**Moore Skating Club Constitution and By-Laws**

**Club Name: Moore Skating Club**

**Incorporated may 1974**

**Revisions Date: October 2017**

**Signed by**

**Club President, Cherie Gaulton \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Club Secretary, Jennifer Anthony \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**On this day: Oct 17, 2017**

**Constitution**

**Moore Skating Club**

**Club Number 1000637**

**Date of Incorporation: May 1974**

**Date of Revisions: October 2017**

**Article 1: Name of Club**

**The name of the Club shall be the Moore Skating Club, hereafter called the Club.**

**Article 2: Skate Canada**

1. **A not for profit skating club that is a member of Skate Canada and is managed by a volunteer board of directors for the general purpose of providing Skate Canada skating programs for Skate Canada members.**
2. **The Club shall pay such fees and such other charges as shall be required by clubs from time to time by Skate Canada.**
3. **The Club shall abide by all Skate Canada by-laws, rules and regulations as per Skate Canada By-Law.**
4. **The Club is located in the Ontario Section of Skate Canada.**

**Article 3: Purpose of the Club**

1. **The purpose of the Club shall be to encourage the instruction, practice, enjoyment and advancement of its members in all aspects of skating in accordance with the Rules, Policies and Procedures of Skate Canada.**
2. **The Club, with regard to any aspect of its operation is to be managed and operated by eligible persons who are duly registered as Associate Members of Skate Canada.**
3. **The Club shall protect the eligibility status of its members. The Club shall not take or omit any action that would knowingly jeopardize the eligible status of its members.**
4. **The Club shall operate only Skate Canada Programmes.**
5. **Only Skate Canada Professional Coaches are permitted to teach skating in the Club.**

**Article 4: By-Laws of the Club**

1. **The By-Laws, appended to this Constitution, shall describe the organization and functions of the Club and the means by which members of the Club may elect the Club Board of Directors and control the property and activities of the Club.**
2. **The By-Laws, Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over Club By-Laws.**
3. **Any Club By-Law contrary to the By-Laws, Rules and Regulations of Skate Canada and those of the Section shall be invalid. It is acknowledged that any provincial statute governing a club has precedence over any inconsistent Skate Canada By-Law relating to the club.**

**Membership**

**By-Law 1: Club Membership**

**Membership in the Club shall be open to all, irrespective of sex, age, creed or colour.**

**By-Law 2: Skate Canada and Club By-Laws, Rules and Regulations**

**All members shall uphold, observe and conform to the By-Laws, Rules and Regulations of Skate Canada, the By-Laws of the Club and such regulations as made by the Board of Directors of the Club.**

**By-Law 3: Membership Fees**

**Members of the Club shall be registered with Skate Canada and pay such registration and other fees to Skate Canada as set from time to time by Skate Canada.**

**By-Law 4: Member in Good Standing**

**For a member of the Club to be considered in good standing with the Club, that member must pay Club fees as are stipulated by the Club Board of Directors in advance of the membership year in question. Members will not be permitted to take part in any Club activities if these fees are not paid within 30 days of the date set for payment. Members in arrears shall be considered as having terminated their club membership.**

**By-Law 5: Setting of Club Fees, Rules and Skating Hours**

**Fees, skating rules and skating hours of the Club shall be as the Board of Directors decides from time to time. Club membership shall commence on the first day of the Skate Canada membership year, 1 September, or the date that fees are paid (whichever is the latter) and terminate on the last day of the Skate Canada membership year, 31, August.**

**By-Law 6: Suspension and Expulsion form the Club**

**The Board of Directors may suspend or expel a member of the club for acting contrary to the By-Laws, Rules and Regulations of Skate Canada or the Club. The Board of Directors shall develop a suspension and expulsion policy in accordance with the Skate Canada Complaint, Suspension and Expulsion Policy and Procedure that contains a provision for suspending or expelling of any member of the Club from such membership on terms and conditions that are deemed appropriate and necessary by the Club Board of Directors. This policy shall be approved by the members in advance of it implementation. This policy must include an appropriate hearing and appeal process, which includes principles of due process, an appropriate reinstatement application process and an appropriate graduated series of disciplinary measures.**

**By-Law 7: Classes of Club Membership**

**The classes of membership, eligibility and privileges shall be as follows:**

* **Individual membership: Non-skating membership who have paid the fees as set by the Club and are Associated Members of Skate Canada. Individual members of legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club.**
* **Active Membership: All eligible skaters who participate in the Club Skating Program and who have paid the fees as set by Club and are Associate Members of Skate Canada. All active skating members of the legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club. (Underage Active members have no vote but may be represented by Special Members) Included in the skating membership is Canskate, Star Skate, CanPower Skate, private lesson skaters and adult skaters.**
* **Special Membership: Parent or guardian of legally underage active skating members who have paid the fees as set by the Club and are Associate members of Skate Canada.**
* **Partial Membership: All eligible skaters who are Associate Member or Restricted Member of Skate Canada through another HOME club, and have paid a reduced fee as set by the Club. Partial members may not hold office or vote at Annual General Meeting.**
* **Honorary Membership: The Annual Meeting of members may elect any person an Honorary Member of the club. An Honorary Member shall be exempt for dues. They may have a vote and voice at the Annual General Meeting.**
* **Restricted membership: A restricted member is an individual who is a paid employee (of the Club, Section or Association), a non-active coach, a performing professional skater or a professional dance partner. A restricted member is not permitted to hold elected office, may not vote at meetings, is not permitted to compete in competitions and is not permitted to officiate at test or competitions.**

**By-Law 8: Liability**

**The Club shall not be responsible for any damages, injury or loss of property to any member, guest or visitor to the Club regardless of the reason or nature of such damage, loss or injury. Every member or guest shall use the Club facilities at his or her own risk. The Club shall participate in Skate Canada Liability and Member Accident Insurance Program.**

**By-Law 9: Club Management – Members of Board of Directors, Committees and Club Delegate to Skate Canada.**

**The members of the Board of Directors, members and Chairs of Committees, and the Club Delegate to Skate Canada must be members in good standing and be of legal age, and be eligible persons (with the exception of the coaching representative) as defined in the Skate Canada Rules.**

**By-Law 10: General Management of the Club:**

**The general management of the Club shall be vested in a Board of Directors consisting of immediate Past President, President, Vice President, Secretary, Treasurer and 7 Directors at Large, and a Coaching Representative. The Coaching Representative shall be elected annually by and from within the coaches of the Club.**

**By-Law 11: Holding Board of Directors Office**

**The Board of Directors shall hold office until the close of the meeting at which their successors have been duly elected. Any member of the Board of Directors may be removed by the members by a 2/3 majority vote at a Special General Meeting duly called for that purpose.**

**By-Law 12: Voting at Board of Directors Meetings**

**A quorum of the Board of Directors shall consist of 50% plus 1 member of the Board of Directors including the chair. Questions arising at any meeting of the Board of Directors shall be decided by a majority of votes. The meeting chair may vote only when the vote would change the result. Therefore the chair may vote to break a tie, and thus pass a motion, or to create a tie and thus defeat a motion. A majority of the Board of Directors shall form a quorum.**

**By-Law 13: Board of Directors Vacancies**

 **Casual vacancies occurring between any Annual General Meeting of the Club shall be filled from the list of candidates who ran at the last Annual General meeting in order of their votes received. Should none of the candidates wish to serve or should there not be any candidates, the nominating committee shall approach current members in good standing to attempt to fill the position for the remainder of the term**.

**By-Law 14: Board of Directors Member Absenteeism**

**If a Board member is absent for three (3) consecutive scheduled meetings without good cause and/or without prior notification to the President or Secretary, the office shall be declared vacant by a majority vote of the Board of Directors.**

**By-Law 15: Role of the President**

**The president shall as a chair of the Board of Directors and general meetings. The president is ex officio of all committees. The president shall sign all legal documents.**

**By-Law 16: Role of the Vice President**

**Shall act in the absence of the president to chair meetings, Can be one of the designated signing officers.**

**By-Law 17: Role of Treasurer**

**The treasurer shall be responsible of the safe control of all Club funds, for preparing and submitting to the Board of Directors, on a regular basis, an annual budget, and for keeping such records as are required for financial review. The treasurer is also responsible for arranging an unaudited financial statement. Any two the treasurer, president, vice president and secretary shall sign all cheques and legal documents. Note: it is the recommended that the treasurer be one of the signing authorities on all financial transactions.**

**By-Law 18: Role of Secretary**

**The Secretary shall deal with all correspondence subject to the approval of the president and/or Board of Directors. The Secretary shall issue all notices of Board of Directors and general meetings, and shall take accurate minutes at all meeting. The Secretary shall be responsible for submitting to Skate Canada and Skate Ontario such reports as are required.**

**By-Law 19: Committees – Appointment**

**The Board of Directors shall appoint all standing committees the Chairs of who shall look after duties assigned to them. All Committee chairs must submit the names of their committee members to the President for approval by the Board.**

**By-Law 20: Committees – Eligibility to Serve**

**All Club Board of Directors and committee chairs shall be eligible persons and shall be of legal age (18 years), and shall be members in good standing of the Club and associate members of the Association.**

**By-Law 21: Rues of Order**

**Rules of order for all meetings, General and Board of Directors, shall be as outlined in Roberts Rules of Order in all cases in which they are applicable and consistent with the by-laws or special rules of the Association.**

**SKATE CANADA DELEGATE**

**By-Law 22:**

**The Club Delegate to Skate Canada and or the Section shall be appointed annually by the Board of Directors. The Delegate need not be a member of the Board of Directors. The Section and/or Skate Canada National Office shall be advised of the appointed delegate’s name.**

**By-Law 23: Timing, Quorum, Special Meeting Requests.**

**An Annual General Meeting shall be held within 60 days of the close of the March 31st fiscal year. Other General Meetings may be held from time to time upon request for the Board of Directors or upon written request of 5 per cent of the Club Members. A quorum for an Annual General Meeting of Special Meeting shall be 10 percent of the eligible voting members.**

**By-Law 24: Written Notice**

**Written Notice of all Annual General Meeting and Special Meetings shall be provided 15 days in advance to each eligible voting member. The notice shall include the time and place of the meeting, the agenda, full details of any proposed amendments to these By-Laws, and a complete list of the candidates nominated for election.**

**By-Law 25: Voting on Club Elections**

**Voting of Club elections shall be by secret ballot and a simple majority shall elect a candidate. Voting on other matters may be by show of hands.**

**By-Law 26: Eligibility to Vote:**

**Voting for club elections or on any matters pertaining to skating shall be restricted to eligible club members who are registered as Associate members of Skate Canada and are 18 year of age, to the Club Coaching representative(s) and to Special Members of the Club voting on behalf of their underage children (who are members of the Club and registered as an Associate Member of Skate Canada). Special Members shall be restricted to one vote per family regardless of how many children are in the family.**

**By-Law 27: Order of Business**

**The order of business at an Annual General Meeting of the Club shall be as follows:**

* **Reading of the Notice of Meeting**
* **Quorum**
* **Approval of the Agenda**
* **Minutes of the preceding General/Special Meeting**
* **Confirmation of the actions taken by the Board Directors**
* **Secretary’s Report**
* **Treasurer’s Report (Annual Financial Statement)**
* **Other Reports**
* **Election of Board of Directors**
* **Amendments to the Constitution and By-Laws**
* **Appointment of Auditors (As applicable)**
* **New Business**

**Amendments**

**By-Law 28: Right to Submit, Process for Submitting**

**Any member of the Club, in good standing, may propose an amendment to the constitution or by-laws of the Club. This proposal must be submitted in writing to the Club Board of Directors for posting to the general membership not less then 21 days in advance of the AGM. The proposed amendment will be presented to the Annual general Meeting or Special Meetings. All amendments must be posted at least 21 days before the respective meeting. No amendment to the Constitution or By-Laws of the Club shall be accepted from the floor at any meeting.**

**By-Law 30: Voting of Amendments**

**Any amendment to be accepted or ratified must pass by a vote of 2/3 of those eligible to vote and be presented at an Annual General Meeting of the Club.**

**By-Law 31: Effective Force of Amendments to By-Laws**

**All amendments to the by-laws upon receiving approval of any general or special meeting of members and upon approval of the provincial government (if applicable) shall come into force immediately or on a date specified for same. All such amendments shall be submitted to Skate Canada. Skate Canada reserves the right of refusal of any amendment. Such refusal shall only be made if the intent of such amendments is to violate, in principle or spirit, any Skate Canada rule and/or by-law.**

**Funds**

**By-Law 32**

**The treasurer shall deposit all funds of the Club in such banks or other institutions as may be designated by the Board of Directors.**

**By-Law 33**

**All disbursements of Club funds shall be by cheque or other auditable document.**

**By-Law 34**

**A person designated by the Board of Directors shall make a review of the financial transactions of the Club each year and the financial statements shall be made available to the membership of the Club.**

**By-Law 35 Dissolution**

**If the Club ceases to exist the net assets from liquidation shall be held in trust for 5 years pending the restart of the Club. Should this not occur, the funds will then be transferred to an organization within St Clair Township as agreed at the final Annual Meeting. Trustees of the funds shall be named at the time of dissolution. They shall be responsible for keeping the funds in a registered bank and shall post a public notice when they are disbursed.**

**By-Law 36 Finance Committee**

**This committee shall be responsible for preparing the Club’s annual budget and supervising the finances of the Club, including the presentation of an independently reviewed annual statement of revenues and expenditures to its members.**

**By-Law 37: Nominating Committee**

**This committee is responsible for the presentation of a full slate for election to the Club Board of Directors and shall present the slate not less than 30 days before the Annual General Meeting. The nominating committee shall be chaired by the past Chair and have one other member. Other nominations can be made by any member in good standing by a written submission to the Nominating Chair not less than 15 days before the Annual Meeting. Each nominee must indicate acceptance in writing prior to the commencement of elections. Nominations for the floor are not accepted.**

**By-Law 38: Constitution**

**The vice chair shall be responsible for the updating of the Constitution as required by membership or by changing of Skate Canada Rules. The Constitution must be in agreement with the practices and terms of the Ontario Section Constitution and that of Skate Canada.**