

Preamble to the By-Laws of the
WESTERN NEW YORK - SOUTHERN ONTARIO REPEATER COUNCIL

By agreement made this 25th day of September, 1982, by and between Amateur Radio Operators recognizing this agreement:

WHEREAS it is the stated purpose of the parties hereto to coordinate the effective use of Amateur Radio repeater frequencies within the Western New York and Southern Ontario region; and

WHEREAS to accomplish this goal, it is deemed in the best interest of Amateur Radio repeater operations that an association, to be known as the Western New York - Southern Ontario Repeater Council, or WNYSORC, be formed; and

WHEREAS the parties hereto believe that a council of licensed radio amateurs is the most effective means of maintaining efficient use of the radio spectrum, as applied to Amateur Radio repeater operation, in a fair and equitable manner.

NOW THEREFORE, it is agreed that the following BY-LAWS be adopted:

I. DEFINITIONS

1. WNYSORC - the acronym for The Western New York-Southern Ontario Repeater Council, also referred to as the "Council" in this document
2. Official Web Site – www.wnysorc.org is the official web site for the Council; meeting notices, minutes, official forms and other WNYSORC information may be found here
3. FCC – The (US) Federal Communications Commission
4. IC – Industry Canada
5. ARRL - The American Radio Relay League
6. RAC- Radio Amateurs Of Canada
7. Licensee - the person or entity listed in either the FCC or IC database for a given call sign
8. Trustee - The person who is responsible for the legal operation of a repeater; this person is not necessarily the licensee of the repeater
9. Sponsor - An individual or entity providing support for the operation of a repeater
10. Designated Representative – The person selected by the Licensee and/or Trustee to represent a repeater at meetings and/or as a point of contact for the Council
11. Repeater System – A group of two or more repeaters that are owned or controlled by a single entity or person or a group of two or more repeaters that are normally or frequently linked together
12. Certified Mail - Postal mail (either USPS or Canada Post) with a return receipt requested to allow us to track the progress of the letter, if it was, in fact signed for, when it was signed for, or if it was refused
13. Current Mailing Address - An electronic mail (email) or postal address where routine Council correspondence will be sent; where an email address is provided, routine correspondence, such as meeting notices and minutes, will be sent exclusively to that email address
14. Coordination - A "gentlemen's agreement" among Amateur Radio Operators to place repeater stations in a location that maximizes the utilization of our available spectrum while minimizing the potential for interference with adjacent and co-channel stations.
15. Frequency Assignment - Suggested frequency or frequencies that we believe will meet the conditions of maximum utilization of our available spectrum and pose a minimal potential for interference with adjacent and co-channel stations. We recognize that the council has no power to actually assign any frequencies and that any radio amateur of the proper class may put a repeater on the air without benefit of coordination
16. Frequency Coordination Form - The official and only acceptable form for requesting a new frequency assignment, requesting modification of an existing frequency assignment, reporting changes in the repeater or contact information and to complete the required annual repeater update; the form shall be available in Microsoft Word and .pdf formats on our web site, www.wnysorc.org, or from the Secretary-Treasurer

II. MEMBERSHIP

Membership in this council shall be open to any licensed radio amateur, however only licensees, trustees or their designated representative will be considered voting members. A trustee may elect a designated representative by sending a postal mail letter to the Secretary-Treasurer. A designated representative may also present a letter, signed by the trustee, to the Secretary-Treasurer at any meeting.

III. REPRESENTATION

While membership is open to any licensed radio amateur, only the sponsor, trustee or designated representative of a repeater, whose membership is current, may vote. Only one vote is allowed per stand-alone repeater, repeater association, repeater system, or club.

IV. MEETINGS

The WNYSORC shall meet regularly for the conduct of business, a minimum of two times per year, at a mutually agreed upon location and date as determined at the previous meeting. Special meetings may be called by the Council Chair when necessary.

Notice of meetings will be made by the Secretary-Treasurer in sufficient time to reach all members prior to the meeting. Notice of meetings will be sent to all repeater licensees, sponsors, trustees, or designated representatives who maintain a current mailing address with the council. Notice shall also be posted on the WNYSORC web site, www.wnysorc.org. Where a licensee, sponsor, trustee or designated representative has provided a valid email address, notices will be sent only via email unless otherwise requested in writing. It is the responsibility of the licensee, sponsor, trustee, or designated representative to maintain current contact information with WNYSORC and to assume any consequences for failure to do so.

V. CONDUCT OF BUSINESS

All meetings shall be conducted in accordance with Robert's Rules of Order. The Council Chair shall be the final arbitrator in all disputes of order.

VI. GEOGRAPHICAL AREA

The region of prime concern of this council shall be within a circle of 150 miles in radius, centered over Hamilton, Ontario, Canada, and including areas in Ontario and New York. Specific boundaries shall be defined by mutual agreement with adjacent frequency coordinating bodies.

VII. OFFICERS

Officers need not be licensees, sponsors, trustees or designated representatives; however they must be members in good standing at the time of their election.

This council shall have a Council Chair who shall be a licensed Radio Amateur. The Council Chair's duties shall include:

1. Presiding at all meetings;
2. Appointing committee heads; and
3. Acting on behalf of this council between meetings as necessary
4. Acting as the final arbitrator of all disputes of order

This council shall have a Secretary-Treasurer who shall also be a licensed Radio Amateur whose duties shall include:

1. Recording minutes of all meetings and maintaining them on file;
2. Maintaining a mailing list as necessary and distributing meeting notices and meeting minutes accordingly and posting them on the web site
3. Maintaining a treasury of funds and associated record keeping; and
4. Conducting correspondence on behalf of the council.

VIII. ELECTIONS

Officers shall be elected at the final meeting of the year and shall take office at the first meeting of the following year. Nominations for election shall open at the meeting prior to the last meeting of the year, and shall be closed at the same meeting. Terms of office shall be for three years. The office of secretary-treasurer shall overlap the office of council chair by one year.

In the event of an office becoming vacant before the term has been completed, a special election will be held as soon as possible and not later than the second meeting after the office becomes vacant. In the interim period, the remaining officer shall appoint somebody to fill the vacant office.

IX. STANDING COMMITTEES

The Council Chair shall appoint the head of the following standing committees:

FREQUENCY STUDY COMMITTEE - whose purpose is to:

1. Accept written requests for frequency coordination;
2. Assign frequencies in accordance with council guidelines;
3. Review frequency assignments. Maintain a database containing the technical specifications of the repeaters as required for coordination purposes
4. Prepare repeater listings for distribution to the membership and for publication in the ARRL Repeater Directory and
5. Coordinate and assign confidential link and control frequencies of a point-to-point nature.
6. The head of the Frequency Study Committee shall be known as the WNYSORC Frequency Coordinator

TECHNICAL COMMITTEE - whose purpose is to:

1. Provide assistance to new repeater sponsors if assistance is requested

2. Recommend solutions to existing problems
3. Recommend antenna patterns where omni coverage is not required (i.e., over water) or where an interference problem exists.

X. REQUESTS FOR ASSIGNMENT OF FREQUENCIES OR MODIFICATION OF AN EXISTING ASSIGNMENT

The frequency study committee shall receive a written request, on the Frequency Coordination Form, requesting a new frequency assignment or modification of an existing assignment. This form must be filled out completely or it cannot be processed and will be returned. A coordination fee, as determined by the Council, shall be submitted with any request for a new assignment.

XI. EXPIRATION OR CANCELLATION OF ASSIGNMENTS

Assignments do not expire, per se, however each repeater must be updated, in writing, using the Frequency Coordination Form, even if there have been no changes since the previous update. Failure to do so may result in a notice from the Frequency Coordinator via Certified Mail, requesting the updated information. Failure to comply with such request, in writing via Certified Mail, within 30 days of receipt will result in an assignment being cancelled without further notice.

An assignment may be cancelled for failure to put a repeater on the air or maintain a repeater on the air. New repeaters are required to be reported active within 180 days of the assignment. Notice will be sent, via Certified Mail, to the contact in the database of any new repeater not on the air within the 180-day window or to the contact in the database of any repeater reported to be off the air for a period of 30 days or more to ascertain their intentions. We understand that sometimes repeaters are off the air or cannot be put on the air due to circumstances beyond the control of the repeater licensee, sponsors, or trustee. It is not our intention to harass any repeater licensee, sponsors, or trustee. We only wish to maintain a dialog on the status of the repeater. Failure to keep the Council informed may result in an assignment being cancelled.

It is the responsibility of the licensee, trustee or sponsor to maintain current contact information, including name, call sign, postal mail address, and email address with the Council at all times. The Council shall not be obligated to use any means, other than the information in our database, to establish contact with a trustee or sponsor.

Any changes in equipment, ERP, AMSL or location that changes the footprint of the repeater must be reported, using the Frequency Coordination Form, to the Frequency Coordinator. In the case of a minor move, defined as a move resulting in no increase of ERP or a change of 25 feet or less in AMSL and that is within a three mile radius of the ORIGINALLY coordinated location (as opposed to the current location of the repeater) and does not violate coordination guidelines may not require cross-coordination with the adjacent Councils. The Frequency Coordinator, at his sole discretion, will determine if any change will require that the assignment be re-coordinated. If re-coordination is determined to be necessary, the appropriate fee shall be submitted before any action will be taken.

Providing false or misleading information or failure to cooperate with the Council shall be sufficient reason to cancel an assignment. In the event of such action, notice will be provided via Certified Mail.

Documented refusal of Certified Postal Mail, return receipt requested, shall be considered to be proof of the Council satisfying the notification requirements of these by-laws.

XII. BAND PLANS

The Council shall endeavor to follow all repeater band plans as established by the FCC, ARRL, RAC and IC. In some instances, however, conditions may dictate a variation from this "national" band plan, the so-called "local option." Any variations are subject to Council approval.

XIII. DUES

In order to finance the operation of the council, annual dues shall be levied. Dues shall be due at the first meeting of the year. The voting members of the Council shall set the dues for the coming year by a simple majority present at any meeting. If no action is taken, the previous year's dues schedule shall remain in effect for the coming year.

XIV. VOTING

Issues shall be decided by simple majority vote of the voting members present. The Council Chair shall cast the deciding vote in the event of a tie vote. Changes to Council policies and amendments to these by-laws may be introduced at any meeting. These items require a motion and a second when introduced. However, voting on these items will not take place until the meeting following their introduction to allow notification of the entire membership and publication of the proposal or proposals via meeting notices and the web site. The item or items shall appear under Old Business on the agenda at that subsequent meeting, where a vote will be taken.

XV. BY-LAWS REVIEW

Review of these by-laws shall be conducted as deemed necessary or amended in accordance with voting policy.