

# Naples Parrot Head Club By-laws

Revised Feb. 27, 2011  
Approved March 5, 2011

## **ARTICLE I (Name)**

1. This organization shall be known as the "Naples Parrot Head Club."-"Pirates of the Paradise Coast"
2. No person or group may enter into activities in which the name of the Club is used or associated without prior approval of the Executive Board.
3. This organization has been created under the auspices of the Parrot Heads In Paradise (PHIP) Inc., the nationally sanctioned Parrot Head Club.

## **ARTICLE II (Purpose)**

1. The object and purposes for which the Club is formed are as follows:
  - 1.1. To be a source of enjoyment, relaxation and fellowship to its membership through active participation in various social activities for people who enjoy Jimmy Buffett music and the tropical lifestyle.
  - 1.2. To assist in community, charitable and environmental concerns by being actively involved in local efforts to improve the general welfare of the community.

## **ARTICLE III (Officers)**

1. The Officers and Executive Board shall be:
  - 1.1. President
  - 1.2. Vice-President
  - 1.3. Treasurer
  - 1.4. Secretary
  - 1.5. Membership Director
  - 1.6. Social Director
  - 1.7. Charities Director
  - 1.8. Executive Officer
2. Founders and past presidents will be voting advisors to the Executive Board as long as they have attended one of the previous two Bored Meetings.
3. When a vote of the Executive Board is required by these Operating Principles a quorum of 50%+1 of the Executive Board must participate in the vote.
4. Executive Board members unable to attend a Board Meeting may designate a Member In Good Standing (MIG) as a proxy, with prior notification to a member of the Executive Board.
  - 4.1. An Executive Board Officer cannot send a proxy in two consecutive months.
  - 4.2. No Member In Good Standing(MIG) may represent more than one Executive Board Officer proxy at a Board Meeting.

## **ARTICLE IV (Membership)**

1. There shall be three classes of membership:
  - 1.1. Single - \$25 annual dues. Includes 1 club t-shirt.
  - 1.2. Family - \$40 annual dues (Consists of family members living at the address of record and student dependents). Includes 2 club t-shirts
  - 1.3. Parrotkeets - Free (17 & under). No t-shirt.
2. Membership dues are for the calendar year (January thru December). Renewals are due January 1<sup>st</sup>. Members joining in November or December will be paid thru the following year.
3. Renewal notices will be sent by October 1st.

4. Any member with dues in arrears as of February 1st will be considered inactive. Payment of said dues will reinstate membership if paid by February 28th.

5. There will be three Levels of membership

5.1. In Good Standing - members current with their dues that are inactive in Club functions.

5.2. MIG - Members in Good Standing that are actively participating in PHlockings and community service projects according to the Parrot Point records.

5.3. Inactive - members with dues in arrears during the month of February.

6. When a vote of the membership is called for by these Operating Principles:

6.1. Voting will be by membership.

6.2. Single – Primary member who is a MIG is eligible to vote.

6.3. Family – Primary member and Significant Other who are MIG are eligible to vote.

6.4. Votes will be decided by a majority of those votes cast.

6.5. Voting will be done in person during monthly PHlockings.

## **ARTICLE V (Meetings)**

1. A General Meeting of the club membership will be held during the third quarter of each calendar year. Location and time will be decided by a majority opinion of the Executive Board.

1.1. Open to all members in good standing

1.2. Schedule and location for the General Meeting will be published in an Appendix to this document and on the website.

2. PHlockings will be held every month. Locations and times will be decided by majority opinion of the Executive Board.

2.1. Open to officers, members in good standing, their guests and prospective members.

2.2. Schedule and location for PHlockings will be published in an Appendix to this document and on the website.

3. Board Meetings will be held monthly for the purpose of conducting club business and planning club activities. Location and time will be decided by a majority opinion of the Executive Board and communicated to membership ASAP via email and the website.

3.1. Open to Executive Board.

3.2. Voting on motions is by Executive Board only and Advisors as described in Article III, 2.

3.3. Schedule and location for Bored Meetings will be published in an Appendix to this document located on the website.

4. Special Meetings and fund-raisers will be held:

4.1. At locations appropriate to meeting or event.

4.2. Members will be notified of these events through regular meetings, electronic mailings or newsletters, whichever is more convenient for the Executive Board.

4.3. If the event is held in a public area, both members, their guests and prospective members are invited.

4.4. Events held in a private area or where the club has paid for the event will be member only events.

## **ARTICLE VI (Termination)**

1. The Executive Board may suspend from the Naples Parrot Head Club any member whom the entire Executive Board determines no longer meets the requirements for membership set forth in Article II (Purpose) and Article XV (Code of Conduct) of these Operating Principles.

1.1. This must be done by unanimous vote.

1.1.2. The vote suspends such member's membership in the Naples Parrot Head Club and all Rights and privileges associated therewith.

2. Inactive members will be terminated if they remain in arrears after February 28th.

2.1. The Executive Board has the right to consider "special circumstances" in applying the above deadline and its consequences.

2.2. The Executive Board normally delegates this right to the Membership Officer.

3. Upon termination:

3.1. All items in the terminated member's possession belonging to the Club will be returned to the Club.

3.2. All Parrot Points accumulated by the member will be forfeited.

#### **ARTICLE VII (Terms of Office)**

1. Elected officers will serve a term of two-years but not to run more than two consecutive terms.

2. All terms of office will expire on December 31st of the appropriate year.

3. The Executive Board, by majority vote, may suspend the consecutive term rule for any individual officer

3.1. Any elected member of the Executive Board of the Naples Parrot Head Club, who resigns from office without completing the term of office will not be eligible to run for a Board position again for three (3) years from the date of resignation.

3.2. The Executive Board has the right to consider "special circumstances" in applying the above deadline and its consequences.

4. Only MIG's shall be eligible to:

4.1. Nominate a member for an office

4.2. Vote in an election

4.3. Be elected to a position on the Executive Board

5. Elections will be during the month of November with officers taking office January 1st. Ceremonial installation will take place at the January PHlocking.

6. Elections will be by Electronic Ballot e-mailed to eligible voters (See Article IV, 6.1., 6.1.1., 6.1.2., & 6.2. for eligible voters) by the Elections Officer. Members without internet access will receive a numbered ballot mailed by the Elections Officer.

6.1. Write-in candidates will not be allowed.

6.2 A ballot that is not received is considered an abstention vote.

6.3 No membership can hold more than one position on the Executive Board. (i.e.; Members that are on the same membership may not hold more than one position on the Executive Board.)

7. Officers must attend Board Meetings with regularity

8. Any officer may resign by submitting a written resignation to the Executive Board

9. Any officer may be removed from office by a two-thirds vote of membership at an official PHlocking or meeting.

10. In the event of a vacancy of an Executive Office

10.1. Presidency - The Vice-President will complete the term

10.2. Other Office -The Executive Officer will complete the term

10.3. Executive Officer - The Executive Board will appoint, by a majority vote, MIG to fill the Executive Officer vacancy

11. In the event the Vice President or Executive Officer is unable or unwilling to fulfill the duties associated with the vacancy, a call to the general membership will be utilized to fill the vacancy

12. An Elections Officer will be utilized for the election process.

12.1. Will not be a nominee for any of the vacancies

12.1.1 Must be an MIG.

12.2. Will be responsible for the tallying of ballots and the announcement of election results

- 12.2.1. Ballots will be produced in a reasonable time for inspection upon a reasonable request from a MIG.
- 12.2.2. Ballots will be retained for one month beyond the election or the last request to review the ballots, whichever comes first.

13. An office may be shared within a membership, but no individual can represent more than a single office.

## **ARTICLE VIII (Finances)**

1. Membership Dues will constitute a General Operating Fund for the club that can be supplemented by activities designated by the Executive Board
2. General Operating Fund will, at a minimum, finance:
  - 2.1. Membership dues to PHIP
  - 2.2. State corporate fees and banking fees
  - 2.3. Any additional fees as required by law in order to remain a club
  - 2.4. Support of a charity associated with the Parrot Heads chosen annually by the Executive Board
  - 2.5. General expenses associated with membership paraphernalia (e.g., leis, name tags, membership applications, etc.)
  - 2.6. Club publications including, but not limited to the newsletter and the club web site
3. The Executive Board may designate general membership functions to be paid for out of the General Operating Fund
4. Budgets
  - 4.1. Committees (excluding Special Events) The Executive Board will set a budget for any committees or activities that operate out of the General Operating Fund. At a minimum the following committees/activities will be so funded:
    - 4.1.1. Membership Committee
    - 4.1.2. PHlocking Committee
    - 4.1.3. Website Committee
    - 4.1.4. Newsletter Committee
  - 4.2. Special Event Committees
    - 4.2.1. The Executive Board will review for approval, and oversee any budget proposal for Special Events.
    - 4.2.3. **Special Events Committee Chair** will submit a Budget Proposal to the Executive Board at a Board Meeting prior to the event.
    - 4.2.4. All receipts for reimbursements must be submitted within 30 days after an event to the Event Chair or they may be regarded as a "donation".
    - 4.2.5. Special Event Chair will submit a written financial report and all receipts within 60 days after the event.
    - 4.2.6. At a minimum, the following Special Events committees will be so reviewed.
      - 4.2.6.1. Concert Tailgate Party
      - 4.2.6.2. Birthday Bash
      - 4.2.6.3. Holiday Party
  - 4.3. Club Store
5. Committees and activities funded out of the General Fund will return any profits they make to the General Fund
6. Committees not funded out of the General Fund may be seeded by the General Fund, at the direction of the Executive Board, but are expected to return the seed money and any profits they make to the General Fund
7. Committees that raise money for a charitable cause are expected to deposit the monies in the General Fund, with the monies designated for a specific charity.

8. If funds are available, the President may approve expenditures up to \$50 out of the General Fund and is responsible for notifying the Treasurer of the expenditure

9. The Treasurer will submit a written monthly financial report that details, at a minimum, the following:

- 9.1. The current amount available in the General Fund
- 9.2. Expenditures made out of the General Fund
- 9.3. Income to the General Fund
- 9.4. Monies held on behalf of existing committees and charities in the General Fund.
- 9.5. Year to date totals of the above will be included in the report

## **ARTICLE IX (Duties of Office)**

1. General Responsibilities of all Officers

- 1.1. To attend monthly Board Meetings.
- 1.2. Be an ad-hoc member of at least one club committee
- 1.3. Uphold the Club Operating Principles
- 1.4. To fulfill the responsibilities of their particular office as detailed below

### **2. The President shall:**

- 2.1. Have such powers and duties as are usually exercised by such an officer.
- 2.2. Have the power to call Special Meetings of the organization and Special Meetings of the Executive Board.
- 2.3. Chair the Board Meetings
- 2.4. Be the designated contact for PHIP
- 2.5. Be responsible for turning in reports to PHIP
- 2.6. Interface with other clubs and pass along to the Club all information related to events and other items of interest
- 2.7. Will perform the New Member Initiation Ceremony.

### **3. The Vice-President shall:**

- 3.1. In the absence of the President have the powers and duties of the President.
- 3.2. Be the alternate contact for PHIP
- 3.3. Will ensure that a newsletter is published on a periodic basis and made available to all members in good standing
- 3.4. Will participate in the PHlock Initiation Ceremony.

### **4. The Treasurer shall:**

- 4.1. Collect dues, fees and other funds of the Club and deposit said funds to the bank
  - 4.1.1. Treasurer is responsible for bank account set-up and maintenance
  - 4.1.2. An account will be set-up to represent the General Fund with three signatories: 4.1.2.1. President
  - 4.1.2.2. Treasurer
  - 4.1.2.3. Executive Officer
  - 4.1.3. A separate fund will be set-up as needed for concert tickets with Executive Board directed signatories
- 4.2. Submit financial statements monthly
  - 4.2.1. Secure approval for reimbursement/payment of any debts incurred without prior Executive Board approval over \$50 from the Executive Board prior to any payments being made.

### **5. The Membership Director shall:**

- 5.1. Maintain membership listings, membership renewal and will furnish or post such list as required and will report monthly on the status of current members and new members.
- 5.2. Report on March 1st members dropped for not renewing.
- 5.3. Responsible for mailing renewals to membership by October 1st.
- 5.4. Responsible for membership forms, welcome packages and recruitment of new members
- 5.5. Responsible for coordinating the PHlocking Initiation ceremony, i.e.; greeting & leing Virgins, distribution & collection of PHlock information forms, initiation ceremony drink orders, member lei ceremony.

- 5.6. Responsible for facilitating votes of the membership
- 5.7. Responsible for maintaining a current mailing list and e-mail address list, coordinated with the newsletter and web committees.

**6. The Social Director shall:**

- 6.1. Facilitate and disseminate information regarding Special Events and Social Activities.
- 6.2. Be responsible for general media contacts.
- 6.3. Be responsible for general Sponsor contacts.
- 6.4. Record and maintain 'Parrot Point' attendance records for participation in Special Events and Social Activities.
- 6.5. Be responsible for monthly Phlocking coordination & planning.

**7. The Charities Director shall:**

- 7.1. Facilitate and disseminate information regarding Charities and Community Service Projects.
- 7.2. Be responsible for providing a monthly status report at both Board Meetings and PHlockings.
- 7.3. Record and maintain 'Parrot Point' attendance records for participation in community projects and fund raisers.

**8. The Secretary shall:**

- 8.1. Be recorder of Board Meeting minutes to be presented
  - 8.1.1. At the following Board Meeting
    - 8.1.1.1. In writing to the President
    - 8.1.1.2. Verbally to the Executive Board
  - 8.1.2. By 10 days following a Board Meeting, in a machine readable format to the club Webmaster
- 8.2. Maintain the By-laws and amendments thereto as books and records of the club
- 8.3. Maintain a file on PHIP information
- 8.4. Maintains records from all offices turned in yearly to be maintained for history

**9. The Executive Officer shall:**

- 9.1. Fills any vacancy, other than President, due to an officer not able to complete their term of office
- 9.2. Be an "Ex-Officio" member of all committees.
- 9.3. Be the Club Historian
- 9.4. Maintains photo albums/scrap books.
- 9.5. Transfers photos to the club webmaster for inclusion on the club website.

**ARTICLE X (Guidelines for Concert Tickets)**

1. In the event of ticket availability the following guidelines will apply:
  - 1.1. PHIP tickets are for use by MIG's only and may not be transferred or sold to an individual that is not a MIG.
  - 1.2. All concert tickets will be regarded as PHIP tickets and will be available only to MIGs based on Parrot Point accumulation
  - 1.3 MIGs will be notified of ticket availability through regular meetings, electronic mailings or newsletters, whichever is more convenient and/or expedient at the time of the announcement.
  - 1.4. Ticket Payment
    - 1.4.1. Ticket orders will be secured by a deposit equal to the expected price of the tickets. If payment is not received at the time of order, no ticket will be ordered.
2. Failure to follow the above guidelines will result in the loss of ticket rights for the next concert
3. The board will appoint an Executive Board member to coordinate ticket activities within the club, with PHIP and with Sponsor and venue representatives

## **ARTICLE XI (Parrot Points)**

1. Parrot Points are the mechanism by which the club will acknowledge member activities that support the club purposes as defined in Article II.

2. Criteria for assignment of Parrot Points

2.1. Defined by the Membership Director

2.2. Approved by the Executive Board

2.3. Submitted by the Membership Director no later than the second Board Meeting of the calendar year

2.3.1.. In writing to the Executive Board

2.3.2. In a machine readable format

2.3.3. To the Secretary

2.3.4. To the club Webmaster

2.4. Constitutes an annually revised Appendix to this document

2. Publication of Parrot Points criteria

2.1. Criteria will be published in the first newsletter following Executive Board Approval and immediately posted to the website.

2.2. Criteria, as an Appendix to this document, will be published whenever this document is published

3. Parrot Point Accumulation

3.1. Accumulated from concert to concert

3.2. Membership Director will keep a record of accumulated Parrot Points

3.3. Keeper of the PHlock will make available the above record to the club membership at PHlockings.

### **The NPHC Points System for Concert Tickets**

Tickets to Jimmy Buffett concerts are a privilege granted to Parrot Head Clubs by Jimmy's management group, HK Management, and Margaritaville, Inc., through Parrot Heads In Paradise (PHIP). They are offered to clubs in good standing to reward the hard work many club members do; however, there are no guarantees that tickets will be offered to clubs. NPHC policy is that NPHC members who participate in NPHC's charity and environmental/community service projects be granted the privilege of receiving the option to purchase a ticket to the Jimmy Buffett concert if PHIP notifies NPHC of a concert in our area. These tickets are not discounted and eligible NPHC members pay the full face value of the ticket.

For the 2011 summer concert season, we shared the allotted 300 tickets per concert with nine other clubs, and the number of clubs splitting the allotted 300 tickets per show may well increase each year. Obviously, we must have a system in place that clearly shows what club members can do to be eligible for tickets. The following criteria define eligibility for tickets to Jimmy Buffett concerts for NPHC members. Again, please remember that clubs are not guaranteed tickets.

There are many different ways in which a member can participate.

#### **Eligibility Requirements:**

- **Must be an active club member in good standing**
- Must participate in at least three charity/environmental/community service events per year
- Must forward payment for the concert ticket by the established deadline or forfeit the ticket option

#### **Distribution:**

- Offered to active club members with the most points accumulated, as ticket availability permits
- Point year for ticket distribution runs from January through December
- Best seats offered to most active club members

- One ticket per member
- If a member declines a ticket, it is offered to the next eligible member—under no circumstances can PHIP tickets be used by a non-PHC member

**Point Accumulation System:**

- Serve as a Board Member—10 points
- Organize a major (\$1000 or more) function—8 points
- Chair a committee—7 points
- Organize a minor function (less than \$1000)—5 points
- Serve on a committee—4 points
- Participate in a community service function—3 points
- Write a newsletter article—2 points
- Sell NPHC clothing/merchandise—2 points
- Collect/deliver stuff animals/food/clothing/school supplies for charities—3 points
- Design something for NPHC (business cards, badges, tees, etc)—3 points
- Contribute to NPHC Web Page—2 points
- Attend business meeting—2 points
- Donate to club charity drive—3 points
- Recruit new member—2 points
- Attend happy hour or party—1 point

Points for other appropriate activities not described above may be assigned by the Board as deemed appropriate.

**Use Restrictions:**

- The ticket is to be used by the designated member only
- Contact the Tickets Committee for resale if you have purchased a ticket, but can't use it
- The ticket is not to be sold outside the club under any circumstances
- Violation of these use restrictions will result in the loss of your club membership

**Notes:**

1. To be eligible, a member must participate in at least three community service (charitable or environmental) events per year (e.g. only attending every happy hour without some type of participate in community service events could result in an accumulation of 50+ points; a member with 9 community service points would receive first chance at a ticket). NPHC must participate in charitable and environmental events to maintain our charter with PHIP and is required to file reports every six months describing such activities.

2. As the number of tickets available to each club becomes more limited, it is important that all members are treated equitably. If a club member has a spouse or significant other (SO) who is also a club member, the spouse or SO will only be eligible for a ticket if he or she, too, meets the NPHC criteria for eligibility.

**ARTICLE XII (Amendments)**

1. Motions for amendments must be presented at a Board Meeting.
  - 1.1. The board may elect to place the motion before the general membership for an electronic vote.
  - 1.2. If the board will not place the motion before the general membership the submitter may elect to have the motion placed before the PHlock at the next PHlocking.
    - 1.2.1. All MIGs attending the next PHlocking will be given the opportunity to vote on the motion according to membership rules. (See Article IV, 6., 6.1., 6.1.1. and 6.1.2.)
    - 1.2.2. Motions that pass at a PHlocking will be placed before the general membership for an

electronic vote.

2. Motions will be placed before the general membership via a ballot sent electronically online.
3. Motions will be resolved at the Board Meeting following the submittal to the membership via web poll.

#### **ARTICLE XIII (Severability)**

1. If any part of this document is found to violate any laws of competent jurisdiction and is therefore rendered unenforceable, the balance of the document shall remain unaffected and in full force and effect.

#### **Article XIV (Dissolution)**

1. Should the club be dissolved for any reason, all monies in the treasury shall be donated to charities determined by the Executive Board.

#### **Article XV (Code of Conduct)**

1. It is the intention of the "Naples Parrot Head Club" (NPHC) to provide social, community service, environmental projects 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 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.
2. Members of the NPHC, 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 the other members, guests and hosts or their 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 community, environment and charitable ideals that we seek to uphold.
3. NPHC 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 "Naples Parrot Head Club" you have indeed agreed to "Party with a Purpose" in a most responsible fashion!