

# DESERT SHARKS PARROT HEAD CLUB BY-LAWS

## Article I - General

- A. **Name:** The organization shall be called the Desert Sharks Parrot Head Club.
- B. **Purpose:** The purpose of the organization is to promote the Desert Sharks Parrot Head Club (PHC) as a humanitarian group sharing community and environmental information for majority approved mutual benefits. The organization will engage in activities which are charitable, educational, high spirited, and promote the general welfare of the community.
- C. **Statement of Purpose:** Desert Sharks PHC is a NOT-FOR-PROFIT organization dedicated to preserving and improving the environment, active in community-oriented projects and concerns as a means of social interaction with like minded people interested in the lifestyle and music of Jimmy Buffett and a tropical spirit.
- D. **DISCLAIMER:** We are recognized by but in no way attached to Jimmy Buffett and his business interests in Key West, New Orleans, Charleston, and Orlando. We are not associated with HK Management, MCA Records, Island Records, Mailboat Records, or Margaritaville Records. We would like to stress that Mr. Buffett's name, his song titles, lyrics, names of businesses owned by Mr. Buffett, and the term "Parrot Head" are all registered trademarks and should not be used for the pursuit of profit. Clubs are allowed to use the term "Parrot Head" on t-shirts, etc., but NOT Jimmy Buffett's name.

## Article II - Membership and Dues

- A. **Club Membership:** Membership in Desert Sharks PHC shall be open to all, regardless of sex, creed, national origin, or sexual preference. A member will be considered in good standing so long as his dues are current.
- B. **Dues:** The annual dues of Desert Sharks PHC will be as follows:
  - a. The annual dues year is January 1 through December 31.
  - b. Renewals are due not later than January 31.
  - c. Membership renewal notices will be mailed/E-Mailed in the month prior to renewal.
  - d. Membership will entitle a member to a Desert Sharks PHC identification badge.
  - e. Membership types are Individual and Family.
    - i. An individual member is considered to be one adult at a given address.
    - ii. A family is considered to be one or two adults and any dependent

children under 21 living at the same address.

- f. Membership dues will be determined each year by the Executive Board.
- C. **Denial of Membership:** The Executive Board may deny membership in Desert Sharks PHC to any person whom the entire Executive Board determines by a unanimous vote does not meet the requirements for membership. The board will then notify the individual with a written explanation.
- D. **Conduct:** All members agree to recognize and adhere to the attached "Code of Conduct". Infractions to the "Code" are subject to actions as stated in Article VI. Section B.

### **Article III - Meetings**

- A. **Social Meetings (Happy Hours):** The Club shall attempt to schedule at least one social meeting each month. The meeting will be on a scheduled and agreed upon day and time. The location of these meeting will vary and will be announced at least two weeks prior to the meeting.
- B. **Social Event:** The club shall attempt to schedule at least one social event per quarter. These events will be announced at least 30 days prior to the event and will normally include some type of charity fund raising event.
- C. **Business Meetings:** General Business Meetings will occur at least once per quarter. These meetings will be conducted by the Club President or in his/her absence, a designated member of The Executive Board. Any member in good standing may attend the business meeting and will conduct themselves in a professional manner or be asked to leave the meeting until they feel they can conduct themselves in a professional manner. All club decisions at the business meeting will be by a simple majority vote of those present. Minutes will be taken at all meetings and reported out at the following meeting. All meetings will be held within the geographical boundaries of the club.
- D. **Executive Board Meetings:** The Board will meet on an as needed basis, at least semi-annually. Minutes from these Executive Board meetings will be made available to all members in good standing and reported out at the next general business meeting.

### **Article IV - Chapter Officers, Executive Board and Elections**

- A. **Officers and Elections**
  - a. **Officers:** The club will elect the following officers for a two-year term under the conditions listed below: President, Vice President, Secretary, Treasurer. The President and Treasurer shall be elected in the odd years. The Vice President and Secretary shall be elected in the even years.

- b. **Election Officer:** The Executive Board shall appoint an Election Officer to conduct and oversee the next election procedure on or before September 15 of each year. The Election Officer cannot be a current member of the Executive Board, nor can the Election Officer be on the current ballot. The Election Officer shall operate within the guidelines provided by the Executive Board. The Election Officer shall maintain the privacy and integrity of all assigned duties.
  
  - c. **Nominations:** The Election Officer shall publish, via US Mail, club wide email and/or the club website a "call for nominations" to all members in good standing for all offices to be elected in the upcoming election no later than October 1. The call for nominations will include the offices to be elected, the dates and terms of the upcoming election, the method(s) to submit nominations and a statement that the election will be by ballot voting with a simple majority of all ballots received determining the winner. Nominations will be submitted as determined by the Election Officer no later than the third Monday in October. Self-nominations or nominations of someone from other club members will be accepted. In the latter case, the Election Officer must verify that the candidate accepts the nomination. Qualified nominees, as determined by Desert Sharks By-laws and/or Executive Board, shall be placed on the ballot.
  
  - d. **Elections:** The Election Officer shall determine the method of distributing ballots to all members in good standing as of October 15. An Individual membership shall receive one ballot and a Family membership shall receive one ballot per member 18 or over. Each ballot shall be uniquely identified to prevent copying and shall remain anonymous with respect to the member's identity. The ballot will include all offices to be elected and all qualified nominees for each office as well as any referendum items such as changes to the club by-laws or charter. It shall also contain specific instructions for returning and voting. The ballots shall be distributed to club members no later than November 1. All completed ballots must be received by the Election Officer no later than November 30. Final results of the election shall be tabulated within 10 days and the results provided to the Executive Board. The Election Officer shall then seal all ballots to be maintained for 30 days and then destroyed in accordance with the Election Officer duties in A.2 above.
- B. **Executive Board:** The Executive Board will consist of the Club President, Vice-President, Secretary, and Treasurer. The Executive Board will be responsible for ensuring all club activities are conducted within the guidelines of Parrot Heads in Paradise (PHiP), Inc. and the Club Statement of Purpose as outlined in Article I, Section B. The board will be empowered to make decisions between business

meetings to ensure these goals are met. All decisions will be by consensus, with each board member having one vote. If a consensus cannot be reached on any board decision, the board may present the issue to the general membership for a vote at their discretion. Any and all board decisions will be reported at the next general business meeting. The board will act on recommendations received from the general membership at the general business meetings and forward projects/concepts to the general membership at the general business meetings. All votes of the Executive Board are subject to a 75% quorum of the Executive Board.

**C. Responsibilities of Officers:**

- a. **President:** The President shall: (a) Have such powers and duties as are usually exercised by such an office. (b) Be Executive Officer of the Club and preside at all general business meetings, special meetings, and meeting of the Executive Board. (c) Assign the individual responsibilities of the Vice President. (d) Work with Committee Chairpersons and Vice President in order to help ensure all assigned tasks are completed in a timely manner. (e) Have the power to call Special Meetings of the Club and the Executive Board. (f) Appoint, subject to the approval of the Executive Board, and except as provided elsewhere in these bylaws, members to the Standing and Special Committees, including vacancies. (g) Deal with other matters as may be placed in his or her charge by the Executive Committee or membership. (h) Deal with and try to resolve complaints and issues within the Club and with PHiP Inc. Serve as liaison with PHiP or designate this role to another member of the Executive Board on a case-by-case basis.
- b. **Vice President:** The Vice President shall: (a) In the absence of the President, have the powers and duties of the President. (b) Serve as Liaison with other parrot head clubs and Desert Sharks PHC committees. (c) Serve as member of Ticket Committee. (d) Deal with other matters and or powers that are delegated to the position by the President or the Executive Board. (e) Work to insure all PHiP/local charity guidelines are met.
- c. **Secretary:** The Secretary shall:
  - i. Ensure that minutes are recorded at all business and Executive Board meetings.
  - ii. Perform other duties as designated by the President and Executive Board. (c) The Secretary will post the minutes from the quarterly General Business Meeting via group email list (or other standard email distribution method) within fourteen days of the meeting. Copies will also be available upon request of any member in good standing via individual email or USPS mail if requested with a SASE to the secretary of record.
- d. **Treasurer:** The Treasurer shall: (a) Record and keep track of all financial

function and transactions. (b) Balance account, issue checks for all charities and expenditures, based on receipts supplied. (c) Other duties as designated by the President and Executive Board.

- D. **Eligibility Requirements:** All Officers/Executive Board Members shall be members in good standing for a period of no less than six months prior to nomination.
- E. **Vacancies:** Vacancies in all positions can be created by resignation, abandonment of duties (as further defined), or by violation of any articles of the by-laws. A position shall be defined as abandoned if the officer is absent from all executive or business meetings without just cause for a period of two consecutive meetings. Persons filling vacated positions shall be appointed for the duration of the term by a majority vote of the Executive Board.
- F. Abandonment and just cause will be determined by a unanimous vote of all Board Members.

#### **Article V - Committees**

- A. **General:** The following standing committees are established in order to maximize involvement and participation of the Club members. Web Page, Newsletter, Events, Merchandise, Membership. The committees may be combined for efficiency at the discretion of the Executive Board. Other special committees may be established by the President, Executive Board and/or general membership to deal with specific projects.
- B. **Committee Roles:** The purpose of all committees is to ensure that day to day functions and special events are completed in a timely manner. To this end the committees, working under a chairperson, are given the detailed responsibility of specific events and activities. The committees are expected to work closely with the Executive Board on all projects/events. They are also required to keep the President and Board informed of all plans and progress.
  - a. **Web Page:** Maintain and keep Club Internet Web Site current I coordinate social media content.
  - b. **Membership:** Ensure that there is an active recruiting program for new members and renewals within the Desert Sharks PHC. Work with Treasurer to ensure membership lists are accurate and renewals are sent out on time. Maintain membership roles and renewals and communicate all changes to the Vice President on a monthly basis.
  - c. **Merchandise:** Maintain an adequate supply of club merchandise with proceeds going toward funding Desert Sharks PHC events.
  - d. **Events** - Coordinate schedule of all club social and charitable activities and communicate to the Vice President on a monthly basis.

## Article VI - Miscellaneous

A. **Adoption of By-Laws:** These bylaws have been approved by a majority of members in good standing at a general business meeting. Future modifications/amendments to the bylaws will be researched and proposed by a specially appointed Committee. Approval of changes shall be accomplished according to procedures as described in Article IV, Section A, and included as a referendum on the election ballot.

B. **Infractions of By-Laws:**

- a. Any current Desert Sharks PHC member may submit in writing only (signed, dated, and clearly written), within 30 days of the occurrence of the stated infraction/s, to the Desert Sharks PHC Executive Board, a detailed statement regarding the alleged infraction/s of the Desert Sharks PHC By-Laws, by any other current Desert Sharks PHC member.
- b. The Board will inform, by letter, the Desert Sharks PHC member of the alleged infraction/s against them, along with the name of the member who has submitted the infraction. The member will be given 30 days to provide a written response to the Board. If the member chooses not to respond within 30 days, the Board will move forward to a decision without the member's input.
- c. At the next scheduled Desert Sharks PHC Executive Board meeting, after the 30-day deadline, the Board will evaluate the alleged infraction/s and make one of the following decisions: (a) No Action - The alleged infraction has been considered by the Board and the Board will take no action. (b) Action - The alleged infraction has been considered by the Board and action is being taken as determined by a unanimous decision of the Executive Board. The specific action is entirely left to the discretion of the Executive Board and is to be based only upon the stated infraction.
- d. If action is taken against a Desert Sharks PHC member for an infraction/s of the Desert Sharks PHC By-Laws, the member will be informed in writing within 30 days of the Desert Sharks PHC Executive Board's decision. The member who submitted the original statement of alleged infraction/s shall be provided with a copy of the Board's decision.
- e. The Executive Board may suspend from Desert Sharks PHC any member whom the entire Executive Board determines no longer meets the requirements for membership set forth in Article II of these By-Laws and/or "Code of Conduct". This must be done by a unanimous vote. The vote suspends such member's membership in Desert Sharks PHC and all rights and privileges associated therewith.
- f. At the next scheduled Desert Sharks PHC meeting, the membership shall be informed of the decision, and the information will be properly recorded in the minutes.
- g. Desert Sharks PHC Executive Board decisions are considered final.

C. **Desert Sharks PHC Concert Point System:** The point year will run from the first event after the local Jimmy Buffett concert until the points are due for ticket purchase. No more than 2 tickets per member household will be available to the highest earners. This figure may be adjusted by the Executive Board based on ticket availability. Ties may be broken by lottery. All qualified members will be given a deadline for purchase of these tickets. If that deadline passes the opportunity to purchase will go to the member with the next highest total. All points will be awarded as per the following schedule subject to approval by the Executive Board:

a. **Points:**

- i. Officers/Committee Chairs: 10 pts.
- ii. Organize Charity Event: 5 pts.
- iii. Actively serve on any Committee: 5 pts.
- iv. Participate in charity function, community projects; assist in planning/running happy hours: 3pts.
- v. Attendance at Social Meetings/Events: 1 pt. per attendance.
- vi. Additional points may be issued for other activities as determined by the Executive Board.

D. **Altruism:** Events and/or activities sponsored by the Desert Sharks PHC will have a portion of the proceeds raised donated to a designated charity. The club will donate time and/or money to at least one local charity each year. The club will be involved in at least one environmental cause a year. The Events Committee has the responsibility to make recommendations to the general membership as to which charities to support. Individuals may also recommend charities and should do so through the Events Committee.

E. **Desert Sharks PHC Expenditures/Reimbursements/Budgets:** Desert Sharks PHC members wishing to be reimbursed or approved for expenditures for Desert Sharks PHC related activities such as, but not limited to; construction materials, necessary supplies for official club events, other official and/or club sponsored functions, prior to spending moneys shall:

- a. Obtain approval, in writing, from any executive board member for expenditures not to exceed \$50.00.
- b. Obtain approval, in writing, from the executive board for expenditures of \$50.01 to \$999.99.
- c. Obtain approval, in writing, from the executive board for expenditures of \$1000.00 or more and, in addition, expenditures of \$1000.00 or more shall not be approved by the executive board without first obtaining a vote of approval from the membership at a general business meeting.
- d. To obtain reimbursement, the member shall submit the written approval along with the receipts to the Treasurer. Reimbursement requests submitted after the adoption of this subsection will not be granted without meeting all of the requirements of this subsection. No exceptions. Desert Sharks PHC

members who anticipate incurring expenses for club related activities should (after obtaining proper Board approval) seek to have the company invoice the club directly for the amount due. If this is not possible, then submit the receipts to the Treasurer as indicated in the last paragraph.

**F. DESERT SHARKS PHC "CODE OF CONDUCT"**

- a.** It is the intention of the "Desert Sharks Parrot Head Club" (DSPHC) to provide social and charitable activities for the enjoyment and benefit of all our members, guests, hosts, and charities. All members of the organization shall be required to treat fellow members, guests and hosts and their personal property with respect. Members also agree to abide by all local, state, and federal laws (including but not limited to) governing misuse of personal privileges, personal property and controlled substances.
- b.** Members of the DSPHC, by virtue of their membership agreement, agree to demonstrate personal responsibility for their words, actions, and deeds and not to exhibit behaviors that are harmful to themselves and other members, guests and hosts or their personal property. We seek to provide a pleasant atmosphere in which to share our common love of the music and tales of Jimmy Buffett and to further the charitable ideals that we seek to uphold.
- c.** DSPHC will not condone behavior contrary to our objectives nor that which we feel is harmful or injurious to others. By virtue of your membership in the "Desert Sharks PHC" you have indeed agreed to "Party with a Purpose" in a most responsible fashion!