

# CONSTITUTION of the BORDER SKATING CLUB of Fort Frances

Club Number: 1000294

Date of Revision to constitution: May 16, 2012

## ARTICLE 1: NAME OF THE CLUB

The name of the club shall be Border Skating Club of Fort Frances;  
hereinafter called the Club.

## ARTICLE 2: SKATE CANADA

- A) 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(Skate Canada By-law 1100(3))
- B) The Club shall pay such fees and such other charges as shall be required of clubs from time to time by Skate Canada.(Skate Canada By-law 1201 (1) © (ii), 1201 (1) © (viii) and 1201(1) © (ix))
- C) The Club shall abide by all Skate Canada By-laws, rules and regulations as per Skate Canada By-law 1201 (1) © (iv)
- D) The Club is located in the Northern Ontario Section of Skate Canada.

NOTE: See Skate Canada By-law 1503 for definition of  
Sections

## ARTICLE 3: PURPOSE OF THE CLUB

- A) 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.
- B) 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 as defined by Bylaw 1201(l)(c)(iv).
- C) The Club shall protect the eligibility status of its members. The Club shall not take or omit any action that would knowingly jeopardize the eligibility status of its members.
- D) The Club shall operate only Skate Canada figure Skating and skating programs.

- E) Only Skate Canada Professional Coaches are permitted to teach figure skating and skating in the Club.

## ARTICLE 4: BY-LAWS OF THE CLUB

- A) 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.
- B) The By-laws, Rules and Regulations of SC and those of the Section in which the Club operates, shall take precedence over any Club By-laws (Skate Canada By-law 1201 (1) (c) (iv)).
- C) Any By-laws 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 that club. (Skate Canada by-law 1201 (1) © (iv)).

## BY-LAWS of the BORDER SKATING CLUB

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

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

### **Bylaw 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 Bylaws of the Club and such regulations as made by the Board of Directors of the Club.

### **Bylaw 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. (Skate Canada By-law 1201 (1) © (ix), Skate Canada By-law 1202 (1) (a), Rule, Policies and Procedures).

### **Bylaw 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 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 as of the date set for payment. Members in arrears shall be considered as having terminated their club membership.

#### **Bylaw 5: Setting of Club Fees, Rules and Skating Hours**

Fees, 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 Membership Year, September 1, or the date that the fees are paid (whichever is the latter) and terminate on the last day of Skate Canada Membership Year, August 31.

#### **Bylaw 6: Suspension and Expulsion from 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 Club Board shall develop a Suspension and Expulsion Policy in accordance with the Skate Canada Complaint, Suspension and Expulsion Policy and Procedure. 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.

The following will be just causes for the Board of Directors of the Border Skating Club to suspend any member:

- \*Any charges under the Criminal Code of Canada

- \*Any member being under the influence of drugs or alcohol in the training environment.

- \*Repeated violations of the Skaters', Coaches' or Parents' Codes of Conduct

The suspension will be effective immediately and remain in effect until the Board of Directors has obtained sufficient information to either rescind the suspension or affect an expulsion.

#### **Bylaw 7: Classes of Club Membership**

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

A. **INDIVIDUAL MEMBERSHIP:**

Non-skating members who have paid the fees 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 forth by the Club and are Associate Members of Skate Canada. All Active Members of the legal age of 18 shall be entitled

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).

- 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 Members or Restricted members of Skate Canada through another HOME club and have paid a reduced fee as set by the Club.
  
- E. **HONORARY MEMBERSHIP:**  
The Annual General 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, and shall not have interest in the assets of the Club and shall not vote at meetings of the club unless otherwise qualified
  
- 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. (Skate Canada by-law 1201 (1) © (ix), By-law 1202 and Rule 2001).
  
- G. **ACTIVE MEMBER (NON-VOTING RIGHTS) or (RESTRICTED VOTING RIGHTS)**
  - i. **CANPOWERSkate Membership:** Any eligible skater who has paid the fees set by the Club for participating solely in the Skate Canada CANPOWERSkate Program. These members will be restricted to voting solely on matters pertaining to the CANPOWERSkate Program.

### **Bylaw 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, guest or visitor shall use the Club facilities at his or her own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance program. (SC Bylaw 1201 (1) (c) (viii)).

### **Bylaw 9: Members of board of Directors, committees and Club Delegates 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 of the Club, be registered as Associate Members of Skate Canada, be of legal age, and be eligible persons with the exception of the Coaching Representative as defined by the Skate Canada Rules.

### **Bylaw 10: General Management of the Club**

The general management of the Club shall be vested in a Board of Directors consisting of President, Immediate Past President, Vice-President, Secretary, Treasurer, 6 Directors at large and a Coaching Representative. All of the above, with the exception of the Past President and the Coaching Representative, shall be elected for 2 year terms at the Annual General Meeting. Half of the executive shall be elected annually, with the other half being elected the following year. The Coaching Representative shall be elected annually by and from within the coaches of the club. The Past President shall be ex-officio and shall hold office until a new President has been duly elected.

### **Bylaw 11: Holding of 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 Meeting duly called for that purpose.

### **Bylaw 12: Voting at Board of Directors Meetings**

A quorum of the Board of Directors shall consist of 50% + 1, including the Chair. NOTE: 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 the motion, or to create a tie, and thus defeat a motion. A majority of the Board of Directors shall form a quorum. (Skate Canada By-law 1420 (5)).

### **Bylaw 13: Board of Directors Vacancies**

Casual vacancy occurring between any Annual General Meeting, may be filled, until the next Annual General Meeting by a majority vote of the remaining members of the Board of Directors or in the case of the Coaching Representative, by the coaching staff.

#### **Bylaw 14: Board of Directors Member Absenteeism**

If a Board of Directors Member is absent for more than 3 consecutive scheduled Board of Directors Meetings, without good cause and/or prior notification to the President or Secretary, then that office may be declared vacant by a majority vote of the Board of Directors.

#### **Bylaw 15: Role of President**

The President shall act as Chair of all Board of Directors and general meetings. In his or her absence, the Vice-President will fill this duty.

#### **Bylaw 16: Role of Treasurer**

The Treasurer shall be responsible for the safe control of all Club funds, for preparing and submitting to the Board of Directors on a regular basis an annual budget and keeping such records as are required for financial review. The Treasurer is also responsible for arranging for an unaudited annual financial statement. All cheques and legal documents shall be signed by any two of the President, Vice-President and the Treasurer. Note: It is recommended that the Treasurer be one of the signatories.

#### **Bylaw 17: Role of Secretary**

The Secretary shall be responsible for obtaining Club correspondence and distributing it, to the appropriate persons, in a timely fashion. Subject to the approval of the President or Vice-President, shall issue notices for Board of Directors or general meetings, shall take minutes at all meetings, and shall be responsible for submitting to Skate Canada and the Section, such reports as are required by Skate Canada Rules or other regulations. The Secretary shall be responsible for the maintenance of a motion book as required for financial audit purposes.

#### **Bylaw 18: Committees-President as ex-officio member**

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

#### **Bylaw 19: Committees-Appointment**

The President shall appoint standing committee Chairs who shall look after duties assigned to them. All Committee Chairs must submit the names of their committee members to the President for approval.

#### **Bylaw 20: Committees-Eligibility to Serve**

All club Board of Directors and members of Committees shall be eligible persons and shall be of legal age (18 years). They must be members in good standing of the Club and be Associate «members of the Association. (Skate Canada By-law 1201 (1) © (ii)).

#### **By-law 21: Rules of Order**

Rules of Order for all meetings, General and Board of Directors, shall be 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 by-law 1603).

### **SKATE CANADA CLUB DELEGATE AND REGION COUNCILORS**

#### **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. The Club shall appoint a Councilor and alternate Councilor to serve on the Region Council as required by the By-laws of the Region Council. The delegates and councilors shall report on activities at these meetings and shall be entitled to receive compensation for pre-approved expenses related to attendance at required meetings.

### **ANNUAL GENERAL MEETING**

#### **Bylaw 23: Timing, Quorum, Special Meeting Request**

An Annual Meeting shall be held within 30 days of the close of the March 31 fiscal year. Other general meetings may be held from time to time, upon the request of the Board of Directors or upon written request of 10% of eligible members of the Club. A quorum for an Annual General Meeting or Special meeting shall be 15% of the eligible voting members.  
(Skate Canada By-law 1201 (1) © (i)).

#### **Bylaw 24: Written Notice**

Written notice of all Annual General Meetings and Special Meetings shall be posted a minimum of 15 days in advance. 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 list of the candidates nominated for elections.

#### **Bylaw 25:**

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

**Bylaw 26:**

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 years of age, to the club Coaching Representatives, 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.

**Bylaw 27: Order of Business**

The order of business at Annual General Meetings or Special Meetings of the Club shall be as follows:

- ~ Reading of the Notice of Meeting
- ~Quorum
- ~Approval of Agenda
- ~ Minutes of the preceding general/special meeting
- ~ Confirmation of the actions taken by the Board of Directors
- ~ Secretary's Report
- ~ Treasurer's Report (Annual financial Statement)
- ~ Other Reports
- ~ Election of Board of Directors
- ~ Amendments to the Constitution and Bylaws
- ~ Appointment of Auditors
- ~ 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. The proposed amendment will be presented at the Annual General Meeting or Special Meetings. All amendments must be submitted 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 29: Interim amendments**

By-laws may be enacted or amended by a majority vote (50% plus1) 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 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 present 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 amendment is to violate, in principle or spirit, any Skate Canada rule and/or by-law.

**FUNDS**

**Bylaw 32:**

All funds shall be deposited by the Treasurer, in such banks or other institutions as may be designated by the Board of Directors.

**Bylaw 33:**

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

**Bylaw 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**

In the event that the club ceases to exist, the net assets from liquidation shall be held for up to 2 years. If the Club does not resume operations after that time the assets shall go to the Sunset Country Region Board to be used as they deem fit.

Also in the event that the club should dissolve, any assets and property held or acquired from the proceeds of licensed lottery events (i.e., lottery trusts accounts or property purchased with lottery proceeds) shall be distributed to charitable organizations that are eligible to receive lottery proceeds in Ontario.

## **COMMITTEES**

### **Bylaw 36: Nominating Committee**

The nominating committee shall consist of four members, two from the Board and two from the membership. This committee is responsible for selecting at least a full slate of candidates for election to Club Office and shall present such a slate to the Board no later than 21 days before an Annual Meeting in the year which an election is to be held. Other nominations may be made by any member in good standing, by a written submission to the nominating committee at least 3 days before the Annual Meeting. Nominations from the floor at the Annual Meeting will be accepted.

### **By-law 37: Finance Committee/Chair**

This committee shall be responsible for preparing the Club's annual budget and advising the Board as to proposed expenditures and investments.

### **Bylaw 38: Skating Programs Committee**

In consultation with the club coaching staff the committee shall coordinate and oversee implementation and delivery of all skate Canada skating programs including but not limited to CANSkate, CANPowerskte, Synchronized Skating, STARSkate, Competitive skate and Talent Identification and Development.

Note: Special program sub-committees as deemed necessary by the Club may be formed. These committees may include but are not limited to:

- \*Ice Show Committee/Chair
- \*Ice Committee/Chair
- \*Test Committee/Chair
- \*Club Competition Committee/Chair
- \*Synchronized Committee/Chair
- \*Recreation Program Committee/Chair

### **Bylaw 39: Membership Committee/Chair**

This committee is responsible for promoting and developing membership in the Club and for ensuring submission of club and member registrations to Skate Canada.

COPIES OF THE Border Skating Club CONSTITUTION AND BYLAWS WILL BE MADE AVAILABLE AT THE ANNUAL GENERAL MEETING OR UPON WRITTEN REQUEST BY ANY CURRENT CLUB MEMBER IN GOOD STANDING.

Adopted by Border Skating Club, on this \_\_\_\_\_ day, of \_\_\_\_\_, 2012

Signed \_\_\_\_\_  
President

\_\_\_\_\_  
Date

Signed \_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date