

CONSTITUTION OF THE MARKHAM SKATING CLUB

Club # 1000444

Article 1.

The Name of the Club shall be Markham Skating Club, hereinafter called the Club.

Article 2.

SKATE CANADA

- a) The Club shall be a member of Skate Canada.
- b) The Club shall pay such fees and such other charges as shall be required of clubs by Skate Canada. [In accordance with Skate Canada regulations and by-laws].
- c) The Club is located in the Ontario Section of Skate Canada.

Article 3.

PURPOSE

- 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. [In accordance with Skate Canada regulations and by-laws].
- 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 eligible status of its members.

Article 4.

BY-LAWS

- 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 and control the property and activities of the Club.
- b) The Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over any Club By-laws. [In accordance with Skate Canada regulations and by-laws].
- c) Any By-law contrary to the Rules 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. [In accordance with Skate Canada regulations and by-laws].

Definition:

- a) Throughout this document, “Club Board” refers to the members of the Markham Skating Club’s Board of Directors and includes the president, vice-president, past president, treasurer, secretary and all members at large.
- b) Throughout this document, “Club Executive” refers to the Executive Committee of the Board of Directors, and includes the president, vice-president, past president, treasurer and secretary.
 - i) NOTE: The Markham Skating Club By-Laws and Constitution is a separate document from the Club Policies and Procedures. Where discrepancies exist, the By-Laws and Constitution document will take precedence over the Policies and Procedures.

BY-LAWS OF THE MARKHAM SKATING CLUB

Membership

By-law 1

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

By-law 2

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

By-law 3

Members of the Club shall be registered with Skate Canada and pay such registration fees to the Association as set by the Skate Canada Board of Directors. [In accordance with Skate Canada regulations and by-laws].

By-law 4

To be considered in good standing, all members of the Club must pay club fees as stipulated by the Club Board. Members will not be permitted to take part in any club activities, including on-ice sessions, if these fees are not paid within 10 days of the date set for payment. Members in arrears shall be considered as having terminated their membership.

By-law 5

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

By-law 6

The Board may, by written notice, terminate membership of a member for acting contrary to the Rules and Regulations and/or the Code of Conduct of Skate Canada or the Club. The Board shall give to the individual a written explanation for the termination of membership on request. The individual, if he so desires, shall have the right of appeal to the Board and to a General Meeting of members. [In accordance with Skate Canada regulations and by-laws].

By-law 7

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

- **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.
- **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 have one vote each. (Underage Active Members have no vote but may be represented by Special Members).
- **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.
- **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.

- **Honorary Membership:** The Annual General Meeting (AGM) 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 interests in the assets of the Club.
- **Restricted Membership:** A restricted Member of the Club 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.

NOTE: all classes, eligibility and privileges of Membership are in accordance with Skate Canada regulations and by-laws.

LIABILITY

By-law 8

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 facilities at his or her own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance programs. [In accordance with Skate Canada regulations and by-laws].

CLUB MANAGEMENT

By-law 9

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 Skate Canada Rules.

By-law 10

The general management of the Club shall be vested in a Board of Directors consisting of: immediate Past President, President, Vice-President, Secretary, Treasurer, eight (8) Directors at Large and one Coaching Representative. [In accordance with Skate Canada regulations and by-laws].

All of the above, with the exception of the Past President and the Coaching Representative shall be elected every two (2) years at an Annual General Meeting.

By-law 11

The Board of Directors shall hold office until the close of the meeting at which their successors have been duly elected.

By-law 12

A quorum of the Board of Directors shall consist of 50% + one member of the Executive, including the Chair.

By-law 13

Casual vacancy occurring in the Board of Directors may be filled by members appointed through a majority vote of the Board of Directors, or in the case of the Coaching Representative, through majority vote by the coaching staff.

By-law 14

If a Member of the Board of Directors is absent for more than three (3) consecutive scheduled Board meetings, 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. Similarly, if a Member of the Board of Directors fails to satisfactorily perform their volunteer assignment, or is absent for more than 50% of regularly scheduled Board meetings within a 6-month period, then that office may be declared vacant by a majority vote of the Board.

By-law 15

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

By-law 16

The Treasurer shall be responsible for the safe control of all club funds, for preparing and submitting to the Board an annual budget and keeping such records as are required for the Accountant's review. Any two of the President, the Vice-President and the Treasurer shall sign all cheques and legal documents. Any assignment of investment of surplus will be recommended by the Treasurer and agreed upon by majority vote of the Board.

By-law 17

The Secretary shall deal with all correspondence subject to the approval of the President or his/her delegate, shall issue all notices for Board and 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 and other regulations.

By-law 18

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

By-law 19

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.

By-law 20

All club Board 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 Skate Canada. [In accordance with Skate Canada regulations and by-laws].

By-law 21

Rules of order for all meetings, General and Board, 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 Skate Canada. [In accordance with Skate Canada regulations and by-laws].

SKATE CANADA CLUB DELEGATE

By-law 22

The Club Delegate to Skate Canada or alternate shall be appointed annually by the Board. The Delegate need not be a member of the Board. Skate Canada National Office shall be advised of the appointed delegate's name. [In accordance with Skate Canada regulations and by-laws].

By-law 23

An Annual General Meeting (AGM) shall be held within sixty (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 or upon written request of five per cent (5%) of Club Members. A quorum for the Club Annual General Meeting or Special Meeting shall be ten per cent (10%) of eligible voting members. Skate Canada By-laws require that each club hold an annual meeting.

By-law 24

Adequate notice (to be provided by, for example, newspapers, bulletin boards, outside signage, or on the Club web site) of all Annual General Meeting and Special Meetings shall be provided no less than 10 days in advance to eligible voting members. 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 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.

By-law 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 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 allowed one vote per child registered through the Club.

By-law 27

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

- Minutes of the preceding General/Special Meeting for approval
- Secretary's Report
- Treasurer's Report
- Other Reports
- Election of Board Members
- Amendments to the Constitution and By-laws (if required)
- Appointment of Accountants
- Election of any new members to the Board (if required)

AMENDMENTS

By-law 28

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. The proposed amendment will be presented to the Annual General Meeting or Special Meeting. 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

By-laws may be enacted or amended by a majority vote of the Board whenever required. Such by-laws or amendments must be presented at the next General Meeting for ratification. If they fail to be ratified, they will cease to be effective and may not be re-enacted by the Board for one calendar year.

By-law 30

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 or General Meeting of the Club.

By-law 31

All amendments become effective immediately following the Annual General Meeting if they are passed unless the motion of amendment specifies otherwise. All such amendments shall be submitted to the Skate Canada National Office. 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 principal or spirit, any Skate Canada rule and/or by-law.

FUNDS

By-law 32

The Treasurer shall deposit all funds in such banks or other institutions as may be designated by the Board.

By-law 33

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

By-law 34

An Accountant designated by the Board shall make a review of the financial transactions of the Club each year and the financial statement shall be made available to the membership of the Club.

By-law 35

In the event that the Club ceases to exist, the net assets from liquidation shall go to the Ontario Section of Skate Canada. Should the Ontario Section of Skate Canada be disbanded, the net assets from liquidation shall go to the governing body of The Markham Skating Club.

COMMITTEES

The Committees listed below may or may not form part of the Club. Other Committees may be added as necessary:

By-law 36

Ice Show Committee:

This committee shall be responsible for the planning and production of the Ice Show. A Club Professional Coach may be appointed to produce the show but shall not assume the position of Manager or Chair of the Ice Show Committee.

By-law 37

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 the Club Board 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. Each nominee must indicate acceptance in writing prior to the commencement of elections. Nominations from the floor at the Annual Meeting will not be accepted.

By-law 38

Ice Committee:

This committee shall be responsible for planning the ice requirements and scheduling for all sessions and test days of the Club. This committee shall also be responsible for the supervision of the skating sessions and for the preparation of rules governing behaviour on or around the skating surface.

By-law 39

Test Committee:

This committee shall be responsible for arranging and supervising all tests (in consultation with the appointed referees), and obtaining judges for Skate Canada tests and competitions, keeping Club records of tests, preparing test records for forwarding to Skate Canada for the encouragement of potential Skate Canada judges. In addition, this committee shall assist the Section Judges Chair.

By-law 40

Finance Committee:

This committee shall be responsible for preparing the Club's annual budget and advising the Board as to proposed expenditures and investments. Any expenditure of \$1000CDN or more must be approved by majority vote of the Club Board.

By-law 41

Music Committee:

This committee shall arrange for music at Club sessions, purchase music as approved by the Board and ensure, where appropriate, that Skate Canada and other suitable dance music is available for practice and tests.

By-law 42

Skating Programs Committee:

This committee shall be responsible for promoting and organizing sessions for all Club skating programs in consultation with the Club’s coaching staff. The committee will also conduct skater/parent orientation sessions. It is also charged with ordering skating program supplies, maintaining skaters’ progress records, and offering well organized, high quality, standardized skating programs that are fun for participants, coaches and volunteers.

By-law 43

Membership Committee:

This committee is responsible for promoting and developing membership in the Club by informing the public of club programs, special activities and dates of club registration. It will be the committee’s responsibility to produce posters, videos and other promotional material and to speak to interested groups regarding the various programs offered at the Club.

By-law 44

Synchronized Skating Committee:

This committee shall be responsible for obtaining a coach or coaches for the Club team(s), appointing a Synchronized Skating Coordinator who sits as a member of the Club Board, appointing people to be in charge of team finances, team management, fundraising, costumes and any other area deemed necessary for effective administration of a Synchronized Skating Team. It will also coordinate club team activities, arrange for team tryouts and practice times in consultation with the team coach, register teams in competitions, making all travel and accommodation arrangements and contact the Section Synchronized Chair for technical information and locations of Synchronized Skating Competitions.

NOTE: all Club Committees, their formation and responsibilities are to be conducted in accordance with Skate Canada regulations and by-laws. Some committees, such as Testing Committee and Synchronized Skating Committee must adhere to the pertinent section of the Skate Canada Rulebook, Policies and Procedures, and other rules as they may apply.

Adopted by:

Markham Skating Club

On _____ of _____
(day) (month) (year)

Signed _____
(President) (date)

Signed _____
(Club Executive Member) (date)