**OCALA PARROT HEAD CLUB**

**BY-LAWS**

**AMENDED JUNE 30 2024**

**CLUB AGENDA**

In 1989, Scott Nickerson, founder of the “Parrot Heads in Paradise” discovered a concept regarding the typical Parrot Head. That is, Jimmy Buffett FANS are mostly made of people who are service oriented and like to have FUN. The MUSIC of Jimmy Buffett seems to either attract and/or mold these types of people and IS our common thread. Thereafter, PHIP, Inc. was formed and grew surprisingly fast and into proportions that no one ever expected. The Ocala Parrot Head Club was founded in October 1996.

**STATEMENT OF PURPOSE**

The Ocala Parrot Head Club is a not-for-profit social organization whose purposes are to assist in community and environmental concerns and provide a variety of social activities for people with similar interests.

**DISCLAIMER**

We are recognized and supported by Jimmy Buffett and his business interests. We are not associated with MCA Records, Island Records, Margaritaville Records, Mail Boat Records or HK Managements. We would like to stress that Mr. Buffett’s name, his song titles, lyrics, names and businesses owned by him and the term “Parrot Head” are all registered trademarks and should not be used for the pursuit of profit. PHIP clubs are permitted to use the term “Parrot Head” on T-shirts, etc…but not Jimmy Buffett’s name. Although group tickets are made available to the clubs through Jimmy’s management, each club must show some community service activity per each concert season.

All clubs are required to adhere to the By-Laws of PHIP, Inc. Club dues are NOT deductible as a charitable contribution for Federal income tax purposes.

**CODE OF CONDUCT**

While we are primarily a social organization, and while we do “Party with A Purpose” we must do so responsibly.

It is the intention of the “Ocala Parrot Head Club” (OPHC) 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.

Members of OPHC. 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.

OPHC 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 “Ocala Parrot Head Club” you have indeed to “Party with a Purpose” in a most responsible fashion!

**WAIVER OF LIABILITY**

In consideration of being permitted to participate in any way in activities sponsored by the Ocala Parrot Head Club, hereinafter called “The Club”, I, for myself, my heirs, personal representatives or assigns, **do hereby release, waive, discharge, and hold harmless,**  The Club, its officers, employees, and agents **from any and all claims** resulting in personal injury, accidents, or illnesses (including death), and property loss arising from, but not limited to, participation in The Club activities.

**Article I: Name**

1. This organization will be known as “The Ocala Parrot Head Club”.

**Article II: Membership**

1. Membership in “The Club” shall be open to anyone meeting the membership requirements as specified in Article II, Section B.
2. Membership requirements shall be as follows:
   1. The individual must have an interest in Jimmy Buffett music.
   2. The individual must have an interest in community service and environmental concerns.
   3. The individual must commit to achieving the goals of the organization.
   4. A member shall pay dues according to a schedule approved by a majority vote of the Board of Directors prior to December 31 of a given year.
   5. A member must agree to and sign the Code of Conduct and Release of Liability form.
3. Payment of Dues
   1. Payment of dues will be made annually not later than the October membership meeting.
   2. New memberships dated January 1st or later of any given year will renew in October of the following year.
   3. Membership dues may be waived by a majority vote of the Board.
4. Refund of Dues
   1. Refunds shall be allowed only by a majority vote of the Board.
   2. Any individual wishing to terminate his/her membership between anniversary dates will not be refunded any portion of his/her dues without a majority vote by the Board.
   3. If the Board determines by majority vote that an individual does not meet the requirements as specified in Article II, Section B, the Board can refund a portion of the individual’s dues by pro rata calculation, thus terminating all rights and privileges therewith.
   4. Any individual whose dues are not paid by the October meeting deadline will be considered to have terminated his/her membership, though payment of dues within 30 days of the October deadline meeting will reinstate his/her membership through the balance of the membership year and until the following October.

**Article III: Officers and Administration**

1. All elected and appointed members of the Board must be current members, in good standing of the organization.
2. The organization will be managed and operated by the Board, whose executive officers are composed of the following: President, Vice President, Secretary, Treasurer, Director of Membership, and two Members at Large.
3. The Board will meet a minimum of four times per year and the President may convene additional meetings at his/her discretion.
4. The quorum shall consist, for any meeting, of four of the seven Executive level Board positions.
5. All members of the Board will be entitled to vote on all matters of administration unless otherwise specified by the By-Laws. A majority vote of the quorum is required to adopt any motion introduced before the Board.
6. All Board members are required to have internet access.

**Article IV: Period of Service:**

1. Each officer’s term will begin the second Friday of April and continue through the second Friday of April two years later.
2. Retroactive to April 2006, the offices of Vice President, Treasurer, Director of Membership, and one Member at Large will consist of a two-year term.
3. Beginning April 2007, the offices of President, Secretary and one Member at Large will consist of a two-year term.
4. If any executive member resigns their position on two separate occasions, they cannot hold an executive position in the future.

**Article V: Individual Officer Duties**

1. President
   1. The President shall be the Chief Executive Officer and liaison with other local groups and any organization with which the Club wishes to communicate.
   2. The President shall chair all meetings of the Board.
   3. The President shall appoint all non-elected and appointive officers with the approval of a majority vote of the Board and shall make any other appointments deemed necessary by that body.
   4. The President shall review all reports to be submitted to the PHIP organization.
   5. The President shall be the contact for all PHIP business.
2. Vice President
   1. The Vice President shall assist the President in administering the business of the organization and shall preside in the absence of the President and shall succeed to the term of the President in the event that the President is unavailable to serve out the term for any reason.
   2. The Vice President shall oversee the planning and implementation of group activities.
3. Secretary
   1. The Secretary shall keep minutes of all Board meetings.
   2. The Secretary shall furnish copies of the minutes to all Board members, appointed officers and to others designated by the Board or President.
   3. The Secretary shall respond to, or correspond with, other groups or individuals as required by the Board or President.
   4. Upon leaving office, the Secretary shall relinquish all materials, books, notes and digital records for the present and prior year(s), in good condition, to the succeeding Secretary.
   5. The Secretary is responsible for overseeing the creation and publication of the Club newsletter.
4. Treasurer
   1. The Treasurer shall assume the responsibility for the financial matters of the Club.
   2. The Treasurer shall attend the Board meetings and have the books of the Club available for Board review upon request.
   3. Upon leaving office, the Treasurer shall relinquish all materials, books, notes and digital records for the present and prior year(s) to the succeeding Treasurer.
5. Director of Membership
   1. The Director of Membership (DM) shall be responsible for all matters relating to Club membership.
   2. The DM Shall make available at each membership meeting, membership applications, name tags, and all other membership materials.
   3. The DM shall deposit or turn over to the Treasurer all membership dues.
   4. Upon leaving office the DM shall relinquish all membership materials, databases, notes and digital records to the succeeding DM.
   5. The DM is responsible for reporting to the President all members whose memberships have lapsed.
6. Member(s) at Large
   1. It is the responsibility of the Member(s) at Large to attend the meetings and to present in good faith the issues and concerns of the majority of the membership.
   2. The Member(s) at Large may accept a request by the Board or the President to serve as its special agent in specific matters.
   3. The Member(s) at Large shall serve as or appoint designees to serve as the “Welcoming Committee” to all new members or guests at Club meetings.
   4. The Member(s) at Large shall serve as or appoint designees to serve as the coordinators of all raffles.

**Article VI: Appointed Officers**

1. The President may select any necessary committee chairpersons from the membership at large subject to approval by a majority vote of the Board to serve in committee positions which the Board has created.
2. The Board will define the tasks of the appointed chairperson’s term of office.
3. The appointed chairperson may appoint his/her won committee members.
4. Appointed officers may include, but are not limited to or inclusive of, elections committee chair, historian, public relations, environmental chair, special events, travel coordinator, and webmaster.

**Article VII: Meetings**

1. A general membership meeting will be held at minimum once per year, and at a time and place determined by the Board and disseminated via the Club newsletter and/or electronic mail.
2. All Board meetings are open to the general membership; however, only members of the Executive Board may vote.
3. If no meeting has been called for eighteen consecutive months, any member may call a special business meeting by sending a written or internet -transmitted notice to each elected and appointed officer of the Board.
4. A quorum is necessary at any general membership meeting for approval.
5. Proxy votes are acceptable as indicated below.
   1. Any member of the Board who is unable to attend a scheduled Board meeting may provide for a written proxy to vote on his/her behalf.
   2. No member of the Board will be allowed to vote in absenteeism through a proxy unless the proxy is in writing and is carried to the meeting by the individual selected to act as proxy.
   3. Proxy vote is also allowed by the general membership at the annual meeting as outlined in E1 and E2.
6. Once monthly club meeting will be held for all members. No permanent changes may be made to rule F without a full majority vote of the general membership.

**Article VIII: Elections and Voting**

1. General Elections and Voting Regulations
   1. Retroactive to April 1, 2006, elections for the offices of Vice President, Treasurer, Director of Membership and one Member at Large will consist of a two-year term.
   2. Beginning on April 1, 2007, elections for the offices of President, Secretary and one Member at Large will consist of a two-year term.
   3. All ballots must be tallied and presented to the Board within seven days of the election.
   4. The results of the election shall be presented to the general membership at the first membership meeting following the election.
   5. No member of the Board is permitted to endorse any candidate for any office, in any arena. Any member of the Board may nominate a candidate for membership majority vote.
   6. Any additional election or required vote before the general membership shall be communicated via the Club newsletter or electronic mail.
   7. For voting of new officers or re-election of existing officers, a mail ballot must contain the name and address to which the ballot must be returned with a clear communication of the deadlines. Any electronic mail ballot must contain the “reply to” address of an appointed ballot counter. Electronic computerized surveys sent to club members email is acceptable way to hold election.
   8. The Club is not required to pay return postage on any ballot.
   9. The President of the Club may break any election ending in a tie.
   10. In the event that any business must be decided by the Board between scheduled meetings, the President may conduct an internet discussion, either individually or as a group. Regular quorum rules will apply as with each voting member present. A record of these discussions will be held in possession of the President a minimum of 30 days in the event of questions. Any votes and adoptions recorded will be relayed to the Secretary by the President for adoption into Board meeting minutes.
   11. Only the Board may present motions to be voted upon by the general membership or before the Board.
   12. Ballots will be distributed to members having internet access via email or a reputable survey web service (IE Survey Monkey) will send out the ballots at least 7 days prior to the 1st of April each election year and will be sent in reply to an impartial ballot counter (elections chairperson) also having internet access, named and approved by a majority vote of the Board. Any members not having internet access may request to receive the ballot via U.S. Postal Service at least 7 days prior to the 1st of April, to be returned to an impartial ballot counter (elections chairperson) named and approved by a majority vote of the Board. All ballots must be retuned via electronic mail or postmarked by the 1st of April to be considered valid.
   13. The ballots will be tallied, and the results made available to the Secretary for verification.
   14. No write-in candidates will be allowed.
2. Nominations
   1. Candidates may run for any elected office by submitting a written (electronic mail or U.S. Postal Service) nomination to any Board member to be included on the ballot so long as the candidate is a member in good standing of the Club.
   2. In the event that any elected or appointed officer of the Club fails to meet the membership requirements at any time during his/her term, he/she will receive a written notice (electronic mail or U.S. Postal Service) from the Board informing him/her that a 30 day grace period will be offered to correct the disqualifying event. At the end of the grace period, if the elected or appointed officer has not corrected the disqualifying event, he/she will forfeit his/her position on the Board.
3. Replacement of Board Members
   1. Within 30 days of the withdrawal of any Board Member(s) (except the President), solicitations for replacement Board Member(s) will be actively sought and be voted on by a quorum at a special meeting until the next general election the current or following year. It will be considered a temporary replacement until the general election the current or following year.

**Article IX: Miscellaneous**

1. Reimbursement of expenses to any member who has incurred approved expenses on behalf of the Club must be accompanied by a written request (electronic or physical) to the Treasurer of the Club. Proper documentation, including receipts, must be submitted for consideration.
2. Expenses in excess of $100.00 should be discussed in advance of payment to receive authorization of the Board with the exception of purchases of raffle items and membership giveaways by any member of the Board.
3. There will be no mileage reimbursement for travel expenses.
4. The membership list is to be updated in the online database and is to be used only for Board use and is not to be sold, distributed or released to other parties without express written consent by majority vote of the Board. Board members will be granted access on an “as needed“ basis.
5. Email addresses are for Club business only. They are NOT to be placed on chain letters or joke string.
6. All funds not expressly targeted for donation to a Board approved charity must be deposited directly into the Club account.
7. The Club internet web site expenses will be paid by the Club and maintained by an appointed or elected member of the Board.

**Article X: Amendments**

1. Each incoming Board at the first available meeting of the Board or as soon thereafter as possible, shall review the By-Laws.
2. The By-Laws will be available via the Club internet web site for any member in good standing and for those who request a copy via U.S. Postal Service.
3. Amendments shall be added to the Club By-Laws during the first official Board meeting in the new election year and the new By-Laws during the first official Board meeting in the new election year and the new By-Laws shall be posted to the Club web site.