

# **CONSTITUTION NATIONAL OVAL TRACK RACING ASSOCIATION AN UNINCORPORATED ASSOCIATION**

## **1. NAME**

The name of this association is the National Oval Track Racing Association.

## **2. PURPOSE AND POWERS**

The purposes for which this Association is formed are:

- (a) The purposes are educational and recreational and not for profit. To encourage and promote the sighthounds in their historic role as well trained racers competing against other sighthounds in organized, oval track racing events held on a flat, natural surface.
- (b) The general purposes and powers are:
  - (1) To sue and be sued in its own name.
  - (2) To enter into and perform contracts in its own name, provided, however, that no member of this Association shall be individually or personally liable for the debts or liabilities contracted or incurred by the Association, unless such member in writing signed by him or his agent assumes such debt or liability. Further, there is no presumption or inference that any member of this Association has consented or agreed to the incurring of any obligation by the Association from the mere fact of joining or being a member thereof, or signing its Bylaws.
  - (3) To enter into any of the commercial transactions authorized by law.
  - (4) To purchase, receive, own, hold, lease, mortgage, pledge, or encumber by deed of trust or otherwise, manage, and sell all such real estate and other property of every kind, nature, and description as may be necessary for the purpose and objectives of the Association.
  - (5) To receive gifts of real or personal property, in trust or otherwise. To take and receive by will or deed all real or personal property necessary for its purpose and objectives, subject to the laws regulating the transfer of property by will. To take and receive by will or deed all real or personal property not necessary for its purposes and objects and hold it until disposed of within a period of ten (10) years.
  - (6) To adopt, alter, or cancel an insignia and to register such insignia, alteration, or cancellation thereof with any appropriate governmental office.
  - (7) To adopt, use, and at will alter an Association seal, but failure to affix the seal shall not affect the validity of any instrument.
  - (8) To adopt, amend, or repeal Bylaws in such manner as may be provided therein. The initial Bylaws shall be adopted by the unanimous written consent of the Directors named in this Constitution
  - (9) Generally to have and exercise all other rights and powers now conferred, on such associations by law, or which do not contravene the law or public policy of the United States, or any state.

### **3. PRINCIPAL OFFICE**

The principal office of the Association for the transaction of its business shall be located at the home address of the duly elected Association Secretary / Treasure, or at such other location as the National Race Director shall designate.

### **4. BOARD OF GOVERNORS**

(a) The powers of the Association shall be exercised, its property controlled, and its affairs conducted by a National Race Director, National Race Director - Minor Breeds, Secretary -Treasure, and Registrar - Recorder.

(b) First Board of Governors are:

- |   |                        |
|---|------------------------|
| (1) National Race Director                | William Lewis          |
| (2) National Race Director - Minor Breeds | Sam Banks              |
| (3) Secretary - Treasurer                 | Sherwood "Woody" Rider |
| (4) Registrar - Recorder                  | Mitch Cipriano         |

(c) The qualifications, the time, and manner of electing, the terms of office, the duties and compensation, if any, and the manner of removing the governing body and filling vacancies shall be set forth in the Bylaws of this Association.

### **5. MEMBERS**

(a) There shall be one class of membership. That membership shall be racing Club Members.

(b) A Club Member shall be a sighthound club, association or corporation duly admitted to membership by the Association.

(c) Club Members only shall have voting rights in the Association, and the voting rights of each Club Member shall be equal.

(d) The interest of any member of this Association is the personal property of that member, and no member shall have any interest in the property held by the Association, regardless of the time or manner in which said property is acquired.

### **6. DISSOLUTION**

This Association shall be dissolved and its affairs wound up by the vote or written consent of seventy-five percent or more of its voting members, and not otherwise.

### **7. DEDICATION OF ASSETS AND DISTRIBUTION ON DISSOLUTION**

(a) This Association is not organized, nor shall it be operated, for pecuniary gain or profit, and it does not contemplate the distribution of gains, profits, or dividends to the members thereof and is organized solely for nonprofit purposes.

(b) The property, assets, profits, and net income of this Association are irrevocably dedicated to the purposes as stated in Article II and no part of the profits or net income of this Association shall ever inure to the benefit of any Governor, officer, or member thereof.

(c) On the dissolution or winding up of this Association, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this Association shall be distributed to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for educational or recreational purposes relating to the

sighthound breeds, which has established its tax-exempt status under the Internal Revenue Code.

## **8. LIMITATION ON POLITICAL ACTIVITIES**

No substantial part of the activities of this Association shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation, nor shall this Association participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

## **9. NET PROCEEDS FROM PUBLIC EVENTS**

If this Association holds any events to which members of the general public are invited to observe or participate in for a fee, the income from the general public, unless a proportional share of the expense, will not benefit any individual person and will be paid over to an organization that is exempt from income tax under the Internal Revenue Code on an annual basis.

## **10. DISTRIBUTION OF INCOME AND PROHIBITED ACTIVITIES**

Notwithstanding any other provision in this Constitution, this Association shall be subject to the following limitations and restrictions:

(a) This Association shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by the Internal Revenue Code.

(b) This Association shall not engage in any act of self dealing, retain any excess business holdings, make any investments subject to taxation, nor make any taxable expenditure, as may be proscribed by the Internal Revenue Code.

## **11. CONSTITUTION**

(a) The original copy of this Constitution as amended to date shall be kept at the principal office of the Association, and shall be open to inspection by all members or their agents at any reasonable time.

(b) This Constitution shall be amended only by resolution duly adopted by the vote of eighty percent (80%) or more of the Club Representatives of record on the date the ballot is due back to the Secretary - Treasure of the Association and not otherwise.

Original Constitution signed and approved on September 20, 1992.

William Lewis, National Race Director  
Sam Banks, National Race Director - Minor Breeds  
Sherwood "Woody" Rider, National Secretary – Treasure  
Mitch Cipriano, Registrar - Recorder