

***UNIVERSITY FLYING CLUB, INC.  
CONSTITUTION***

## GENERAL

Each member must feel responsible for the safety of the aircraft, radio and other equipment. No member should take unnecessary chances with equipment of which they own only a part, and no member should usurp more than their reasonable share of flying time. Each member should and must act as a part owner of the equipment.

In an effort to keep the above in effect and to protect the individual member, the following Constitution, By-Laws, and Operations Rules were adopted.

## NAME

The name of this club shall be The University Flying Club, Inc. hereafter referred to as “the Club”.

## PURPOSE

The purpose of this club shall be to provide for its members, a convenient and affordable means to pursue flight training, practice, and proficiency at economical rates, to promote aviation safety and comradery among members, and to support UMaine’s student flying club members in these pursuits.

## MEMBERSHIPS

1. Membership is open to all persons with an interest in aviation and flying.
2. A person duly qualified as herein before stated shall be deemed a member upon full payment of the initial fees. A breakdown of these fees along with the amount of the monthly dues and charges for airplane rental can be found in schedule A. Dues and charges for each month of membership are to be paid 30 days from the date of the account statement.
3. Upon receipt of the membership fee, the Club shall issue to each member an owner’s manual and a key or access to a keybox for each aircraft.
4. A member may withdraw from the Club at any time by written notification.
5. The initiation fee being once paid is not returnable to a member except in the case that the member is not able to obtain a third-class medical certificate.
6. Any member who has failed to pay their dues or any sum due the Club in full within 45 days of billing shall no longer be considered a member in good standing and will be put the inactive list. They shall also have their flying privileges suspended until the bill is paid and shall be fined 10% of the amount due.
7. Any member may be expelled by a two-thirds vote of the membership. Ten days notice shall be given to said member who shall have the right to be heard either in person or by a counsel at a meeting of the Club called for this purpose. A member so expelled shall receive no return of investment with the exception of any credit that the member may have on account with the Club.
8. It shall be each member’s responsibility to know and obey the Club’s operations rules. Violations in these rules shall result in punishment as covered in the operations rules.
9. A member in good standing shall be entitled to all of the membership rights, including voting on capital investments, voting for officers and personal use of the aircraft. Only active flying members in good standing shall have an interest in the plane for legal purposes.

10. Members shall be required to help with club work when called upon by club officers with two weeks prior notice.
11. A special "UMaine Student Membership" is available to full-time UMaine students in the UMaine Flying Club who have not held a private pilot certificate. There are no dues or other fees for this membership, although the usual paperwork must still be filled out. Any flying time must be paid for in advance at the regular rate. Student members can only fly club aircraft with a club instructor and they are limited to 10 hours and cannot fly solo. Student members cannot vote or hold office.
12. A special "Introductory Membership" is available to persons wanting an introduction to flying and the University Flying Club. Such membership is limited to persons who have not previously been a member of the club and have not previously held a pilot's certificate other than a student pilot's certificate. There are no dues or other fees for this membership, although the usual paperwork must still be filled out. Introductory Membership is valid for one month and such members may not fly more than two hours. Any flying time must be paid for in advance at the regular rate. Introductory members can only fly club aircraft with a club instructor and they cannot fly solo. Introductory members cannot vote or hold office.
13. A special "Supporting Membership" is available to persons that support the club by either providing club aircraft maintenance-related flights or flight instruction in the club plane(s). There are no dues or other fees for this membership, although the usual paperwork must still be filled out. Supporting Members can only fly club aircraft on maintenance-related flights approved by the Aircraft Maintenance Officer or on flights when providing flight instruction as a club CFI to a current regular flying member of the club. Supporting members cannot vote or hold office.

## MEETING OF MEMBERS

1. All meetings of members, except as herein provided shall be held at a time and place to be determined by the President.
2. Notice of all meetings of the members and the general purpose thereof shall be given by written notice mailed to each member at their last known residence at least five days before such meeting.
3. Regular meetings of the members shall be called by the President at approximately one-month intervals.
4. The annual meeting of the Club shall be held during February at such time as the Board of Directors shall determine and shall take the place of the regular meeting normally scheduled for that month.
5. Special meetings of the members may be held at such time and place as the President may determine, or may be called by a majority of the Directors or by written petition of at

least two members. It shall be the duty of the Secretary to call the meeting within thirty days of such a demand.

6. Attendance of each member will be expected at all meetings.
7. The President or, in the absence of the President, the Vice President, or, in the absence of the President and Vice President, a chairman elected by the members present shall call the meeting of the members to order and shall act as the presiding officer thereof.
8. At the annual meeting of the members, the members shall elect by ballot, officers as stated in the Constitution.
9. At every meeting of the members, each member shall have only one vote.

## DIRECTORS

1. The powers, business, and property of the Club shall be controlled, exercised and conducted by a Board of Directors of at least six members. These will consist of the elected officers and other members at large for a maximum of nine.
2. Each Director shall be elected annually by a majority vote of members in attendance at the annual meeting of the Club.
3. In the case of a vacancy in the Board, the remaining Directors shall fill such vacancy by appointment from the Club membership. If three or more vacancies occur at any one time, they shall be filled by a vote of the members at a meeting duly called.
4. Immediately after each annual meeting of members, the newly elected Directors shall hold a meeting for organizational purposes and transact any other business.
5. Regular meetings of the Board of Directors shall be called a time and place to be determined by the President and shall be spaced at approximately one-month intervals.
6. Special meetings of the Board of Directors shall be called at any time on the order of the President or on the order of two Directors.
7. Notice of special meetings of the Board of Directors stating the time and in general terms, the purpose, shall be mailed or personally given to each Director not later than the day before the day appointed for the meeting. If all Directors shall be present at any meeting, any business may be transacted without previous notice.
8. A Director's unexcused absence at two consecutive meeting of the Board of Directors shall be grounds for automatic removal of that member from the Board of Directors.

9. Directors may be excused from a Board of Directors meeting only by the President or Vice President and only for illness, injury, death of a friend or relative, or other similar circumstances (i.e., academic reasons).
10. Four Directors shall constitute a quorum of the Board at all meetings and the affirmative vote of at least four directors shall be necessary to pass any resolution or authorize any act of the Club.
11. Each member of the Board of Directors shall serve without any compensation or reward, with the exception of the Officers as noted under Officers, paragraph 3.
12. The Board of Directors shall cause to keep a complete record of all of its acts and proceedings of its meetings and to present a full statement at the regular meetings of the members, showing in detail the condition of the affairs of the Club.
13. The Board of Directors shall have the power and authority to promulgate and enforce all rules and regulations pertaining to the use and operation of Club property and to do and perform or cause to be done and performed any and every act which the Club may lawfully do and perform.
14. The Board of Directors shall submit to the membership of the Club for approval, at any regular or special meeting of the membership, all capital investments of more than \$5,000.00. A majority vote of the membership (more than 50%) is necessary for approval.

#### IMPEACHMENT OF OFFICERS

1. In the event of the motion for the impeachment of an officer for any reason, the motion shall be automatically tabled until the next scheduled meeting.
2. A majority vote of the members present at the next meeting scheduled shall be necessary to instigate impeachment proceedings.
3. A two-thirds vote by secret ballot of the members present at said meeting shall be necessary for the removal of the impeached officer.
4. The removed officer shall remain as a member in good standing in the Club.

#### OFFICERS

1. The executive office of the Club shall have a President, Vice-President, Treasurer, Secretary, and an Aircraft Maintenance Officer.
2. The previous mentioned officers shall be elected by the members at the annual meeting, the term of office being one calendar year, beginning upon election.

3. The Treasurer will receive one free hour of flight time per month, not to exceed an accumulation of three hours time.

## PRESIDENT

1. The President shall be the chief executive officer of the Club. This person shall preside at all meetings of the Club and Board of Directors. The President may call any special meeting of the Club or Board of Directors, and shall have, subject to the advice and control of the Directors, general charge of the business of the Club, shall execute with the Secretary, in the name of the Club, all certificates of membership, contracts, and instruments other than checks which have been first approved by the Board of Directors.
2. The President shall be responsible to the Board of Directors for the operation of the Club. The President shall make and enforce decisions regarding the suitability of all equipment and his qualifications of all members for every type of flight operation upon the recommendation of qualified flight instructors. The President shall recommend for approval to the Board of Directors all operational rules of the club and shall report with recommendations all violations of such rules by any member of the Club.

## VICE-PRESIDENT

1. The Vice President shall be vested with the powers and shall perform the duties of the President in case of the absence or disability of the President.
2. The Vice President shall also perform such duties connected with the operation of the club as he or she may undertake at the suggestion of the President.

## SECRETARY

1. The Secretary shall keep the minutes of all proceedings of the members and of the Board of directors in books provided for that purpose. This person shall keep a proper membership book showing the name of each member of the Club, the book of by-laws, the Club Seal (if any) and such other books and papers as the Board of Directors may direct. The Secretary shall execute with the President, in the name of the Club all certificates of membership, contracts, and instruments which have been first approved by the Board of Directors.
2. The Secretary shall also perform all duties incident to the Office of Secretary, subject to the control of the board of Directors.
3. The Secretary shall keep an up-to-date record of members with addresses and telephone numbers.
4. The Secretary shall be responsible for the notification of all members of the meetings and other functions of the Club.

5. The Secretary shall also perform such duties connected with the operation of the Club as he or she may undertake at the suggestion of the President.

#### TREASURER

1. The Treasurer shall execute in the name of the club all checks for the expenditures authorized by the Board of Directors. This person shall receive and deposit all funds of the Club in the bank selected by the board of Directors, which funds shall be paid out by check only as herein provided. This person shall also account for all receipts, disbursements, and balance on hand
2. The Treasurer shall perform all duties to the Office of Treasurer subject to the control of the Board of Directors.
3. The Treasurer shall also perform such duties connected with the operation of the Club as he or she may undertake at the suggestion of the President.

#### AIRCRAFT MAINTENANCE OFFICER

1. The Aircraft Maintenance Office shall be responsible for maintaining current information in the logbooks of the aircraft.
2. The Aircraft Maintenance Officer shall be responsible for the scheduling of all maintenance and repair work with certified service facilities
3. The Aircraft Maintenance Officer shall be responsible for all papers required to be carried in the aircraft.
4. The Aircraft Maintenance Officer shall also perform such duties connected with the operation of the Club as he or she may undertake at the suggestion of the President.

#### COMMITTEES

The President or a majority of the Board Members may elect to and may form a committee for the purpose of furthering the operations of the Club. These committees shall have no governing powers.

#### AMENDMENTS

1. Sections of this Constitution may be repealed or amended or additional sections added in the following manner:
  - a. A motion for the repealment, amendment or addition shall be made at any regular meeting of the Club. This motion shall then be automatically tabled until the next regularly scheduled meeting of the club.



- b. Members shall be informed in writing of impending amendments.
- c. At the next regularly scheduled meeting of the Club the motion shall be presented to the membership.
- d. The motion may be approved by a two-thirds vote of the membership present at a regular meeting.

# BY-LAWS

## BY-LAWS CONTENTS

- I. Order of the Meetings
- II. Authority for Settling a Disputed Point
- III. Operations Rules
- IV. Safety Board
- V. Hearings
- VI. Sinking Fund
- VII. Surplus
- VIII. Amendments
- IX. Unconstitutionality

### I. ORDER OF THE MEETINGS

The Order of Business at all meetings of the Club shall conform to the standard procedure as given by Roberts Rules of Order.

### II. AUTHORITY FOR SETTLING DISPUTED POINTS

In a case where a disputed point cannot be settled by the Club at two consecutive meetings, it shall be taken to the Board of Directors.

### III. OPERATIONS RULES

1. The Club shall have a set of general operations rules covering all aircraft.
2. The Club shall have a set of specific operations rules for each aircraft.
3. A copy of these rules shall be maintained at the Flight Office.
4. These rules shall be promulgated by the Board of Directors of the Club.

### IV. SAFETY BOARD

1. A Safety Board shall be designated by the Board of Directors for each aircraft accident involving equipment belonging to the Club.
2. The Safety Board shall consist of five members of the Club who were not involved in the accident, including the President if not involved.
3. The Safety Board shall take all steps necessary to ascertain the facts, conditions, and circumstances of the accident; shall arrive at conclusions regarding the probable cause of the accident, and shall make known to the Board of Directors, and to all parties involved in the accident, its findings in the form of a written report.

## V. HEARINGS

1. The Board of Directors, upon receipt of the findings of the Safety Board, shall offer to all parties involved in the accident the opportunity of a hearing. After the hearing, or if such hearing is waived by all the parties involved in the accident, the Board of Directors shall decide the financial responsibility. The decision of the Board of Directors shall be approved by a majority vote of members present at a regular Club meeting.
2. The Board of Directors shall not impose financial responsibility on any one member in excess of the deductible portion of the collision insurance for any one accident unless the damage results from a violation which is not covered by insurance carried on the aircraft; then the party responsible for the damage shall be liable for the full amount.
3. All financial obligations imposed on any member as a result of the decision of the Board of Directors shall be satisfied within thirty days of a written notice.

## VI. SINKING FUND

1. The Club shall have a sinking fund for the purchase of new equipment. The monies for this fund shall come from the membership fees collected. The membership fee, see schedule A for amount of fee, shall go into the sinking fund and shall be used for the purchase of new equipment except in the case of financial emergency in which case the money from the sinking fund may be appropriated by a two-thirds vote of the total membership of the Club.
2. Written notice with request for conformation shall be presented to members.

## VII. SURPLUS

The net savings or surplus of the Club remaining after all operation costs and other expenses have been paid shall remain in the Club's treasury for the purchase of new equipment.

## VIII. AMENDMENTS

Sections of these by-laws may be repealed or amended or additional sections added in the following manner.

- (a) A motion for the repealment, amendment or addition shall be made at any regular meeting of the Club. This motion shall then be automatically tabled until the next regularly scheduled meeting of the Club.

- (b) Members shall be informed in writing of impending amendments.
- (c) At the next regularly scheduled meeting of the Club the motion shall be presented to the membership.
- (d) The motion may be approved by a two-thirds vote of the membership present at a regular meeting.

## IX. INDEMNITY

1. Indemnity Generally. To the fullest extent permitted by law, the Club shall indemnify, hold harmless and defend the Officers of the Club (“Indemnified Party”) from and against all claims, costs, expenses, losses, liabilities and damages (including amounts paid in satisfaction of judgments, in compromises and settlements, as fines and penalties and legal or other costs and reasonable expenses of investigating or defending against any claim or alleged claim) of any nature whatsoever, known or unknown, liquidated or unliquidated, that are incurred by any Indemnified Party or its agents and arise out of or in connection with the affairs of the Club or any alternative investment structure through which Club investments are made or the performance by such Indemnified Party or its agents of any of their responsibilities hereunder or otherwise in connection with the matters contemplated herein; provided that an Indemnified Party shall be entitled to indemnification hereunder only to the extent that such Indemnified Party’s conduct did not constitute fraud, bad faith, intentional misconduct, a material and knowing violation of any applicable local, state or federal laws or an intentional and material breach of this Agreement.
2. Survival. The indemnification rights and obligations discussed herein shall survive an event of dissociation of the Officers or resignation of the Officer or the dissolution, termination, and liquidation of the Club.
3. Expenses. Expenses, including legal fees and court costs, reasonably incurred by an Indemnified Party in defense or settlement of any claim that may be subject to a right of indemnification hereunder shall be advanced by the Club prior to the final disposition thereof upon receipt of an undertaking by or on behalf of the Indemnified Party to repay such amount to the extent that it shall be determined ultimately that such Indemnified Party is not entitled to be indemnified hereunder.
4. Cumulative Rights. The indemnification rights contained herein shall be cumulative of and in addition to any and all rights, remedies, and recourse to which the Indemnified Party shall be entitled whether pursuant to the provisions of this Agreement, at law, or in equity, and shall extend to such Indemnified Party’s successors, assigns, heirs, and legal representatives, as the case may be.

## X. UNCONSTITUTIONALITY

Should any part of these by-laws or amendments to these by-laws be judged unconstitutional then only said part or section shall be invalidated. This invalidation shall have no effect upon the remainder of the by-laws.

XI. DISSOLUTION

In the event of dissolution of the Club, all assets shall be liquidated, and all remaining funds shall be distributed in the following order:

1. All debts owed by the Club shall be paid in full.
2. All member security deposits and credits shall be refunded in full, minus any dues owed by that member.
3. Any remaining funds or assets shall be distributed to the University of Maine to establish a student scholarship for flight training.

## SCHEDULE A

The initial membership fee is itemized as follows:

Non-Refundable Deposit	\$ 100.00
Non-Refundable Membership Fee	\$ 30.00
First Months Dues	\$ 25.00
Airport Badge Fee	\$ 25.00
<u>Refundable Key Deposit</u>	<u>\$ 3.00</u>
TOTAL FEE	\$ 183.00

<u>Refundable Security Deposit</u>	<u>\$ 300.00</u>
TOTAL	\$ 483.00

Dues are \$25 (twenty-five dollars) per month payable by the end of the month.

The hourly rate for club aircraft is as follows:

Cessna 152 N757ZU	\$80.00 (Enrolled University of Maine Students)
	\$90.00 (All Other Members)

Rates are charged using Hobbs time and include fuel.

For those unfamiliar with the term “Hobbs time”, there are two clocks in our planes used to measure engine time. One is called a “Hobbs” meter which begins keeping track of actual time as soon as you start the engine. “Tach time” is a clock that is connected to the tachometer and the rate at which it runs is a function of engine speed. This is slower or shows less time used than the Hobbs meter.

# OPERATIONS RULES

## OPERATIONS RULES CONTENTS

- I. Flight Limitations
  - A) Night operations
  - B) Student Flights
  - C) Wind Restrictions
- II. Eligibility
- III. Reservations
- IV. Responsibility
- V. Operational Costs
- VI. Violations
- VII. Changes and Amendments

### I. FLIGHT LIMITATIONS

Members of the Club shall observe all existing FAA Regulations, State, local airport and Club rules. The aircraft engine shall not be started without a competent operator at the controls. No member of the Club shall execute slow rolls, snap rolls, loops, inverted flight or unusual maneuvers which might cause structural damage. The only maneuvers permitted are those required in a flight test for any airman certificate. The aircraft shall be operated only from those landing areas which are paved, public airports with the following exception: grass-strip runway landings are permitted when flying with a club instructor, at the discretion of the instructor, for training purposes only. The aircraft shall not be loaned nor rented to non-members. The use of the Club aircraft for commercial purposes is prohibited.

1. Student pilots must file and activate a flight plan for all solo flights more than 20 nautical miles from Bangor and all solo cross-country flights (i.e., landings at other airports).
2. The Club aircraft shall only be flown in VFR conditions except as permitted below for flight under IFR.

#### A) IFR FLIGHT IN INSTRUMENT METEOROLOGICAL CONDITIONS (IMC)

Flight in IMC on an IFR flight plan in N757ZU is approved if with an instructor for training purposes or if the pilot holds an instrument rating, and only if the pilot(s) meet the following criteria.

#### **General:**

1. If the pilot-in-command (PIC) is not a CFI-I, they shall previously have obtained an Instrument Proficiency Check as defined by 14 CFR 61.57(d) with a CFI-I in N757ZU.

2. The PIC must be current with the applicable sections of FAR 61.57c or 61.57d, except if the pilot-in-command (PIC) is not a CFI-I then 3 of the approaches must have been done in the past 90 days and at least 2 of the required approaches must have been done in N757ZU.
3. The pilot flying must have an electronic flight bag (EFB) with a backup attitude reference available to them via either the Garmin GNC 355 AHRS or a portable ADS-B device that includes AHRS functionality. Their EFB and associated devices must have been previously tested by the pilot as reliable as a backup and be available during the entire flight.

**Flight in IMC shall be subject to the following weather limitations:**

1. If the weather is forecast to be below VFR limitations, then two pilots with ratings of either private pilot or better are required.
2. The weather shall be no less than 2,000 ft ceiling and 5 miles visibility and be forecast to remain so along the entire route of flight for the duration of the flight except as noted below.
3. Flight during weather conditions with ceilings no less than 1,000 ft and visibility no less than 2 miles is permitted within 25 nm of the Bangor airport for instrument flight training or practice only.

**B) NIGHT OPERATIONS**

Night flight will be restricted as follows:

**General:**

Surface winds or gusts must be less than 12 knots, have a 90-degree crosswind component of less than 8 knots, and be forecast to remain within these limits for the duration of the flight. These restrictions do not apply when accompanied by an instructor on a training flight and the instructor deems the winds acceptable.

Visibility and ceiling must be 10 miles and 5,000 feet, respectively and forecast to remain within these limits for the duration of the flight. If, however, the flight is to be made within the radius of the Old Town Airport (OLD) the ceiling restriction may be lowered from 5,000 feet to 3,000 feet.

**Student Pilots:**

Student pilots must be accompanied by a CFI.

**Private Pilots:**

Must have night flying privileges.

The radius of flight from Bangor International Airport is unlimited.



### C) STUDENT FLIGHTS

All student pilots must have each flight, local or cross-country approved by a flight instructor at the base of operations, prior to the flight.

### D) WIND RESTRICTIONS

1. The Club aircraft shall not be taxied or flown by any member when surface winds or gusts are greater than 17 knots, except when accompanied by an instructor on a training flight and the instructor deems the winds acceptable.
2. Student pilots shall not fly solo when the 90-degree crosswind component is greater than 8 knots.
3. Private pilots shall not fly when the 90-degree crosswind component is greater than 12 knots.

### E) FLIGHT EXPERIENCE REQUIREMENTS

1. To be covered by the club insurance, pilots must meet the following experience requirements.

Non-student, licensed pilots that have not received a flight review in the 12 calendar months in the same make and model of the aircraft preceding the flight involved, must receive a flight review by a designated CFI prior to solo operation of that aircraft if any of the following are true:

- a. Has less than 250 total logged flight hours, or
  - b. Has less than 25 total logged flight hours in the 12 calendar months preceding the flight involved, or
  - c. Has not logged any flying hours in the 6 calendar months preceding the flight involved.
2. All new club members, regardless of experience, require a check flight in each club aircraft with an approved club instructor prior to operations of that club aircraft. Approval from that club instructor will be noted in the pilot's logbook.

## II. ELIGIBILITY

With the exception of certified flight instructors, the aircraft owned by the Club shall not be flown by persons other than members. There shall always be a member of the Club at the controls. Exceptions to this rule may be granted only by action of the Board of Directors. Student pilots are limited to solo flight or flying with an instructor.

### III. RESERVATIONS

1. All flying time shall be booked in advance of the proposed flight.
2. Any member more than 15 minutes late for their appointment shall forfeit the remainder of their scheduled time to any member desiring it.
3. The maximum number of hours that can be scheduled without approval by the Board of Directors is eight.
4. Reservations for more than eight hours must be approved by a minimum of three Directors of the Club. Typically, such exceptions are only made for training requirements, such as scheduling long cross-country flights for ratings, and check rides. Overnight flights are not approved.

### IV. RESPONSIBILITY

1. It shall be the responsibility of the member using the aircraft to securely tie down the aircraft unless the next member to fly is on hand to take over. If the plane is returned to the hangar, the pilot must notify ground personnel that the plane is on the hangar apron.
2. It is the member's responsibility to have the aircraft securely tied down at all destinations on cross-country flights.

### V. OPERATIONAL COSTS

On all cross-country flights all gasoline and oil bills and routine service bills, except airport tools and tie down fees, paid by the member will be deducted from their account after such receipts are presented to the Treasurer. Emergency repair incurred on cross-country flights may not be reimbursed above \$50.00 unless approved by the Maintenance Officer. If the Maintenance Office is not available approval may be obtained from any other officer of the Club.

### VI. VIOLATIONS

1. A violation of any of the rules by a member renders them liable either to temporary flight suspension, monetary fine, or both, pending a decision by the Board of Directors.
2. In the case of extreme violations, especially in violation of FAA Regulations, expulsion from the Club will be recommended upon a unanimous vote of the Board of Directors. Expulsion must then be ratified by a two-thirds vote of the members present and in good standing at any regular meeting of the Club.

VII. CHANGES AND AMENDMENTS

1. Changes in, or amendments to these operations rules may be affected only by the unanimous vote of the Board of Directors or by a majority vote of the members present at a regular Club meeting.
2. Each member shall receive a copy of the changes or amendment.
3. The original copy shall have the change or amendment attached thereto.

## **AMENDMENTS AND UPDATES**

*Constitution amended and updated November 21, 1988.*

*Constitution updated to remove sexist language November 1991.*

### *Amendments to Operations Rules:*

*January 18, 1992 – Radius of night flights.*

*February 19, 1992 – Wind restrictions; night ceiling requirements for local flights.*

*March 28, 1993 – Requirement to activate flight plans added to the filing of flight plans rules.*

### *Amendments to the constitution made December 9, 1997*

*The Club constitution has been amended as shown below. The amendments are a result of a vote that was held during the December general membership meeting.*

*The portion referring to OPERATIONS RULES, part I. FLIGHT LIMITATIONS, section A. NIGHT OPERATIONS –*

#### ***Private Pilots:***

*Must have night flying privileges.*

~~*All night flights will be within a 35 nautical mile radius of Bangor International Airport with landings at lighted airports only. (La Fleur airport in Waterville, Maine is an exception to the distance restriction)*~~

~~*For private pilots with 200 hours or more of total time and a minimum of 50 hours logged as night flying, the radius of flight from Bangor International Airport is unlimited.*~~

*has been amended as follows:*

#### ***Private Pilots:***

*Must have night flying privileges.*

*The radius of flight from Bangor International Airport is unlimited.*

*The portion referring to OPERATIONS RULES,*

### *I. FLIGHT LIMITATIONS*

*Members of the Club shall observe all existing FAA Regulations, State, local airport and Club rules. The aircraft engine shall not be started without a*

*competent operator at the controls. No member of the Club shall execute slow rolls, snap rolls, loops, inverted flight or unusual maneuvers which might cause structural damage. The only maneuvers permitted are those required in a flight test for any airman certificate. The aircraft shall be operated only from those landing areas which are paved, public airports. The aircraft shall not be loaned nor rented to non-members. The use of the Club aircraft for commercial purposes is prohibited.*

*has been amended as follows:*

*Members of the Club shall observe all existing FAA Regulations, State, local airport and Club rules. The aircraft engine shall not be started without a competent operator at the controls. No member of the Club shall execute slow rolls, snap rolls, loops, inverted flight or unusual maneuvers which might cause structural damage. The only maneuvers permitted are those required in a flight test for any airman certificate. The aircraft shall be operated only from those landing areas which are paved, public airports with the following exception: grass-strip runway landings are permitted when flying with a club instructor, at the discretion of the instructor, for training purposes only. The aircraft shall not be loaned nor rented to non-members. The use of the Club aircraft for commercial purposes is prohibited.*

#### **Amendments to the constitution made April 14, 2004**

- *The portion referring to MEMBERSHIPS, Paragraph 6,*
  6. *Any member who has failed to pay their dues or any sum due the Club shall no longer be considered a member in good standing. They shall also have their flying privileges suspended until the bill is paid and shall be fined 10% of the amount due, to a maximum of \$10.00.*

*has been changed to*

6. *Any member who has failed to pay their dues or any sum due the Club shall no longer be considered a member in good standing. They shall also have their flying privileges suspended until the bill is paid and shall be fined 10% of the amount due.*
- *Paragraph 11 has been added and reads:*
    11. *Full time undergraduate students can join as non-flying members having no flying privileges. Such members will be exempt from all dues and joining fees. Such members cannot serve as officers except in the event that a regular dues paying member is not available to fill a position that requires an undergraduate student. Such members cannot vote on issues directly or indirectly related to club aircraft expenses, financing or operation.*

- *The portion referring to responsibilities of PRESIDENT,*

*in addition to paragraphs 1 & 2, the following, paragraph 3, has been added.*

3. *The President must be a full-time undergraduate student and a regular dues paying club member with flying privileges. A non-flying member may serve as President only in the event that a regular member is not available for the position.*

- *The portion referring to responsibilities of VICE-PRESIDENT,*

*in addition to paragraphs 1 & 2, the following, paragraph 3, has been added.*

3. *The Vice-President must be a full-time undergraduate student and a regular dues paying club member with flying privileges. A non-flying member may serve as Vice President only in the event that a regular member is not available for the position.*

- *The portion referring to responsibilities of SECRETARY,*

*in addition to paragraphs 1 through 5, the following, paragraph 6, has been added.*

6. *The Secretary must be a full-time undergraduate student and a regular dues paying club member with flying privileges. A non-flying member may serve as Secretary only in the event that a regular member is not available for the position.*

#### **Amendments to the constitution made November 8, 2006**

- *The portion referring to MEMBERSHIPS, Paragraph 6,*

6. *Any member who has failed to pay their dues or any sum due the Club shall no longer be considered a member in good standing. They shall also have their flying privileges suspended until the bill is paid and shall be fined 10% of the amount due.*

*has been changed to*

6. *Any member who has failed to pay their dues or any sum due the Club in full within 45 days of billing shall no longer be considered a member in good standing and will be put the inactive list. They shall also have their flying privileges suspended until the bill is paid and shall be fined 10% of the amount due.*

- *The portion referring to MEMBERSHIPS, Paragraph 9,*

9. *A member in good standing shall be entitled to all of the membership rights, including voting on capital investments, voting for officers and personal use of the aircraft.*

*has been changed to*

9. *A member in good standing shall be entitled to all of the membership rights, including voting on capital investments, voting for officers and personal use of the aircraft. Only active flying members in good standing shall have an interest in the plane for legal purposes.*

### **Amendments to the constitution made January, 2011**

#### *Operating Rules, Section I on FLIGHT LIMITATIONS.*

1. *Flight Plans must be filed and activated with the FAA for all flights.*

*was changed to*

1. *Student pilots must file and activate a flight plan for all solo flights more than 20 nautical miles from Bangor and all solo cross-country flights (i.e., landings at other airports).*

*A new "Introductory Membership" was added as item 12 under MEMBERSHIPS:*

12. *A special "Introductory Membership" is available to persons wanting an introduction to flying and the University Flying Club. Such membership is limited to persons who have not previously been a member of the club, other than as a non-flying member, and have not previously held a pilot's certificate other than a student pilot's certificate. There are no dues or other fees for this membership, although the usual paperwork must still be filled out. Introductory Membership is valid for one month and such members may not fly more than two hours. Any flying time must be paid for in advance at the regular rate. Introductory members can only fly club aircraft with a club instructor and they cannot fly solo. Introductory members cannot vote or hold office.*

### **Amendment to the constitution made March, 2018**

*A new "Supporting Membership" was added as item 13 under MEMBERSHIPS:*

13. *A special "Supporting Membership" is available to persons that support the club by either providing club aircraft maintenance-related flights or flight instruction in the club plane(s). There are no dues or other fees for this membership, although the usual paperwork must still be filled out. Supporting Members can only fly club aircraft on maintenance-related flights approved by the Aircraft Maintenance Officer or on flights when providing flight instruction as a club CFI to a current regular flying member of the club. Supporting members cannot vote or hold office.*

**Amendment to the constitution made May, 2019**

*Operating Rules, Section III on RESERVATIONS,*

4. *Reservations for more than eight hours must be approved by at least three of the Directors of the Club.*

*was changed to*

4. *Reservations for more than eight hours must be approved by a minimum of three Directors of the Club. Typically, such exceptions are only made for training requirements, such as scheduling long cross-country flights for ratings, and check rides. Overnight flights are not approved.*

**Amendment to the constitution made November 10, 2021**

*Updated aircraft rates in Schedule A:*

<i>Cessna 152 N757ZU</i>	<i>\$ 70.00</i>
<i>Cherokee 140/160 (7565R)</i>	<i>\$ 115.00</i>

*Removed "Aircraft Manuals" line item from Schedule A.*

**Amendment to the constitution made January 30, 2022**

*Operating Rules, Section I on FLIGHT LIMITATIONS,*

*Added a new section regarding IFR FLIGHT IN INSTRUMENT METEOROLOGICAL CONDITIONS (IMC).*

*A) IFR FLIGHT IN INSTRUMENT METEOROLOGICAL CONDITIONS (IMC)*

*Flight in IMC on an IFR flight plan in N757ZU is approved if with an instructor for training purposes or if the pilot holds an instrument rating, and only if the pilot(s) meet the following criteria.*

***General:***

1. *If the pilot-in-command (PIC) is not a CFI-I, they shall previously have obtained an Instrument Proficiency Check as defined by 14 CFR 61.57(d) with a CFI-I in N757ZU.*
2. *The PIC must be current with the applicable sections of FAR 61.57c or 61.57d, except if the pilot-in-command (PIC) is not a CFI-I then 3 of the approaches must*



*have been done in the past 90 days and at least 2 of the required approaches must have been done in N757ZU.*

- 3. The pilot flying must have an electronic flight bag (EFB) with a backup attitude reference available to them via either the Garmin GNC 355 AHRS or a portable ADS-B device that includes AHRS functionality. Their EFB and associated devices must have been previously tested by the pilot as reliable as a backup and be available during the entire flight.*

***Flight in IMC shall be subject to the following weather limitations:***

- 1. If the weather is forecast to be below VFR limitations, then two pilots with ratings of either private pilot or better are required.*
- 2. The weather shall be no less than 2,000 ft ceiling and 5 miles visibility and be forecast to remain so along the entire route of flight for the duration of the flight except as noted below.*
- 3. Flight during weather conditions with ceilings no less than 1,000 ft and visibility no less than 2 miles is permitted within 25 nm of the Bangor airport for instrument flight training or practice only.*

***Amendment to the constitution made February 12, 2022***

*Updated PURPOSE to better match mission statement on website:*

*The purpose of this club shall be to provide for its members, a convenient means for private flying at economical rates, to promote aviation safety and comradery among members and to support UMaine's student flying club members in these pursuits.*

*was changed to*

*The purpose of this club shall be to provide for its members, a convenient and affordable means to pursue flight training, practice, and proficiency at economical rates, to promote aviation safety and comradery among members, and to support UMaine's student flying club members in these pursuits.*

*The organization is organized exclusively for charitable, educational, and scientific purposes under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.*

*Added the following sections to support recognition of exemption under Section 501(c)(3) as a tax-exempt charitable organization:*

## *XII. DISSOLUTION*

*In the event of dissolution of the Club, all assets shall be liquidated, and all remaining funds shall be distributed in the following order:*

- 1. All debts owed by the Club shall be paid in full.*
- 2. All member security deposits and credits shall be refunded in full, minus any dues owed by that member.*
- 3. Any remaining funds or assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.*

*Updated wind restriction to add details for Piper Cherokee:*

### ***C) WIND RESTRICTIONS***

- 1. The Club aircraft shall not be taxied or flown by any member when surface winds or gusts are more than 17 knots except when accompanied by an instructor on a training flight and the instructor deems the winds acceptable.*
- 2. Student pilots shall not fly solo when the 90-degree crosswind component is 8 knots or more.*
- 3. Private pilots shall not fly when the 90-degree crosswind component is greater than 12 knots.*

*was changed to*

### ***C) WIND RESTRICTIONS***

- 1. The Club aircraft shall not be taxied or flown by any member when surface winds or gusts are more than 17 knots (Cessna 152) or 25 knots (Piper Cherokee) except when accompanied by an instructor on a training flight and the instructor deems the winds acceptable.*
- 2. Student pilots shall not fly solo when the 90-degree crosswind component is 8 knots or more (Cessna 152) or 12 knots or more (Piper Cherokee).*
- 3. Private pilots shall not fly when the 90-degree crosswind component is greater than 12 knots (Cessna 152) or greater than 17 knots (Piper Cherokee).*

### ***Amendment to the constitution made June 8, 2022***

*Removed all Piper Cherokee mentions from constitution. **Amendment to the constitution made December 15, 2022.***

*Removed references to section 501(c)(3) of the Internal Revenue Code.*

*Added the following section:*

#### *INDEMNITY*

*9.1 Indemnity Generally. To the fullest extent permitted by law, the Club shall indemnify, hold harmless and defend the Officers of the Club (“Indemnified Party”) from and against all claims, costs, expenses, losses, liabilities and damages (including amounts paid in satisfaction of judgments, in compromises and settlements, as fines and penalties and legal or other costs and reasonable expenses of investigating or defending against any claim or alleged claim) of any nature whatsoever, known or unknown, liquidated or unliquidated, that are incurred by any Indemnified Party or its agents and arise out of or in connection with the affairs of the Club or any alternative investment structure through which Club investments are made or the performance by such Indemnified Party or its agents of any of their responsibilities hereunder or otherwise in connection with the matters contemplated herein; provided that an Indemnified Party shall be entitled to indemnification hereunder only to the extent that such Indemnified Party’s conduct did not constitute fraud, bad faith, intentional misconduct, a material and knowing violation of any applicable local, state or federal laws or an intentional and material breach of this Agreement.*

*9.2 Survival. The indemnification rights and obligations discussed herein shall survive an event of dissociation of the Officers or resignation of the Officer or the dissolution, termination, and liquidation of the Club.*

*9.3 Expenses. Expenses, including legal fees and court costs, reasonably incurred by an Indemnified Party in defense or settlement of any claim that may be subject to a right of indemnification hereunder shall be advanced by the Club prior to the final disposition thereof upon receipt of an undertaking by or on behalf of the Indemnified Party to repay such amount to the extent that it shall be determined ultimately that such Indemnified Party is not entitled to be indemnified hereunder.*

*9.4 Cumulative Rights. The indemnification rights contained herein shall be cumulative of and in addition to any and all rights, remedies, and recourse to which the Indemnified Party shall be entitled whether pursuant to the provisions of this Agreement, at law, or in equity, and shall extend to such Indemnified Party’s successors, assigns, heirs, and legal representatives, as the case may be.*

#### **Amendment to the constitution made February 15, 2023**

*Updated aircraft rates in Schedule A:*

*Cessna 152 N757ZU*

*§ 80.00*

**Amendment to the constitution made April 6, 2024**

*Updated aircraft rates in Schedule A:*

*Cessna 152 N757ZU*

*\$80.00 (Enrolled University of Maine Students)*

*\$90.00 (All Other Members)*

### **Things to remember**

1. Reserve Club planes by scheduling yourself in the club scheduling application. Do not call BGR Aviation to check schedule or reserve time.
2. Reserve planes for eight hours maximum. Extra time for student pilots trying to get in cross-country requirements should be approved by club officers.
3. Landings for Club planes are restricted to paved, public runways only. No grass, no gravel, no dirt, no frozen lakes, etc. but with the specific exception given in Section I of the Operations Rules.
4. Stated plane rental costs are “wet.” Fuel and oil are paid for by the club. In the event you need to refuel at a remote airport, submit fuel bill with flying club payment and deduct cost of fuel.
5. If repairs to club planes are required at a remote airport, expenses exceeding \$50.00 should be approved by phone by Maintenance Officer, or other club officer if the Maintenance Officer is unavailable.
6. Flying Club members are responsible for securing airplanes on ramp adjacent to hangar. General Aviation personnel are the only people allowed to move plane into or out of the hangar. Do NOT taxi airplanes into or out of the hangar.
7. Call BGR Aviation one hour in advance of flight if you are scheduled to fly early in the day or following marginal weather to allow them time to remove the plane from hangar.
8. Fuel for Club planes is 100 LL (low lead).
9. Have fun!! And remember: God does not deduct from one’s time on earth those hours spend flying!!