



Club Constitution and By-Laws

of the



P.O. Box 305
Fergus, Ontario
N1M 3E2

**CONSTITUTION OF THE
FERGUS SKATING CLUB**

Club No.: 0464

Ontario Corporation No.: 775094

Article 1.

HEAD OFFICE

- a) The Name of the Club shall be Fergus Skating Club hereinafter called the Club.
- b) The Head Office of the Corporation shall be in the Town of Fergus, in the province of Ontario, and at such place therein as the directors may from time to time determine.

Article 2.

SEAL

The seal, an impression whereof is stamped in the margin hereof, shall be the corporate seal of the Corporation.

Article 3.

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. [Skate Canada By-law 1201 (1)(c)(ii)]
- c) The Club is located in the Central Ontario Section of Skate Canada.

Article 4.

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 [By-law 1201 (1)(c)(iv)]
- c) The Club shall accept donations, gifts, legacies and bequests for the objects of the club.
- d) The Club shall promote skating and the Club shall arrange competitions of every nature and to offer or grant and contribute towards prizes, awards and distinctions.
- e) 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 5.

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 Executive 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 [By-law 1201 (1)(c)(iv)]
- 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 the club. [By-law 1201 (1)(c)(iv)]

BY-LAWS OF THE
FERGUS SKATING CLUB

MEMBERSHIP

By-law 1

Membership in the club shall be open to all, irrespective of sex, 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 Executive of the Club.

By-law 3

Members of the club shall be registered with Skate Canada and pay such registration fees to the Association as set by Skate Canada Board of Directors. (See Skate Canada By-law 1201 (1)(c)(xi), Skate Canada By-law 1202 (1)(a), rule 2101, Policies and Procedures.)

By-law 4

To be considered in good standing, all members of the club must pay club fees as are stipulated by the club executive. 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 membership.

By-law 5

Fees, skating rules and skating hours shall be as the Executive decides from time to time. 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 executive may, by written notice, terminate membership of a member for acting contrary to the Rules and Regulations of Skate Canada or the Club. The Executive shall give to the individual a written explanation for the termination of membership on request. The individual, if he/she so desires, shall have the **right of appeal to the Executive and to a General Meeting of members**. (Skate Canada By-law 1204)

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). Note that if rights and privileges differ between Skating Programs, this differentiation must be clearly specified.
- ❑ **Family membership:** All current Associate Members of Skate Canada registered in a Club Skating Program who are in the same family/household. A family with 3 or more members registered to one home club will receive a 10% discount on registration fees. All Skate Canada fees are paid as set by the Club and are not discounted.
- ❑ **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. NOTE: The conditions granted under this partial memberships may be added here (ie. Ice time for practice only, no lessons, no vote, may not hold office).

BY-LAWS OF THE
FERGUS SKATING CLUB

- ❑ **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) and shall not have interests in the assets of the Club.
- ❑ **Restricted Membership:** A restricted member is an individual who is held under contract (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.
NOTE: See Skate Canada By-law 1201 (1)(c)(xi), By-law 1202 (1) and (2) and Rule 2001.

By-law 8

Members may resign by resignation in writing which shall be effective upon acceptance thereof by the board of directors. In case of resignation, a member shall remain liable for payment of any assessment or other sum levied or which became payable by him to the corporation prior to acceptance of his resignation.

LIABILITY

By-law 9

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

CLUB MANAGEMENT

By-law 10

The members of the Executive, 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 11

The general management of the club shall be vested in an Executive consisting of: immediate Past President, President, Vice president, Secretary, Treasurer, Registrar, Test Chair, and a Coaching Representative [Skate Canada By-law 1201 (1)(c)(ii)].

The general membership shall elect 6 people (total number of Executive members with the exception of the Past President and the Coaching Representative), to serve on the Executive for a 1-year term. The elected Executive will then, in closed session, select the President and other Officers from among themselves.

By-law 12

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

By-law 13

A quorum of the Executive shall consist of 5 members of the Executive, including the Chair. NOTE: a quorum for executive meetings shall be an odd number and be more than 50% of the total number of Executive Members.

BY-LAWS OF THE
FERGUS SKATING CLUB

By-law 14

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

By-law 15

If an Executive Member is absent for more than 6 consecutive scheduled Executive 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 Executive.

By-law 16

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

By-law 17

The Treasurer shall be responsible for the safe control of all club funds, for preparing and submitting to the Executive an annual budget and keeping such records as are required for audit of the corporation. Any two of the President, the Vice-president, the Secretary and the Treasurer shall sign all cheques and legal documents.

By-law 18

The Secretary shall deal with all correspondence subject to the approval of the President or his/her delegate, shall issue all notices for executive 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 19

The duties of all other officers of the Corporation shall be such as the terms of their engagement call for or the board of directors requires of them.

By-law 20

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

By-law 21

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 22

Rules of order for all meetings, General and Executive, 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).

By-law 23

Deeds, transfers, licences, contracts and engagements on behalf of the Corporation and in the ordinary course of operation shall be signed by either the President or Vice-President and by the Secretary, and the Secretary shall affix the seal of the corporation to such instruments as require the same.

BY-LAWS OF THE
FERGUS SKATING CLUB

SKATE CANADA CLUB DELEGATE

By-law 24

The Club Delegate to Skate Canada or alternate shall be appointed annually by the Executive. The Delegate need not be a member of the Executive. Skate Canada National Office shall be advised of the appointed delegate's name [Skate Canada By-law 1305 (1)(a),(b), and Skate Canada By-laws 1306 (2)(a) and (b)].

ANNUAL MEETING

By-Law 25

An Annual Meeting shall be held with 60 days of the close of the skating season. Other general meetings may be held from time to time upon the request of the Executive or upon written request of 10 percent of Club Members. A quorum for an Annual General Meeting or Special meeting shall be 15 percent of all Associate Members of the legal age of 18 years of age.

By-Law 26

Notice that communication to the general membership of the Annual General Meeting, any Emergency/Special Meetings, Awards Banquet, Club Newsletters and any ongoing Fergus Skating Club business and activities is communicated via email and/or the club's webpage.

By-law 27

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 28

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 restricted to one vote per child registered through the club.

By-law 29

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
- Confirmation of the actions taken by the Executive
- Secretary's Report
- Treasurer's Report
- Other Reports
- Election of Executive Members
- Amendments to the Constitution and By-laws
- Appointment of Auditors

FERGUS SKATING CLUB

AMENDMENTS

By-law 30

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 Executive of the club. 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 31

By-laws may be enacted or amended by a majority vote of the Executive 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 Executive for one calendar year.

By-law 32

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 33

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 principle or spirit, any Skate Canada rule and/or by-law.

FUNDS

By-Law 34

The Fiscal year of the Corporation for the purposes of financial statements will be 1 May to 30 April

By-law 35

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

By-law 36

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

By-law 37

An auditor designated by the Executive shall review the financial transactions of the Club each year and the reviewed statements shall be made available to the membership of the club.

By-law 38

In the event that the club ceases to exist, the net assets from liquidation shall go to the "Kids Can Play" Organization.

COMMITTEES

By-law 39

Showtime Committee:

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

BY-LAWS OF THE
FERGUS SKATING CLUB

By-law 40

Nominating Committee:

The nominating committee shall consist of four member, two from the Executive and two from the membership. This committee is responsible for selecting at least a full slate of candidates for election to the Club Executive and shall present such a slate to the Executive 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 41

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 behavior on or around the skating surface.

By-law 42

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 and for the encouragement of potential Skate Canada judges. In addition, this committee shall assist the Section Judges Chair.

NOTE: See Skate Canada Rules 2500 and 4301 (1) and (2).

By-law 43

Finance Committee:

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

By-law 44

Music Committee:

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

By-law 45

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 46

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 by the club.

Adopted by:

FERGUS SKATING CLUB

on _____ of _____
(day) (month) (year)

Signed _____
(President) (Date)

Signed _____
(Club Executive Member) (Date)

Amendments:

Motioned and passed at the May 11, 2003 AGM

By-Law 26

An Annual Meeting shall be held with 60 days of the close of the skating season. Other general meetings may be held from time to time upon the request of the Executive or upon written request of 10 percent of Club Members. A quorum for an Annual General Meeting or Special meeting shall be 15 percent of all Associate Members of the legal age of 18 years of age.

(became By-law 25 through an amendment ratified at the 2009 AGM)

By-Law 27

Written notice of all Annual General Meeting and Special Meetings shall be provided no less than 10 days in advance to all Associate Members of the legal age of 18 years of age, and shall be delivered by use of intraclub mailing system. All Associate Members under the age of 18 will be notified via the March edition of the FSC Newsletter. 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.

(became By-law 26 through an amendment ratified at the 2009 AGM)

Amendments:

Motioned and passed at the May 11, 2004 AGM

By-Law 35

The Fiscal year of the Corporation for the purposes of financial statements will be 1 May to 30 April

(became By-law 34 through an amendment ratified at the 2009 AGM)

By-law 38

An auditor designated by the Executive shall review the financial transactions of the Club each year and the reviewed statements shall be made available to the membership of the club.

(became By-law 37 through an amendment ratified at the 2009 AGM)

Amendments:

Motioned and passed at the May 14, 2008 AGM

By-law 27

Notice that communication to the general membership of the Annual General Meeting, any Emergency/Special Meetings, Awards Banquet, Club Newsletters and any ongoing Fergus Skating Club business and activities is communicated via email and/or the club's webpage.

(became By-law 26 through an amendment ratified at the 2009 AGM)

Amendments:

Motioned and passed at the May 13, 2009 AGM

By-law 11

The general management of the club shall be vested in an Executive consisting of: immediate Past President, President, Vice president, Secretary, Treasurer, Registrar, Test Chair, and a Coaching Representative [Skate Canada By-law 1201 (1)(c)(ii)].

The general membership shall elect 6 people (total number of Executive members with the exception of the Past President and the Coaching Representative), to serve on the Executive for a 1-year term. The elected Executive will then, in closed session, select the President and other Officers from among themselves.

To remove By-law 22 as it repeats what is in By-law 10

By-law 22

All Club Executive 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)].

Removal of By-law 22 results in a change in the numbering of the By-laws 23 – 47 into becoming By-laws 22 – 46.