



**CONSTITUTION OF THE  
HAGERSVILLE SKATING CLUB**

**AS OF MAY 30, 2019**

- Article 1. The name of the Club shall be the Hagersville Skating Club Incorporated, herein after called the Club.
- Article 2. The Head Office of the Club shall be located in the County of Haldimand (Town of Hagersville).
- Article 3. The Club's Seal, an impression whereof is stamped in the margin hereof, shall be seal of the aforementioned incorporated club. (LOST!)
- Article 4. **SKATE CANADA**
- A. A not-for-profit figure skating or skating club, or the figure skating or skating section of a not-for-profit 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 figure skating or skating programs for Skate Canada members.
  - B. The Club shall pay such fees and such other charges as shall be required of clubs from time to time by Skate Canada.
  - C. The Club shall abide by all Skate Canada By-laws, rules and regulations.
  - D. The Club is located in the Skate Ontario division of Skate Canada.
- Article 5. **PURPOSE OF THE CLUB**
- A. To promote enjoyment in the sport of Skating through instruction, practice; and advancement of the members in free skating, dancing, skills and all other types of Skating. (Figure Skating, Power Skate, CanSkate, etc.).
  - B. To encourage and cultivate a spirit of fraternity among skaters and a community interest in this healthful form of recreation through the presentation of amateur ice carnivals and other club activities.
  - C. To promote the general policies of Skate Canada and to operate the Club in accordance with the rules of Skate Canada.
  - D. The Club, with respect to any aspect of Skating, is to be managed and operated by amateurs who are duly registered as Associate Members of Skate Canada.

- E. The Club shall project the amateur status of its members. The Club shall not take or omit any action that would knowingly jeopardize the amateur status of any member.
- F. To accept donations; gifts; legacies, and bequests.

Article 6. **BYLAWS**

- A. The Bylaws 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 and control the property and activities of the Club.
- B. The By-laws, Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over any Club By-laws.
- C. Any Club Bylaw contrary to the 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 that Club.
- D. In all By-laws of the Club, words importing the singular number only shall include the plural and Vice versa; words importing the masculine gender shall include the feminine and neutral genders; words importing persons shall include bodies corporate, corporations, partnerships and trusts.

## **BYLAWS OF THE HAGERSVILLE SKATING CLUB**

### **MEMBERSHIP**

#### **Bylaw 1: Club Membership**

Membership in the Club shall be open to all irrespective of age, gender, creed or race.

#### **Bylaw 2: Skate Canada and Club By-laws, Rules and Regulations**

All members shall uphold, observe and conform to the Rules of Skate Canada, the bylaws of the Club and such regulations as set forth from time to time by the Board of the Club.

#### **By-law 3: Membership Fees**

All members 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**

To be considered in good standing, all members of the club must pay, within the time limits shown in Bylaw #5, such Club fees as are stipulated by the Club Board of Directors.

#### **By-law 5: Members in Arrears**

Members in arrears will not be permitted to take part in any Club Activity. If any arrears are not paid within 15 days of the date set for payment, such members shall be considered as having terminated their membership. But any such member may on payment of all unpaid fees or dues be reinstated by a unanimous vote of the Club Board of Directors. Appropriate arrangements may be made by the Board for payment of outstanding fees.

#### **By-law 6: Resignation of Members**

Members may resign by submitting their resignation in writing, which shall be effective upon acceptance thereof by the Club Board of Directors. In case of resignation, members shall remain liable for payment of any assessment of other sum levied, or which became payable by said member to the club, prior to the acceptance of said resignation.

#### **By-law 7: Refunds**

Any refund of fees must receive Board of Directors approval. No refunds will be given after December 31, with the exception of a Doctor's letter, for medical reasons. Refunds must be submitted in writing in accordance with Bylaw #6. Refunds will be pro-rated based on the percentage of ice time used and subject to an administration charge.

### **By-law 8: Setting of Club Fees, Rules and Skating Hours**

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

### **By-law 9: Suspension and Expulsion from the Club**

The Board of Directors may suspend or expel a member of the Club for acting contrary to the Bylaws, Rules and Regulations of Skate Canada or of the Club, for conduct injurious to the members of the Club or the operation of the Club. The Club Board shall develop a 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 Club Board of Directors from time to time and it shall be in writing and made available to all members in advance of its implementation. This policy must include an appropriate hearing and appeal process, which includes principles of due process, and appropriate reinstatement application process and an appropriate graduated series of disciplinary measures.

### **By-law 10: Classes of Club Membership**

The classes of membership; eligibility; and privileges in the Club shall be as follows:

- a) **Individual Membership:** Non-skating members who have paid the fees as set by the Club and are Associate 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.
- b) **Active Membership:** All eligible skaters who participate in a Club Skating Program and who have paid the fees as set by the Club and are Associate Members of Skate Canada. All Active 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). Note, that if rights and privileges differ between members of different Skating Programs, this differentiation must be clearly specified.
- c) **Special Membership:** Parent or guardian of legally underage Active Members who have paid the fees as set by the Club and are Associate Members of Skate Canada.
- d) **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. NOTE: The conditions granted under these partial memberships may be added here (ie. ice time for practice only, no lessons, no vote, may not hold office).
- e) **Honorary Membership:** The Annual Meeting of members may elect any person an Honorary Member of the Club. An Honorary Member shall be exempt from Club dues (but not Skate Canada dues) if the club is not incorporated add the following: and shall

not have interests in the assets of the Club and shall not vote at meetings of the Club unless otherwise qualified. They may have a voice at the meetings of the Club.

- f) **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 tests or competitions.
- g) **Active Member (Non-voting rights) or (Restricted Voting Rights):** An Active Member (Non-Voting Rights) is a member who meets the following criteria. This includes a class of membership with restricted voting rights.
- h) **Student Membership:** An eligible skater who is an Associate Member of Skate Canada and who is currently enrolled in a post-secondary program and has paid a reduced fee as set by the Club. Student Members of legal age are entitled to one vote.
- i) **Non-Home Club Members:** Non Home-Club Members shall be accepted as Active Members.

#### **By-law 11: 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; and further, every member, guest or visitor shall use the Club's facilities at his or her own risk.

### **Board of Directors (CLUB MANAGEMENT)**

#### **By-law 12: Powers of the Board of Directors**

The powers of the Board of Directors will be as stipulated by the Club Bylaws and in the spirit of the Constitution. The Board of Directors is empowered with the day-to-day operations of the Club.

#### **By-law 13: 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, Recording Secretary, Corresponding Secretary, Treasurer, Carnival Chairperson, Skate Canada Test Chairperson, and Six Directors. Directors may include, but are not limited to: (Skate Canada Assessment Chair, Music Chair, Program Assistant Coordinator, Publicity/Media, Special Events, Showcase/Carnival Chair, Ice Convenor and Coaching Representative.) The Coaching Representative shall be elected annually by and from within the Coaches of the Club. The Coaching Representative shall be elected as per Skate Canada by-laws. All of the above shall be elected every year at the Annual Meeting with the following exceptions:

- a) Immediate Past President (The Past President shall be ex-officio and shall hold office until a new President has been duly elected.)
- b) Three (3) Directors who shall be elected to two-year terms of office.
- c) Only one member of a family may hold an Board of Directors position during any one year.

#### **By-law 14: Holding of Board of Directors Office**

The Board of Directors shall hold offices until the close of the meeting at which their successors have been duly elected. Any members 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 15: Board of Directors Member Absenteeism**

If a Board of Directors Member is absent for more than 3 consecutive scheduled Board of Directors meeting, without good cause and /or without prior notification to the President or Secretary, then that office may be declared vacant by a majority vote of the Board of Directors. This does not include Ice Convenor.

#### **By-law 16: Governing**

The Board, in addition to or as part of all other powers delegated to them, shall have the power to make rules and regulations and do all other things which they may deem necessary in the proper operation, government and management of the Club. All rules and regulations shall be posted on a notice board in the Club premises, and posted on the Club website. A copy shall be kept available in the Club office for new members upon request.

#### **By-law 17: Filling of Vacancies**

Casual vacancies occurring in the Board of Directors, as created by a written resignation, may be filled by members appointed through a majority vote of the Board of Directors.

#### **By-law 18: Calling Meetings**

Board of Directors meetings may be formally called by the President or Vice President. Or by Recording Secretary on direction of the President or Vice President. Or by the Recording Secretary on direction in writing of two Directors.

#### **By-law 19: Chairing of Meetings**

The President shall act as chairman of all Board of Directors and General Meetings. In their absence, the Vice President will fill this duty. In their absence, the Recording Secretary will fill this duty.

- 20. A Quorum for Board of Directors meetings will be 50% of the Board of Directors.

21. The President shall be an ex-officio member of all committees.

**By-law 22: Appointment of Committees**

The President, with the Board of Directors approval, shall appoint chairmen to standing committees who shall look after duties assigned to them. All committee Chairmen must submit the names of the committee members to the Board of Directors for approval.

**By-law 23: Signing of By-laws**

The President shall also be charged with the general management and supervision of the affairs and operations of the Club. The President with the Recording Secretary or other officer appointed by the Board of Directors for the purpose shall sign all by-laws and membership certificates.

**By-law 24: Term of President**

Once a member or trustee for a member has served as President, he/she is not entitled to hold an office, other than Immediate Past President, for a period longer than two years after his/her presidency, unless there is no other Member willing nominated to hold the position.

**By-law 25: Responsibilities of Treasurer**

The Treasurer shall be responsible for the safe control of all Club funds; for preparing and submitting to the Board of Directors, an annual budget; and keeping such records as are required for an audit. All cheques and legal documents shall be signed by any two of the President, Vice President, and the Treasurer. Electronic Banking codes and passwords must be shared with President and Vice President.

**By-law 26: Role of Recording Secretary**

The Recording Secretary shall be ex-officio clerk of the Board of Directors. He/She shall attend all meetings of the Board of Directors and record all facts and minutes of all proceedings in the books kept for that purpose. He/she shall be the custodian of the Club Seal and of all books, papers, records, contracts, and other documents belonging to the Club which he/she shall deliver up only when authorized by a motion from the Board of Directors to do so and to such person or persons as may be named in the motion, or to his successor in office duly elected and he shall perform such other duties as may from time to time be determined by the Board of Directors.

**By-law 27: Role of Corresponding Secretary**

The Corresponding Secretary shall attend all Board of Directors meetings and shall be responsible for receiving and dispatching all correspondence in connection with the Club and shall be the custodian of all such correspondence, and shall deliver up the said correspondence only when authorized by a motion from the Board of Directors to do so, and to such person or persons as may be named in the motion perform such other duties as from time to time be determined by the Board of Directors.

### **By-law 28: Role of Carnival / Showcase Chairperson**

Carnival Committee Chairperson and their Committee shall be responsible for the production of an Ice Carnival when so authorized by the Board of Directors. The Carnival Guidelines in effect at that time must be followed and any changes in the guidelines must receive Board of Directors approval. The Committee will also be required to submit a Carnival budget for Board of Directors approval, by the first meeting in January. Rules in the Skate Canada Rule book regarding amateur Ice Carnivals must be adhered to.

### **By-law 29: Role of Assessment Chairperson**

The Skate Canada Assessment Chairperson and their committee shall be responsible to prepare a schedule of test days and present them for Board of Directors approval; schedule and organize properly timed test day produces; encourage trial judging and training seminars; maintain a good rapport with Club Members, professionals and arena management; attend all Board of Directors meetings; order all necessary certificates, badges, pins and Gold bars.

### **By-law 30: Board of Directors Committee**

There shall be an Board of Directors Committee consisting of the President; Immediate past President; Vice-President; Recording Secretary; Corresponding Secretary; and Treasurer, and they shall exercise such powers of the Board of Directors as are from time to time delegated to them by the Board of Directors.

### **By-law 31: Conditions to be Board of Directors**

The members of the Board of Directors and the Delegate to Skate Canada must be members in good standing of the Club; be registered as Associate Members of Skate Canada; be of legal age; and be Amateurs as defined by the Skate Canada Rules.

### **By-law 32: Citizenship**

A majority of the Board of Directors shall be Canadian Citizens with the meaning of the Canadian Citizenship Act.

## **ANNUAL MEETING**

### **By-law 33: Timing of Annual General Meeting**

An Annual General Meeting shall be held prior to June 1st of that year. Other general meeting may be held from time to time upon the request of the Board of Directors or upon the written request of ten (10) members of the Club. A quorum for an annual or general meeting shall be ten (10) members representing at least twenty (20) votes in person or by proxy.

An Annual General Meeting shall be held within 60 days of the close of the skating season. Other general meetings may be held from time to time upon the request of the Board of



Directors or upon written request of 2 percent of the eligible-voting members. [Skate Canada By-law 1201(1)(c)(i) requires that each club hold an Annual Meeting.]

**By-law 34: Proxies**

No member carrying proxies may carry more than six (6) votes in all.

**By-law 35: Notice of AGM**

Notice of all general and annual meetings shall be mailed (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 elections.

**By-law 36: Voting on Club Elections**

Voting on Club elections shall be by secret ballot and a simple Majority shall elect a candidate. Voting on other matters will be by a show of hands unless a poll be demanded by any member. Upon a show of hands, every member present having voting rights shall have one vote, and unless a poll be demanded, a declaration by the Chairman that a motion has carried or been defeated and an entry to that effect in the minutes of the Club shall be admissible without proof of the number or proportion of the votes accorded in favours of or against such motion. The demand for a poll may be withdrawn, the question shall be decided by a majority of votes given by the members either present or by proxy, and such poll shall be taken in such manner as the Chairman shall direct and the result of such poll shall be decided by the majority of votes cast. It is understood that there will be no voting if a position on the Board is obtained by acclamation.

**By-law 37: Tie Vote Decision**

In all cases of tie votes, whether it is a show of hands, a poll, or secret ballot, the tie shall be broken by the Chairman casting a second vote besides his own vote.

**By-law 38: Eligibility to Vote**

Voting for club elections or on any matters pertaining to figure skating shall be restricted to amateur club members who are registered as Associate Members of Skate Canada and of legal age; and to Special Members of the Club voting on behalf of their children, who are restricted to one vote per family regardless of how many children are in the family. NOTE: Skate Canada Rule 3302(a) requires that every member of legal age be permitted to vote.

## **FUNDS**

### **By-law 39: Deposits**

All funds shall be deposited in a timely manner by the Treasurer, or Signing Officer in such banks or other institutions; as may be designated by the Board of Directors.

### **By-law 40: Disbursements**

All disbursements of the funds of the club shall be by cheques or other auditable document.

### **By-law 41: Annual Audits**

An audit of the financial transactions of the Club shall be made each year by an auditor; designated by the Club and the audited statement shall be made available to the membership of the Club.

### **By-law 42: Fiscal Year End**

Unless otherwise ordered by the Board of Directors, the fiscal year of the Club shall terminate on the 31st day of August in each year.

### **By-law 43: Dissolution**

It is hereby further ordained and declared that upon the dissolution of the Club and after payment of all debts and liabilities, the remaining property of the Club shall be distributed or disposed of to charitable organizations which carry on their work solely in Ontario, it being understood and agreed that the Club may re-incorporate and use the said remaining property.

## **COMMITTEES**

### **By-law 44: Committees**

The President, with Board of Directors approval, may empower any or all of the following committees to carry out assigned duties during the skating year:

Ice Committee

Membership

Publicity/Media

Fundraising

Liaison

Bulletin

Coaches

h) CanSkate, CanFigure Skate, Power Skate

i) Competition

j) Music

k) Social

l) Nominating

## **AMENDMENTS**

### **By-law 45: Proposal of Amendments**

Any Member in good standing may propose an amendment to these By-laws or Constitution of the Club. This proposal must be submitted in writing to the Board of Directors of the club. The proposed amendment will be presented to the next general or annual meeting falling 21 days or more after the date of submission. No amendment to the Constitution or By-laws of the Club shall be accepted from the floor at any meeting.

### **By-law 46: Enacting By-laws**

By-laws may be enacted or amended by a majority vote (50% + 1) of the Board of Directors whenever required. Such by-laws or amendments must be presented at the next general meeting for ratification by the members; if they fail to be ratified, they will cease to be effective and may not be re-enacted by the Board of Directors for one calendar year.

### **By-law 47: Passing Amendments**

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

### **By-law 48: Timing of Amendments**

All amendments become effective immediately when they are passed unless the motion of the amendment specifies otherwise. All such amendments shall be submitted to the National Office of 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, and Skate Canada Rule and/or By-law.

### **By-law 49: ORDER OF BUSINESS**

The order of business at annual or general meetings of the club shall be as follows:

- a) Confirmation of a quorum.
- b) Minutes of preceding Annual Meeting.
- c) Confirmation of actions of the Board of Directors.
- d) Treasurer's Report.
- e) Other Reports.
- f) President's Reports.
- g) Election of New Board of Directors.
- h) Amendment to Bylaws and Constitution.
- i) Installation of New Board of Directors.
- j) New business.
- k) Adjournment.