date will not be counted.
- (e) To be considered elected, each officer must receive fifty percent (50%) plus one (1) vote of the ballots being received on December 9th. If no candidate receives a majority plus one of the votes for an office, a run-off election between the top two contenders for that office shall be conducted.
- (f) The Association Secretary shall tally the ballots on December 10th, and mail notice of the results of the election to the members within fifteen (15) days of tallying the ballots.
- (g) The Secretary shall preserve the ballots for a sixty (60) day period, during which time they shall be available for inspection by any Club Representative.

## **Section 5.03 COMPENSATION**

Officers of this Association shall serve without compensation.

## **Section 5.04 REMOVAL**

Any or all officers may be removed from office at any time by the vote of a majority of the Club Representatives.

## **Section 5.05 VACANCIES**

The following procedures shall be the used in filling vacant positions on the Board of Governors:

- (a) The following order of preference shall be used to fill the vacant unexpired term of the National Race Director:
  - (1) The duly elected National Race Director - Minor Breeds
  - (2) The duly elected Secretary - Treasurer
  - (3) The duly elected Registrar - Recorder
  - (4) If no duly elected person remains on the Board of Governors to fill this position, the acting Secretary - Treasurer shall call for an immediate election to fill the vacant remaining term of the National Race Director.

(b) The National Race Director shall have the power to appoint an acting replacement to serve out the remaining term of all other vacant Board of Governor positions.

#### **Section 5.06 OFFICIATING AT LOCAL EVENTS**

Association officers as listed in Section 5.01 shall be exempted from officiating at local events (Foul and Finish Line Judge and Local Rules Committee) to ensure the sanctity of the Association's appeal process. They may serve as Paddock Official, Announcer, Lure Operator, and Box Operator.

#### **Section 5.07 DUTIES OF THE NATIONAL RACE DIRECTOR**

(a) The National Race Director shall serve as the President and Chief Executive officer of the Association and shall in general subject to the control of the Club Representatives.

(b) The National Race Director shall supervise and control the affairs of the Association.

(c) The National Race Director shall perform all duties incident to his office and such other duties as may be required by law, by the Constitution of this Association, or by these Bylaws, or which may be assigned to him from time to time by the Club Representatives.

(d) The National Race Director shall be the final reviewing authority for all protests received, and is responsible for appointing all protest committees with the chairman of the committee being one of the Association's Board of Governors.

#### **Section 5.08 DUTIES OF THE NATIONAL RACE DIRECTOR - MINOR BREEDS**

(a) The National Race Director - Minor Breeds shall serve as the Vice-President of the Association.

(b) The National Race Director - Minor Breeds shall assume the duties of the National Race Director if that individual incapable of fulfilling his duties.

(c) The National Race Director - Minor Breeds shall register all non-whippet sighthounds as minor breeds.

(d) The National Race Director - Minor Breeds shall maintain and publish records of each minor breed race meet held by Club Members pursuant to the Association's Rules governing Sighthound Racing.

(e) The National Race Director - Minor Breeds shall issue racing championships to the owners of those minor breed sighthounds which complete the requirements set forth in the Rules.

(f) The National Race Director - Minor Breeds shall perform all duties incident to his office and such other duties as may be required by law, by the Constitution of this Association, or by these Bylaws, or which may be assigned to him from time to time by the Board of Governors.

#### **Section 5.09 DUTIES OF THE SECRETARY - TREASURER**

(a) The Secretary - Treasurer shall keep the principal office of the Association, the original Constitution, as amended, and the original Bylaws, as amended.

- (b) The Secretary - Treasurer shall be responsible for maintaining and annually publishing the Rules of Sighthound Racing.
- (c) The Secretary - Treasurer shall keep in the Minutes Book the minutes of all meetings of the Club Representatives, and those in attendance.
- (d) The Secretary - Treasurer shall see that all notices are duly given in accordance with the provisions of these Bylaws, or as required by law.
- (e) The Secretary - Treasurer shall be custodian of the records of the Association
- (f) The Secretary - Treasurer shall keep the name and address of each Club Member and its respective Club Representative.
- (g) The Secretary - Treasurer shall have charge of and custody of, and be responsible for all funds and assets of the Association, and deposit all such funds in the name of the Association in such bank or depository.
- (h) The Secretary - Treasurer shall receive and give receipt for moneys due and payable to the Association.
- (i) The Secretary - Treasurer shall distribute the funds of the Association as directed by the Board of Governors.
- (j) The Secretary - Treasurer shall keep and maintain adequate and correct accounts of the Association's properties and business transactions, including accounts of its assets, liabilities, receipts, disbursements, gains, and loses.
- (k) The Secretary - Treasurer shall render to the National Race Director and Board of Governors an account of any and all transactions as requested.
- (l) The Secretary - Treasurer shall perform all duties incident to his office and such other duties as may be required by law, by the Constitution of this Association, or by these Bylaws, or which may be assigned to him from time to time by the Board of Governors.

**Section 5.10 DUTIES OF THE REGISTRAR - RECORDER**

- (a) The Registrar - Recorder shall register all whippets participating in the Race Program.
- (b) The Registrar - Recorder shall maintain and publish records of each whippet race meet held by Club Members pursuant to the Association's Rules governing Sighthound Racing.
- (c) The Registrar - Recorder shall issue racing championships to the owners of those whippets which complete the requirements set forth in the Rules.
- (d) The Registrar - Recorder shall perform all duties incident to his office and such other duties as may be required by law, by the Constitution of this Association, or by these Bylaws, or which may be assigned to him from time to time by the Board of Governors.

**ARTICLE VI COMMITTEES**

**Section 6.01 GENERAL**

The National Race Director shall appoint such committees, and designate its members, or Club Representatives to serve on such committees.

## **Section 6.02 RULES COMMITTEE**

The Rules Committee shall be chaired by a member of the Board of Governors and shall consist of three (3) additional members selected from the Club Representatives. It shall formulate Rules for Sighthound Oval Racing, and from time to time amendments thereto, for approval by the Club Representatives. Club Members through their Club Representative may propose in writing to the Rules Committee changes to the Racing Rules.

## **Section 6.03 REGIONAL RACE COORDINATORS**

Regional Race Coordinators shall be elected by the member clubs from their region. This election shall be conducted at the same time as the national officers are elected. Regional Race Coordinators shall be responsible for scheduling race meets within their respective regions, and shall resolve conflicts between racing dates within their region.

## **Section 6.04 PROTEST COMMITTEE**

A protest Committee shall be appointed to hear and review and render a decision upon the merits of each protest filed against an official race meet. All protest must be filled within ten (10) days of the meet in question. Due to the widely dispersed geographical area of the Association, and its nonprofit nature, the lack of compensation of its officers and members, there shall be no physical protest hearing, rather, all protest will be conducted by mail. The protest committee will complete its work as quickly as possible.

# **ARTICLE VII EXECUTION OF INSTRUMENTS, DEPOSITS, AND FUNDS**

## **Section 7.01 EXECUTION OF INSTRUMENTS**

The National Race Director may enter into any contract and deliver any instrument in the name of and on behalf of the Association and subject to approval by the Board of Governors.

## **Section 7.02 CHECKS AND NOTES**

Except as otherwise determined by resolution of the Club Representatives or as otherwise required by law, the Constitution of this Association, or by these Bylaws, checks, drafts, promissory notes, orders for payment of money and other evidence of indebtedness of this Association shall be signed by the Secretary - Treasurer or by the National Race Director of the Association.

## **Section 7.03 DEPOSITS**

All funds of the Association shall be deposited from time to time to the credit of the Association in such banks or other depositories as the Secretary - Treasurer may select.

# **ARTICLE VIII BYLAWS**

## **Section 8.01 ADOPTION, AMENDMENT, AND REPEAL**

These Bylaws shall become effective on their being signed by the first Board of Governors as named in the Constitution, and may be amended or repealed, in whole or in part, and new Bylaws adopted by the vote of two-thirds (2/3) of the Club Representatives of record on the date the ballot is due back to the Secretary - Treasurer of the Association.

## **Section 8.02 CERTIFICATION AND INSPECTION**

The original of the Bylaws, as amended, certified by the Secretary - Treasurer of the Association, shall be recorded and kept in a book which shall be kept in the principal office of the Association, and such book shall be open to inspection by the Club Representatives and Club Members at all reasonable times during business hours.

### **ADOPTION**

We the undersigned, are all of the persons named as first Board of Governors in the Constitution of this Association, and hereby consent to, and do, adopt the forgoing Bylaws as Bylaws of said Association

Original signed by the following on Sept20, 1992:

William Lewis, National Race Director  
Sam Banks, National Race Director - Minor Breeds  
Sherwood "Woody" Rider, National Secretary – Treasurer  
Mitch Cipriano, Registrar - Recorder

### **CERTIFICATION**

I, Sherwood "Woody" Rider, hereby certify: I am the duly elected and acting Secretary - Treasurer of the NATIONAL OVAL TRACK RACING ASSOCIATION, AN UNINCORPORATED ASSOCIATION, and that the forgoing Bylaws constitute the Bylaws of said Association as duly adopted on September 20, 1992, by the unanimous written consent of the Board of Governors named in the Constitution of this Association.

Sherwood "Woody" Rider, National Secretary - Treasurer