

By-Laws of
Iowa Pyrotechnic Association
An Iowa Non-profit Corporation
Est. November 1992
Revised March 21, 2009

I Purpose

The purpose of the association shall be to promote and encourage safe, legal and artful pyrotechnic operations in the state of Iowa, through training, demonstration and exchange of information.

I.1 Safety

The association will follow safety guidelines as established by the Iowa Pyrotechnic Association and any applicable Federal, State, and local laws.

I.2 Professional Development

The association will promote the professional development of its members by training in all aspects of safe pyrotechnic design, construction, and use, and will work toward the goals of its interested members.

I.3 Information

The association will serve as a clearinghouse for members in information exchange and technical assistance related to pyrotechnics.

I.4 Representation

The association will represent the interests of members involved in the art of pyrotechnics.

II Notice of meeting

Printed or electronic notice stating the place, day, and hour of the meeting, and in the case of a special meeting, the purpose, or purposes for which the meeting is called, shall be delivered not less than five (5) nor more than thirty (30) days before the date of the meeting, either personally, mail or electronic communication, or at the direction of the President, Vice-President, Secretary or Treasurer.

III Officers of the Association

III.1 General Powers

The business and affairs of the association shall be managed by its officers. The officers shall, in all cases act as an executive committee and they may adopt such rules and regulations for the conduct of their meeting and the management of the association as they may deem proper, consistent with these by-laws and the laws of this state and subject to the approval of the membership.

III.2 Number, Tenure, Qualifications

The number of officers of the association shall at all times be at least three (3), with a maximum as deemed necessary by the membership.

III.3 Election and Terms of Office

The membership shall elect from among their members, a President, Vice-President, Secretary and Treasurer at the annual February meeting of the members, Terms shall be staggered so that the election of the President and Secretary shall occur on even years, and, on odd years, the Vice-President and Treasurer shall be elected. The officers will serve for two years, unless sooner removed.

III.3.1 Nomination

All nominations must be made in person at the regularly scheduled general business meeting prior to the February meeting or in writing by U.S. Mail deliverable to the Secretary between dates voted on by the membership. After nominations have closed, the President shall appoint two (2) Tellers, none of whom shall be candidates, to have charge of the proper conduct of the election.

III.3.2 Election

The election shall be conducted by secret ballot. Every member in good standing will receive an official ballot. At least one (1) Teller shall open and count the ballots, and prepare a tally sheet. It shall be the duty of the Secretary to preserve the ballots and all other records pertaining to the election for a period of one (1) year. The eligibility of members to vote must be verified. The total of each candidate's vote shall be recorded and signed by the Tellers, and delivered to the President at the meeting. The President shall read the results to the membership at the meeting. Those candidates receiving the highest numbers of votes shall be declared elected. Any candidate shall have the right to have an observer present at the counting of the ballots. If there is only one candidate for any office, Secretary shall cast a unanimous ballot for that candidate and same shall dispense with the requirement of a secret ballot vote for that office. In the event of a tie vote for any office, a special run-off election shall be conducted, as soon as practical.

IV General Business Meetings

Meetings of the general membership shall be held bi-monthly, with exceptions as may be determined by the membership. The time and place of such meetings will be delivered to the membership by written or electronic notification. At such general business meetings officers may conduct normal business of the Association, by majority vote, except as provided by these by-laws.

IV.1 Special notice

Notice of any special meeting shall be given at least five (5) days previously thereto by printed or electronic notice delivered personally, mailed or electronically to each member at his/her personal or business address. If mailed, such notice shall be deemed delivered when deposited in the United States Mail, so addressed, with postage pre-paid. The attendance of a member at a meeting shall constitute a waiver of notice of such meeting, except when a member attends a

meeting for the expressed purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

IV.2 Quorum

IV.2.1 General meeting

A quorum, at a meeting of the general membership shall consist of at least eight (8) members.

IV.2.3 Executive meeting

At any meeting of the executive committee, a majority of elected officers shall constitute a quorum for the transaction of business, but if less than said number is present at a meeting, a majority of the officers present may adjourn the meeting without further notice.

IV.3 Order of meetings

All meetings shall be conducted by Robert's Rules of Order Newly Revised, except as provided by these by-laws. The President or his/her appointee shall preside at the meetings. The membership, at a meeting, may vote by a majority, to temporarily suspend the rules of order, as they see fit.

IV.4 Order of Business

The order of business at all meetings of the general membership shall be as follows.

1. Reading of minutes of a proceeding meeting
2. Reports from Secretary
3. Financial Reports from Treasurer
4. Reports from officers
5. Old business
6. New business

(a) All questions of parliamentary nature shall be decided upon the Robert's Rules of Order Newly Revised.

(b) Debate on all questions shall be limited to five (5) minutes for each member until all members have had a chance to be heard who so desire.

(c) The Time of Reports shall be limited to ten (10) minutes; guest speakers will be handled as the situation arises.

(d) Any member who attends a meeting in an intoxicated condition, creates a disturbance, or becomes unruly shall lose their voice and his/her right to vote at said meeting by order of the President, subject to the challenge of the membership.

IV.5 Minutes

The Secretary, or in his/her absence, a member chosen by the President, shall keep minutes of all business meetings.

V. Committees

V.1 - Standing Committees

The President, with the consent of a majority of the executive officers, may appoint standing committees, consisting of such officers or members and for such terms and with such powers and duties, as it shall in its discretion determine. Said standing committees shall consider such specific matters and perform such specific functions as the executive officers may, in its discretion, prescribe.

V.1.1 Safety

The safety committee shall be established to oversee and insure safe shooting at a selected site when applicable at association activities. It will establish a written safety policy, in compliance with, Federal, State and Local laws. The chairman will be appointed by the President, with approval from the membership.

V.1.2 Newsletter

The newsletter chairman, also referred to as the editor, shall distribute to the membership, and qualified interested parties, a newsletter that contains pyrotechnic related information. The editor will see that the newsletter is edited, published, and distributed to members who are in good standing. The costs for printing and mailing of the newsletter are to be paid out of the general fund. The editor shall consult with other Officers when publishing material that could cause harm to the association. The chairman will be appointed by the President, with approval from the membership.

V.2 – Special Committees

The President, consistent with Article VII, Section 2, may from time to time appoint Special Committees of two or more Officers or Members for the performance of such duties and with such powers as may be prescribed and lawfully delegated to them. The chairman of such a special committee will be appointed by the President, with approval from the membership.

VI Membership

VI.1 Approval

Any person may be admitted to the Association provided that he shall have paid membership or admission fees, as required by the bylaws, the articles of incorporation and any rules and all regulations adopted by the executive committee and approved by the membership concerning qualifications of members, and have reached the age of eighteen (18) years.

VI.2 Membership Safety

Members agree to abide by the safety rules adopted by the association and applicable Federal, State, and Local laws.

VI.3 Membership benefits

Membership benefits will include receiving newsletters and other information of interest, attendance of meetings, training, and other such benefits as established by the membership of the association.

VI.4 Membership Termination

Membership will be terminated when a member displays conduct not in the best interest of the association. Termination will be accomplished by a majority vote of the general membership.

VII Officers

VII.1 Removal from office

Any officer or agent elected by the membership may be removed from office, only by the membership, by two thirds (2/3) majority vote, whenever, in their judgment, the best interests of the association would be served there-by.

VII.2 Vacancies

A vacancy in any office because of death, resignation, removal, disqualification, or otherwise, may be filled by a majority vote of the membership, for the unexpired portion of the term.

VII.3 President

The president shall be the principal executive officer of the association and, subject to the control of the membership, shall, in general, supervise and manage all of the business and affairs of the association. He/She shall, when present, preside at all meetings of the membership and the executive committee, from the membership appoint committee chairs, and in general, shall perform all duties incident to the office of president and such other duties as may be prescribed by the executive committee, with approval of the membership.

VII.4 Vice-President

The Vice-President shall perform all duties of the President in the President's absence and shall perform such duties as assigned by the President, executive committee, or voting membership.

VII.5 Secretary

The Secretary shall keep minutes of meetings in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these by-laws, or as required, be custodian of the association records. He/She may be assigned to perform extra duties from time to time by the President, Executive Committee, or members of this association.

VII.6 Treasurer

Treasurer will be responsible for, all funds of the association; receive and give receipts for, monies due and payable of the association, from any source whatsoever, and deposit all such monies in the name of the association in such banks or other depositories as shall be selected in

accordance with these by-laws, and in general, perform all the duties as from time to time may be assigned to him/her by the President, Executive Committee, or members of this association.

VIII Contracts, Loans, Checks, and Deposits

VIII.1 Contracts

The membership may authorize any officer, officers, agent, or agents to enter into any contract, or execute and deliver any instrument, in the name of, and on behalf of, the association. Such authority may be general or confined to specific instances, i.e. permits, insurance etc.

VIII.2 Loans

NO loans shall be contracted on behalf of the association, and no evidence of indebtedness shall be issued in its name, unless authorized by a resolution of the membership. Such authority may be general or confined to a specific instance.

VIII.3 Checks, Drafts, etc

All checks, drafts, or other orders for payment of money, notes, or other evidence of indebtedness issued in the name of the association, shall be signed by such officer, or officers, and in such a manner as from time to time be determined by the membership. The Treasurer must be notified of ALL transactions immediately.

VIII.4 Spending limits

The Treasurer shall be limited to spending up to and including five hundred dollars (500.00) between meetings. The membership must approve of any expenditure by the Treasurer at the next business meeting. Neither the Treasurer nor any other officer will be allowed to spend any money, unless the previous expenditures are approved by the membership at the business meeting. A majority of the membership, in attendance at a business meeting must and may approve any expenditure over five hundred dollars (\$500.00)

VIII.5 Deposits

All funds of the association not otherwise employed, shall be deposited to the credit of the association, in a federally insured bank or trust company, or other depositories as selected by voting members of the association.

IX Fiscal Year

The fiscal year for the association shall be on the first (1st) day of January in each year.

X Amendments

The by-laws may be amended, altered or revised only in conformity with the following procedure:

1. A resolution or motion, in writing, calling for amendment, alteration or revision shall be presented and read to a regular Membership Meeting. It must be seconded by a member other than the maker.
2. The resolution or motion shall then be referred to the Officer Committee. The Committee shall report the original motion and with the committee's recommendation.
3. It shall require two thirds (2/3) majority vote of the total voting members present at the Membership Meeting to change, add to or amend these By-Laws. In no event may any amendments be made which would affect the association's qualification as a tax-exempt organization pursuant to section 501 (c)(3) of the code, or corresponding section of any future Federal tax code.

XI Non-Discrimination

The association shall not discriminate against any person in any manner on the basis of sex, race, age, religion, sexual orientation, handicap, or ethnic origin.

XII Limitation of liability

The membership and officers of this association shall serve without compensation, and shall not be liable for bodily injury, personal injury, or property damage, if the claim for such damages arises from an act committed in good faith, and without willful or wanton negligence in the course of an activity, that is carried on to accomplish the purpose of the Association.

Amended on the _____ 21st _____ day of _____ March _____, 2009

Scott Anderson – President

Jim Breitbach – Vice-President

Thomas Pingenet – Treasurer

Larry Savago – Secretary