

The Frederick County Association of Recreation Councils

Constitution

Article I – Name

Section 1. The name of this organization shall be the Frederick County Association of Recreation Councils, hereafter referred to as FCARC.

Section 2. The FCARC shall be and hereby is affiliated with the Frederick County Division of Parks and Recreation in accordance with the laws and agreements governing public recreation in Frederick County and the State of Maryland and is subject to those laws and agreements, in-so-far as they affect and prescribe the functions of the local organization.

Article II - Purpose

Section 1. The purpose of the FCARC shall be to provide unity, education, and networking opportunity for volunteers who represent and compose the designated volunteer recreation councils throughout Frederick County, Maryland in cooperation with and under the authority of the Frederick County Division of Parks and Recreation. This may be accomplished through:

- The sharing of information with respect to council operations, local problems, and solutions.
- Providing training efforts for recreation council volunteers.
- Soliciting donations of money, equipment, and volunteer services for the benefit of programs and services offered by the volunteer recreation councils.
- Production and revision of a County Recreation Council Manual for volunteers to use in the programming of council recreation, sport, education, and special events throughout Frederick County.

Section 2. The FCARC shall assist the individual recreation councils in fulfilling their purpose which is to develop recreation program opportunity for the people of the community; to effect proper coordination of all agencies and organizations in the community interested in recreation; to help finance, publicize and evaluate year-round programs of recreation; to exercise all the powers conferred upon the Council by the Frederick County Government or any agency thereof.

Section 3. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section 4. Notwithstanding any other provision of these articles, this organization shall not carry on any activity which is not permitted to be carried on by an organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue Law.

Article III - Membership

Section 1. Membership of the FCARC consists of every volunteer recreation council which is recognized as a subordinate of the Frederick County Association of Recreation Councils by the Frederick County Division of Parks and Recreation. Each of the member councils will be entitled to one vote.

Section 2. Membership in the Recreation Councils which are subordinate to the FCARC is open to any individual who meets the individual criteria of the council in which he or she is interested.

Article IV - Officers

Section 1. The officers of the FCARC and each council shall consist of at least a President or Chairman, Vice President or Vice Chairman, Secretary, and Treasurer. These officers will form the Executive Body, the Board of Directors.

Section 2. The officers of the FCARC and each council will be elected from its membership by a majority vote of the Council members present at the Annual Meeting. A Nominating Committee will be appointed at least two months prior to the Annual Meeting, nominations will be taken at least one month prior to the Annual Meeting.

Section 3. The term of office for officers shall be at least two years. If no nominations are available at the time of elections to fill an office, an officer may be appointed by the Executive Body until a nomination becomes available. This appointment is subject to the Appointee's acceptance.

Section 4. The duties of the Council officers will be as follow:

President or Chairman: Conduct all meetings of the members, have general supervision of the affairs of the Council to preserve the order and enforce the by-laws of the association. He or she shall sign or countersign all certificates, contracts, and other instruments of the council as directed by the Executive Body and approved by the County. He or she shall perform all other duties as are incident to his or her office or are required of him or her by the council to include appointing chairpersons for all committees and voting in the event of a tie.

Vice President or Chair: Assist the President and assume the President's duties in his or her absence. If a vacancy in the Presidency occurs during the normal term of office, the Vice President shall assume the duties of that position until the vacancy is filled by Executive appointment. The Vice-President shall have responsibility for all council registrations.

Treasurer: The Treasurer shall keep regular books of all Council monies and be charged with the responsibility of maintaining a bank account in the name of the Council. The Treasurer shall disburse Council funds in payment of the just demands against the Council, or as may be ordered by the Council's Executive body, taking proper vouchers for such disbursements. The Treasurer shall sign all checks issued by the Council and see that such checks are signed by the President. The Council Treasurer will submit monthly and year- end financial records to the Division of Parks and Recreation.

The Constitution and By-Laws may be amended at any meeting specified by the Council. It may be amended by 2/3 vote of the delegates to the Council present at said meeting. Written notice of the amendment shall have been presented to all Council members not less than 15 days prior to the said meeting. All amendments must be presented to the Division of Parks and Recreation prior to presentation to the Council.

Article X - Dissolution

Section 1. If the Council decides to become inactive by not electing or appointing Officers to fill vacancies and remains inactive, all monies in the bank or otherwise due the Council will revert to a charity, community cause, equally to all Frederick County volunteer recreation councils, or to the Frederick County Division of Parks and Recreation as determined by the Executive Committee to be spent as deemed appropriate by the authorized body according to sections 2 and 3 below. If the Council's Executive Committee has folded, this decision will be the last individual to hold the office of President.

Section 2. Upon dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future Federal tax code, or shall be distributed to the Federal, state, or local government for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction, in the county in which the principal office of the organization is then located, exclusively for such purposes.

Section 3. In the event of dissolution of the corporation, the residual assets of the corporation will be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986, or corresponding section of any future Federal tax code. Provided, however, that the corporation shall at all times so long as a mortgage on the corporation's property is held or insured by the Secretary of Housing and Urban Development have the power to convey its property to the Secretary of Housing and Urban Development or his nominee, for exclusively public purposes.

Constitution Signatures:

President _____ **Date** _____

Vice President _____ **Date** _____

Secretary _____ **Date** _____

Treasurer _____ **Date** _____

***The Frederick County
Association of Recreation Councils***

By-Laws

Article I - Officers

- Section 1.** The Executive Body of the FCARC shall consist of the President, Vice-President and Treasurer. The Division of Parks and Recreation Superintendent shall serve as a non- voting member of the Board in the capacity of Secretary. In the absence of the Superintendent, the Division's Recreation Manager will assume the role of Secretary.
- Section 2.** The Executive Body shall be elected at the annual meeting of the Council from the membership present and each member shall serve a two-year term. A Board member may serve two consecutive terms in an office.
- Section 3.** The Executive election will be held during the March meeting with the new board members taking office in July.
- Section 4.** A Board member may serve no more than two offices at the same time,

Article II - Finances

- Section 1.** The FCARC shall arrange for an annual audit of its books at the conclusion of each fiscal year.
- Section 2.** The County shall reserve the right to audit and inspect the organization's financial records after giving reasonable notice.
- Section 3.** All checks, drafts, or orders of the payment of money issued in the name of the FCARC must be signed by the President and Treasurer.

Article III - Meetings

- Section 1.** A regular meeting of this Council shall be held on the last Wednesday of March, July, and November, unless otherwise specified by the Chairperson of the Board.
- Section 2.** The regular meeting held every other year (even year) in March shall be the Annual Meeting.
- Section 3.** A quorum shall consist of the members of the Council present at a duly called meeting of the Council with at least two officers present.

Article IV - Committees

- Section 1.** The Chairman, with the approval of the Board, shall appoint Committees as needed.
- Section 2.** The Chairman shall appoint Chairpersons of any committees authorized by the Board.

By-Laws Signatures:

President _____ Date _____

Vice President _____ Date _____

Secretary _____ Date _____

Treasurer _____ Date _____