



# **Chatham Figure Skating Club**

## **Constitution and By-laws**

(Revised May 14, 2019)

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PO BOX 544  
Chatham, Ontario  
N7M 5K6

# **CONSTITUTION OF THE CHATHAM FIGURE SKATING CLUB, CLUB # 1000348.**

Date of Revision to Constitution: May 2019

## **Article 1: NAME**

The name of the Club shall be the CHATHAM SKATING CLUB, operating legally as the Chatham Figure Skating Club herein after called the Club.

## **Article 2: 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 [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) (c) (ii), 1201 (1) (c) (viii) and 1201 (1) (c) (ix)]
- c) The Club shall abide by all Skate Canada By-laws, rules and regulations as per Skate Canada By-law 1201 (1) (c) (iv).
- d) The Club is located in the Skate Ontario Section of Skate Canada. 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 [By-law 1201 (1) (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 eligible 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 Skate Canada 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 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 that club. [Skate Canada by-law 1201 (1) (c) (iv).]

## **BY-LAWS OF THE CHATHAM FIGURE SKATING 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. (See Skate Canada By-law 1201 (1) (c) (ix), Skate Canada By-law 1202 (1) (a), Rule 2101, Policies and Procedures.)

#### **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 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 of 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 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, an appropriate reinstatement application process and an appropriate graduated series of disciplinary measures. [See Skate Canada By-law 1204.]

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

The Classes membership, eligibility and privileges shall be as follows:

- **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 shall be entitled to one vote.
- **ACTIVE MEMBERSHIP:** All eligible skaters who have paid the fees set forth 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 are represented by Special Membership.
- **SPECIAL MEMBERSHIP:** Parent or guardians of legally underage active members who have paid the fees as set by the Club and are associate members of Skate Canada and are entitled to one vote. (See By-Law 25)
- **RESTRICTED MEMBERSHIP:** Individual who is a paid employee, a non-active coach, a performing professional skater or professional dance partner [Skate Canada by-Law 1202(2) (a) (b) (c) and (d)].
- **HONORARY MEMBERSHIP:** The Annual Meeting of members may elect any person an honorary member who shall be exempt from dues and shall not have interests in the assets of the Club. Honorary members shall be entitled to one vote.
- **CANPOWER MEMBERSHIP:** Any amateur skater who has paid the fees set by the Club for participation solely in the Skate Canada licensed CANPOWERSKATE program. Power skate members have no vote and may not hold office.

**LIABILITY****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, 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 [Skate Canada By-law 1201 (1) (c) (viii)].

## **CLUB MANAGEMENT**

### **By-law 9a): 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 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 9b):**

As many as 2 coaches in good standing may serve on the Board of Directors (in addition to the 1 coaching representative). These positions are limited to non-executive roles.

### **By-Law 10: General Management**

The general management of the Club shall be vested in an Executive consisting of:

Immediate Past President, President, Vice-President, Secretary and Treasurer, plus 7 members-at-large and a Coaching Representative (Rule 1502 (d)). Each term will last 2 years in length. At each annual meeting, the voting membership will elect new directors to fill vacancies or expired terms. These new directors along with the existing directors who have an unexpired term of one (1) year remaining in office will elect from their numbers the following (4) Executives:

- President
- Vice President
- Treasurer
- Secretary

The Past President automatically becomes the Director and the fifth (5th) member of the Executive.

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

The Board of Directors shall hold office until the close of the Annual General 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: Executive Membership**

The Executive shall hold office until the close of the Annual General meeting at which their successors have been duly elected.

### **By-Law 13a): Executive/ Director/ Member as a Paid Position**

The Board of Directors may choose to offer a stipend to an Executive, or a Director, or a Member in Good Standing, for their services to the club if deemed necessary and voted upon, and approved by a majority vote of the Board of Directors. If the person to receive the stipend is an Executive or a Director, they are not eligible to vote on this matter.

### **By-Law 13b):**

The Board of Directors reserves the right to make this paid position an administrative role only, and said person will not hold office on the Board of Directors.

### **By-Law 14: Quorum**

A quorum shall consist of 7 members of the Board, including at least one of the Executive when there is a full board (See Chatham Figure Skating Club By-Law 10). In the case of vacancies on the board, quorum shall be half plus one. No business shall be transacted at the meeting unless a quorum is present. All questions arising at a meeting of the Board of

Directors shall be determined by a majority vote and in the case of an equality of votes, the Chair of the meeting shall have a casting vote. The Chair has the right to vote when the vote is by ballot.

**By-law 15: Board of Directors Vacancies**

Casual vacancy occurring between any Annual General Meeting of the Club, 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.

**By-law 16: 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 without prior notification to the President or Secretary, then that office may be declared vacant by a majority vote of the Board of Directors.

**By-law 17: Role of President**

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

**By-law 18: 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 un-audited annual financial statement. Any two of the current Executive shall sign all cheques and legal documents. Note: It is recommended that the Treasurer be one of the signatories.

**By-law 19: Role of Secretary**

The Secretary shall deal with all correspondence subject to the approval of the President or his/her delegate, shall issue all notices for Board of Directors 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 20: Role of Past-President**

The past President shall serve in an advisory capacity and be responsible to carry out such other duties as assigned by the board.

**By-law 21: Committees - President as ex-officio member**

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

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

The President shall appoint standing committee Chairs whom 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 23: Committee Role**

The committee will make recommendations to the Board. Their actions are deemed to be recommendations only until they have been approved by the Board. The Chairperson of each committee must consult with all committee members before presenting a recommendation to the Board.

**By-law 24: 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) (c) (ii).

**By-Law 25: Coach as Test Chair**

A coach in good standing may serve as Test Chair if they are operating as a CanSkate/ Club certified or trained coach. Any coach certified at the Regional level or above may not hold the position of Test Chair.

**By-Law 26: Restrictions to Coaches who are Directors**

A coach acting in the role of director may not serve as committee chair on the following; Annual Awards Committee, Ice Show Committee, Membership Committee, Finance Committee.

**By-law 27: Rules 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 By-law 1603).

**SKATE CANADA CLUB DELEGATE AND SECTION COUNCILORS****By-law 28: Club Delegate to Skate Canada and/or Section**

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 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**

### **By-Law 29: Annual General Meeting**

The club Annual General Meeting shall be held before the 30<sup>th</sup> of April when possible and no later than the 31<sup>st</sup> of May. Other general meetings may be held from time to time upon the request of the Board of Directors or upon written request of 15% per cent of Club Members. A quorum for an Annual General Meeting or Special Meeting should be 10 % per cent of the eligible-voting members. [Skate Canada By-law 1201 (1) (c) (i) requires that each club hold an annual meeting.]

### **By-Law 30: Written Notice**

Notice of all Annual General Meeting and Special Meetings shall be given 30 days in advance to each 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 will be posted at least 10 days prior to the meeting. Notice will be posted at the very least on Club bulletin board.

### **By-Law 31: Voting on Club Elections**

Voting on Club elections shall be by secret ballot. You must vote for the number of positions vacant. Ballot is destroyed if you do not vote on a full ballot. The candidates with the most votes will fill the positions in order. Voting on other matters may be by a show of hands.

### **By-Law 32: 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 legal age (over 18 years of age) and to Special Members of the Club voting on behalf of their 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. Proxy votes will not be allowed.

## **ORDER OF BUSINESS**

### **By-Law 33: Order of Business**

The order of business at Annual General Meeting 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
- Treasurer's Report (Annual Financial Statement)
- Other Reports
- Election of Board of Directors
- Election of Executive
- Amendment to the Constitution and By-Laws
- New Business

## **AMENDMENTS**

### **By-law 34: 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 to 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 35: Interim Amendments**

By-laws may be enacted or amended by a majority vote (50% plus 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 36: 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 37: 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**

### **By-Law 38: Depositing of Funds**

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

### **By-Law 39: Disbursements of Funds**

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

### **By-law 40: Financial Review**

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 41: Dissolution**

In the event that the club ceases to exist, the net assets from liquidation shall go to Skate Ontario.

## **COMMITTEES**

### **By-law 42: Finance Committee/Chair**

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 43: Nominating Committee**

This committee is responsible for selecting at least a full slate of candidates for election to the Club Board of Directors and shall present such a slate to the Board of Directors no later than 21 days before an Annual Meeting in the year which an election is to be held. The nominating committee shall consist of four members, two from the Executive and two from the membership. Other nominations may be made by any member in good standing by a written submission to the nominating committee at least 11 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 44: 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.

### **By-Law 45: Communication Committee/Chair**

This committee is responsible for ensuring clear, concise communication to club members, and our community. One member is recommended to also sit on the fundraising committee.

### **By-Law 46: Fundraising Committee/Chair**

This committee is responsible for facilitating all fundraising activities for the club. It is recommended that at least one member from the fundraising committee attends club event meetings such as Ice Show.

**By-law 47: Skating Programs Committee/Chair**

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

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

- Carnival/ Ice Show Committee/ Chair
- Ice Committee/ Chair
- Test Committee/ Chair
- Music Committee/ Chair
- Club Competition Committee/ Chair
- Synchronized Committee/ Chair
- Recreation Program Committee/ Chair
- Annual Banquet Committee/ Chair
- Annual Awards Committee/ Chair

ADOPTED BY CHATHAM FIGURE SKATING CLUB, Date appointed

SIGNED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
President

SIGNED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Secretary