



**Third-Amended
By-Laws for the
Charles J. Pashia Family, LLC**

Article I Title

Section 1: The name of this entity shall be *the Charles J. Pashia Family, LLC*.

Article II Purpose and Function

Section 1: Mission Statement: It is our mission to preserve the farm in its complete and entire condition; to protect and promote its natural environment; to enable enjoyment by all generations so as to celebrate family and strengthen family bonds pursuant to the last will and testament of Charles J. Pashia.

Article III Membership

Section 1: Members: Membership to the LLC is for all descendants of Charles J. Pashia.

Article IV Managers

Section 1: Eligibility:

- a. Ten in number but numbering no more than thirteen.
- b. Chosen by each member family.

Section 2: The following are Manager Responsibilities:

- a. Day to day business operations;
- b. Establishing the philosophy and goals of the Charles J. Pashia Family, LLC;
- c. Interpreting and applying the policies of the Charles J. Pashia Family, LLC;
- d. Formulating additional policies which may be necessary;
- e. Evaluating the implementation of policies;
- f. Reviewing and approving the budget; and
- g. Developing long-range planning and family relations.

Article V Leadership

Section 1: The leadership of the managers shall consist of Chairperson, Co-Chairperson, Secretary and Treasurer; all of whom shall be elected every five years in August.

Section 2: All managers are eligible for any office.

- a. Candidate must serve a minimum of one year as a manager prior to becoming eligible to hold the position of Chairperson.
- b. All other leadership positions may be held by any manager.
- c. Vacancies will be filled at the first scheduled meeting after the vacancy occurs by a majority vote of remaining managers.

Section 3: The duties of the leadership shall be as follows:

- a. The Chairperson shall preside at all regular and special meetings of the managers.
- b. The Co-Chairperson shall perform all the duties of the Chairperson when the Chairperson is absent or unable to act.
- c. The Secretary shall maintain a written record of all acts of the managers; to conduct, receive and dispatch of all correspondence as directed and preserve all necessary reports and documents.
- d. The Treasurer shall maintain a record of all finances, bank accounts and other monetary records.

Section 4: Sub-committees: Sub-committees shall be formed as needed in the interest of special projects or events.

Article VI Meetings

Section 1: The managers shall meet a minimum of three (3) times per year at a designated place and time. Special meetings may be called by the Chairperson as needed or by a majority of managers. Meeting particulars will be published fourteen (14) days prior to the meeting on Facebook and the family website.

Section 2: Quorum: For purpose of transacting official business, it shall be necessary that a majority of the total managers be present and voting; a simple majority of six (6) out of ten (10) managers must be present to have a quorum.

Section 3: A simple majority of those present and voting shall carry the motion.

Section 4: All meetings of the managers are to be open meetings unless designated as being closed or Executive Session. Decisions made in closed and Executive Sessions must be presented at open sessions before becoming effective.

Section 4a: Executive Sessions will include the LLC officers only.

Section 5: A written record of all acts of the managers, maintained by the secretary, shall be preserved in archives.

Article VII Conduct of Meetings

Section 1: The rule of parliamentary procedure as contained in *Robert's Rules of Order* shall govern meetings of the managers. However, seeking consensus at manager meetings shall be sought.

Section 2: The ordinary order of meetings shall be:

- a. Call to Order
- b. Opening Prayer
- c. Approval of Minutes
- d. Open Forum
- e. Reports
- f. Old Business
- g. New Business
- h. Closing Prayer
- i. Next Meeting Date

Article VIII Taxes and Assessments

Section 1: Taxes: Taxes shall be paid from the general fund.

Section 2: Insurance: Insurance shall be paid from the general fund.

Article IX Use of Property

Section 1: All managers will hold possession of a key to the property. If a non-manager would like access to the property, then they must contact a manager for use of a key, to be returned after the trip is concluded, to the manager.

Section 2: Any members bringing a non-member onto the property are responsible for that non-member and their actions.

Section 3: Camping: Camping of any sort is allowed.

- a. Two-week time limit.

Section 4: Hunting: Hunter safety and state weapon rules shall apply.

Section 5: Weapon Usage: Hunter safety and state weapon rules shall apply.

Section 6: No permanent or semi-permanent structure shall be erected without approval by majority vote of the managers.

Section 7: Recreational Vehicles:

- a. All-Terrain Vehicles:** Missouri Rules of the Road (as referenced in **Attachment #1** Revised Statutes of Missouri, RSMo Section 304.013.4(3) and **Attachment #2** “*Safety Comes First - All-Terrain Vehicles|Rules to Remember*”) shall be followed, including, but not limited to, persons under eighteen (18) years of age **must** wear a helmet while operating or riding any all-terrain vehicle.
- b. Recreational Off-Highway Vehicles:** Missouri Rules of the Road (as referenced in **Attachment #2** “*Safety Comes First - Recreational Off-Highway Vehicles|Rules to Remember*”) shall be followed.
- c.** Helmets are highly recommended for all operators and riders of any all-terrain vehicle, regardless of age.
- d.** Seatbelts are highly recommended for all operators and riders of any recreational off-highway vehicle, regardless of age.
- e.** Parents, operators and all riders of all off-highway vehicles are strongly encouraged to read “*What You May Not Know About ATV Safety*” published by the Missouri Department of Social Services, Missouri State Technical Assistance Team (referenced as **Attachment #3**).
- f.** All riders and operators of any recreational vehicle will ride at their own risk.
- g.** The Charles J. Pashia Family, LLC shall not be held responsible for any injury or liability.

Section 8: Pets: Pets must be leashed and kept under control at all times. Owners shall be responsible for the conduct, acts and cleanup of their pet(s). Unruly pets can be asked to leave the premises at any time by any Manager of the LLC and not allowed to return.

Article IX Voting and Additions to By-Laws

Section 1: These by-laws may be amended by a voice of two-thirds of the total group of managers present at any meeting.

Section 2: Proposed amendments by members must be presented to the managers at least two weeks prior to voting on such.

Section 3: By-laws are enacted and may be amended by a vote of one more than simple majority of the managers present at any regular meeting, providing there is a quorum. By-law amendments must be presented at the previous meeting of the managers.

Section 4: Managers can vote in person, by phone, text, virtually, in writing or by proxy.

Section 5: In the event of a tie vote, the issue will be discussed again and re-voted on or tabled to a later date.

Section 6: If a Manager chooses not to vote on an issue, their vote is considered NULL.

Section 7: Additions or revisions to these by-laws may be adopted at the meeting following their initial presentation or upon discussion and a majority vote by the Managers.

Section 8: By-laws should be reviewed and updated a minimum of every five (5) years.

Attachment Index

ATTACHMENT #1: RSMo 304.013. All-terrain vehicles, prohibited on highways, rivers or streams of this state, exceptions, operation requirements – special permits – prohibited uses – penalty. (Specifically, Section 4, Subsection 3) The link to said statutes is as follows:
[Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 304.013](#)

ATTACHMENT #2: *“Safety Comes First”* published by the Missouri State Highway Patrol. The link to said document is as follows:
<https://www.mshp.dps.missouri.gov/MSHPWeb/Publications/Brochures/documents/SHP-448.pdf>

ATTACHMENT 3: *“What You May Not Know About ATV Safety”* by Missouri Department of Social Services, Missouri State Technical Assistance Team. The link to said document is as follows:
[ATV Safety: Information and Prevention \(mo.gov\)](#)

ATTACHMENT #1

► ≡ Revisor of Missouri



Words ▼

1st search term or section nr

And ▼

2nd search term



Title XIX MOTOR VEHICLES, WATERCRAFT AND AVIATION

Chapter 304



Effective - 28 Aug 2013, 2 histories



304.013. All-terrain vehicles, prohibited on highways, rivers or streams of this state, exceptions, operational requirements — special permits — prohibited uses — penalty.

— 1. No person shall operate an all-terrain vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

- (1) All-terrain vehicles owned and operated by a governmental entity for official use;
- (2) All-terrain vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation;
- (3) All-terrain vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset;
- (4) Governing bodies of cities may issue special permits to licensed drivers for special uses of all-terrain vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;
- (5) Governing bodies of counties may issue special permits to licensed drivers for special uses of all-terrain vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits;
- (6) Municipalities may by resolution or ordinance allow all-terrain vehicle operation on streets or highways under the governing body's jurisdiction. Any person operating an all-terrain vehicle pursuant to a municipal resolution or ordinance shall maintain proof of financial responsibility in accordance with section 303.160 or maintain any other insurance policy providing equivalent liability coverage for an all-terrain vehicle.

2. No person shall operate an off-road vehicle within any stream or river in this state, except that off-road vehicles may be operated within waterways which flow within the boundaries of land which an off-road vehicle operator owns, or for agricultural purposes within the boundaries of land which an off-road vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating an all-terrain vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (3) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than thirty miles per hour. When operated on a highway, an all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches and shall be day-glow in color.

4. No persons shall operate an all-terrain vehicle:

- (1) In any careless way so as to endanger the person or property of another;
- (2) While under the influence of alcohol or any controlled substance;

(3) Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.

5. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any all-terrain vehicle in which the seat of such vehicle is designed to carry more than one person.

6. A violation of this section shall be a class C misdemeanor. In addition to other legal remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of competent jurisdiction for injunctive relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one thousand dollars per day of violation.

(L. 1988 H.B. 990, A.L. 1990 H.B. 1279, A.L. 1997 H.B. 389, A.L. 2004 H.B. 996 and H.B. 1142 and H.B. 1201 and H.B. 1489 merged with S.B. 1233, et al., A.L. 2013 H.B. 103)

---- end of effective **28 Aug 2013** ----
use this link to bookmark section **304.013**

- All versions

	Effective	End
304.013	8/28/2013	
304.013	8/28/2004	8/28/2013

Click here for the **Reorganization Act of 1974 - or - Concurrent Resolutions Having Force & Effect of Law**

ATTACHMENT #2



SAFETY COMES FIRST



**A Reference Guide for ROHV,
UTV, ATV, and Motorized Bicycles**

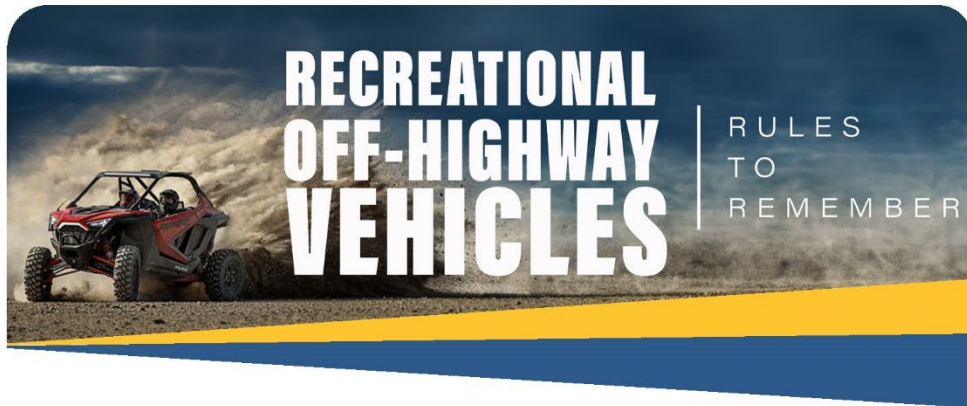
The Missouri State Highway Patrol has issued this reference guide to help explain Missouri laws pertaining to recreational off-highway vehicles, utility vehicles, all-terrain vehicles, and motorized bicycles. If you own or operate any of these type of vehicles, please make safety a priority.



MESSAGE TO PARENTS

While there is no age requirement for driving an ATV or motorized bicycle, this does not mean a child of any age can safely operate one. It is the responsibility of the parents to make sure their children are prepared mentally and physically to drive an ATV or motorized bicycle. These vehicles come in many sizes, and it is important to match the rider with the ATV or motorized bicycle. The Patrol strongly urges parents to have their children attend a certified safety course. As with operating any vehicle, safety should come first.





ROHV Definition: Any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches, but no more than 80 inches in width, with an unladen dry weight of 3,500 pounds or less, traveling on four or more nonhighway tires, and which may have access to ATV trails. (Section 301.010 RSMo)
Width is measured from outside of the tire rim to outside of tire rim.

Can be operated on the highway if owned and operated by a government entity for official use.

The operator must have a valid driver license when being operated on a highway.

Can only be operated within three miles of the operator's primary residence (applies to any highway). Can only be operated within the city limits if the city authorizes its operation.

A valid driver license is NOT required when operated by handicapped persons for short distances occasionally only on the state's secondary roads (state's lettered routes).

Can be operated on the highway beyond the three-mile limit for agricultural purposes or industrial on-premises purposes.

Must display a lighted headlamp and a lighted tail lamp while operated upon a highway.

The operator must wear a seatbelt while operating a recreational off-highway vehicle on a highway.

Municipalities can issue permits to operate within the city limits (any highway).

Must be equipped with a roll bar or roll cage while operated on a highway.

Counties may issue permits to operate on county-maintained roads.

License plates and insurance are not required.

Cannot be operated while under the influence of drugs or alcohol.

Cannot operate in a stream or river unless the waterway flows within the boundaries of land the operator owns, or upon the land owned by another for agricultural purposes with the permission from the landowner.

Operator must obey the rules of the road (use turn signal, obey stop signs, etc.).





UTV Definition: Any motorized vehicle manufactured and used exclusively for off-highway use which is more than 50 inches, but no more than 80 inches in width, with an unladen dry weight of 3,500 pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes. (Section 301.010 RSMo) Width is measured from the outside of tire rim to outside of tire rim.

- Can be operated on the highway if owned and operated by a governmental entity for official use.

- The driver must possess a valid driver license to operate on the highway.

- Can be operated on the highway for agricultural purposes or industrial on-premises purposes between official sunrise and sunset. (Can operate at night if equipped with proper lighting.)

- A valid driver license is NOT required when operated by handicapped persons for short distances, only on the state's secondary roads (state's lettered routes), and only between the hours of sunrise and sunset.

- Cities may issue special permits to operate on the highways within city limits by licensed driver.

- Counties may issue special permits to operate on county-maintained roads.

Cannot be operated at speeds greater than 45 miles per hour.

Cannot be operated while under the influence of drugs or alcohol.

Operator must obey the rules of the road (use turn signal, obey stop signs, etc.) and not operate in any careless way so as to endanger the person or property of another.

A slow-moving triangle is required only if operating under 25 mph after sunset to one-half hour before sunrise. This does not apply to dirt or gravel surfaced roads.

Cannot operate in a stream or river, unless the waterway flows within the boundaries of land, which the operator owns, or upon the land owned by another for agricultural purposes with the permission from the landowner.

Municipalities may by resolution or ordinance allow utility vehicle operation on the streets or highways under the governing body's jurisdiction. Any person operating a UTV pursuant to a municipal resolution or ordinance shall maintain proof of financial responsibility.
(Section 303.160 RSMo)





ATV Definition: Any motorized vehicle manufactured and used exclusively for off-highway use, with an unladen dry weight of 1,500 pounds or less, traveling on three, four, or more nonhighway tires, with either a seat designed to be straddled by the operator and handlebars for steering, OR a width of 50 inches or less measured from outside of tire rim to outside of tire rim, regardless of seating or steering arrangement. (Section 301.010 RSMo)

- Can be operated on the highway if owned and operated by a governmental entity for official use.
- Cities may issue special permits to operate on the highways within city limits by licensed drivers.
- Can be operated on the highway for agricultural purposes or industrial on-premises purposes between official sunrise and sunset.
- Counties may issue special permits to operate on county-maintained roads.
- The operator must possess a valid driver license to operate on the highway.
- A valid driver license is NOT required when operated by handicapped persons for short distances, only on the state's secondary roads (state's lettered routes), between the hours of sunrise and sunset.



Helmets are required for drivers under 18 years old.



Cannot be operated on the highway at speeds greater than 30 mph.



Any person operating a ATV pursuant to a municipal resolution or ordinance shall maintain proof of financial responsibility.
(Section 303.160 RSMo)



Cannot be operated in any careless way so as to endanger the person or property of another.



Cannot be operated while under the influence of drugs or alcohol.



Operator must obey the rules of the road (use turn signal, obey stop signs, etc.).



A bicycle safety flag is required to be mounted on the rear of the vehicle for operation on the highway. Must extend not less than seven feet above the ground, be triangular, have an area of not less than 30 square inches, and shall be day-glow in color.



No passengers are allowed, except for farm purposes, unless the seat is designed to carry more than one passenger.



Must have a lighted headlamp and taillamp at any time it is operated on the highway or street. (Section 307.198 RSMo)



Must display an equilateral triangle on the rear of the vehicle at least two feet above the road. It shall be fluorescent yellow-orange and have a reflective red border at least one inch in width. Each side shall measure at least 10 inches. (Section 307.198 RSMo)



Municipalities may by resolution or ordinance allow ATV vehicle operation on the streets or highways under the governing body's jurisdiction.



Cannot operate in a stream or river, unless the waterway flows within the boundaries of land the operator owns, or upon land owned by another for agricultural purposes with the permission from the landowner.

- Must have a braking system maintained in good operating condition. (Section 307.198 RSMo)
- Must have an adequate muffler system in good working order, and a US Forest Service-qualified spark arrester. (Section 307.198 RSMo)
- Must be registered with the Department of Revenue (sticker). (Section 301.707 RSMo)

ATVs are specifically designed to be ridden off-road. Operating an ATV on hard-surfaced roadways adversely affects the machine's handling and increases the likelihood of crashing. If you are operating an ATV on the roadway (when allowed by law) be aware that quick accelerations, hard braking, and minor steering changes will affect the machine much differently than it does when operated off-road.







Definition: Any two-or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than 50 cubic centimeters, which produces less than three gross brake horsepower, and can propel the device at a maximum speed of not more than 30 mph on level ground. A motorized bicycle shall be considered a motor vehicle for purposes of any homeowners' or renters' insurance policy. (Section 307.180 RSMo)

- A valid operator's license is required to operate on any highway. (Section 307.195 RSMo)
- License plates and insurance are NOT required.
- An endorsement for the operation of a motorcycle is NOT required.
- Shall be equipped with a brake or brakes which will enable its driver to stop the bicycle or motorized bicycle within 25 feet from a speed of 10 mph on dry, level, clean pavement. (Section 307.183 RSMo)
- The operator must follow the rules of the road (stop signs, signaling, speed limits, etc.)
- A safety helmet is NOT required, but is recommended.



No motorized bicycle may be operated on any public thoroughfare located within this state designated as part of the federal interstate highway system.

Every person operating a bicycle or motorized bicycle at less than the posted speed or slower than the flow of traffic upon a street or highway shall ride as near to the right side of the roadway as safe, exercise due care when passing a standing vehicle or one proceeding in the same direction, except when making a left turn, when avoiding hazardous conditions, when the lane is too narrow to share with another vehicle, or when on a one-way street. Bicyclists may ride abreast when not impeding other vehicles.

Any two- or three-wheeled device, powered by an electric motor must not exceed 22371 watts or a maximum speed of 30 mph on flat ground to meet the criteria of a motorized bicycle.



NIGHTTIME RULES: If operated on the highway between one-half hour after sunset to one-half hour before sunrise:

- A front-facing lamp is required on the front or carried by the rider which shall emit a white light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway at 500 feet.

- A rear-facing red reflector is required, at least two square inches in reflective surface area, or a rear-facing red lamp, on the rear which shall be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lower beams of vehicle headlights at 600 feet.

- Reflective material and/or lights visible on each side of the bicycle or bicyclist must be visible at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at three hundred feet. The provisions of this subdivision shall not apply to motorized bicycles which comply with National Highway Traffic and Safety Administration regulations.

- Reflective material and/or lights on any part of the bicyclist's pedals, crank arms, shoes, or lower leg, must be visible from the front and the rear at night under normal atmospheric conditions on a straight, level, unlighted roadway when viewed by a vehicle driver under the lawful lower beams of vehicle headlights at 200 feet.



This brochure serves as a reference for information on recreational off-highway vehicles, utility vehicles, all-terrain vehicles, and motorized bicycles. Patrol members regularly present programs on traffic safety to civic groups, schools, clubs, etc. If your group would like such a program, please contact the public information and education officer at the troop headquarters nearest you, or the Public Information and Education Division at (573) 526-6115.

Emergency Assistance

1-800-525-5555 or cellular *55

Road Conditions

1-888-275-6636



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SHP-448 3/2024

ATTACHMENT #3

What You May Not Know About ATV Safety

Across the United States, many children are being injured or die as a result of an ATV (all-terrain vehicle) accident. ATV's are motorized cycles with 3 or 4 tires. They are designed to be used off-road. These vehicles can weigh between 300 and 500 pounds, and they can run an average speed of 20 to 55 miles per hour. Most ATV injuries occur when the driver loses control of the ATV and the vehicle rolls over; the driver or passenger is thrown off; or there is a collision with a fixed object.

In Missouri, children die every year as a result of ATV accidents. Three of the 93 motor vehicle fatalities reviewed by CFRP panels in 2007, involved all-terrain vehicles (ATVs). Only one of the three Missouri children who died in ATV-related accidents in 2007, was wearing a helmet. In 2007, only one of the ATV fatalities among Missouri children was age 16; the other two were age 12 and 13.

Missouri deaths due to ATV's in 2007:

- A 13-year old was driving an ATV on a gravel road, when he lost control and ran off the roadway, striking a tree. He suffered massive head injuries. He was not wearing a helmet.
- A 12-year-old was being taught to drive an ATV by his aunt. The child was on the front seat and the aunt was in the rear. They were doing circles in a rural yard, when he got too close to a barbed wire fence; hit the throttle instead of the brake, sending the ATV into a fence at a high rate of speed. The child suffered fatal injuries and was pronounced dead at the scene.

These are some things parents can do to keep their kids safe on ATVs:

- ♦ A child under the age of 6 years old should not be riding an ATV.
- ♦ A child between the ages of 6 and 16, should be riding an ATV that is the appropriate size for their age:
 - 6 years and older Under 70cc
 - 12 years and older 70-90 cc
 - 16 years and older Over 90cc
- ♦ Always provide supervision to children while riding an ATV.
- ♦ Provide a helmet for your child to wear while riding an ATV.
- ♦ Enroll your child in an ATV training course.
- ♦ Know the state laws surrounding ATVs (registration requirements, required safety equipment, rules of operation)

These are things children can do to stay safe on an ATV:

- ♦ If you're between the ages of 6 and 16, only ride an ATV when your parents can supervise you.
- ♦ Always wear a helmet.
- ♦ Wear goggles, boots and gloves that will protect you from harm, while riding an ATV.
- ♦ Never ride an ATV as a passenger.
- ♦ Never operate an ATV with a passenger on board. ATV's are one person vehicles.
- ♦ Avoid riding your ATV on steep slopes or rocky terrain.
- ♦ Don't operate ATV's at high speeds.
- ♦ Do not drive your ATV on public roads.

For more information, visit these web sites:

U.S. Consumer Product Safety Commission, www.ATVSafety.gov
All-Terrain Vehicle Safety Institute, www.atvsafety.org
Missouri State Highway Patrol,
<http://www.msdp.dps.mo.gov/MSHPWeb/Publications/Brochures/documents/SHP-448.pdf>
Injury Free Coalition for Kids, http://www.injuryfree.org/safetytpc_display.cfm?PermanentId=D331E956-B845-4AFC-9478A4A8CAC0AE55

Missouri Department of Social Services, Missouri State Technical Assistance Team
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