

# **BYLAWS OF THE DEVON FIGURE SKATING CLUB**

Club Number 1000100

Date of Incorporation: July 30, 1978

Date of Revision to Bylaws: April 30, 2024

## **ARTICLE 1: NAME OF CLUB**

The Name of the Club shall be Devon Figure Skating Club hereinafter 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.
- 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 as per Skate Canada Bylaws.
- d) The Club is located in the Alberta NWT Nunavut Section of Skate Canada.

## **ARTICLE 3: BY-LAWS OF THE CLUB**

- a) By-laws shall describe the organization and structure 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) 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.

## **MEMBERSHIP**

### **By-law 1: Club Membership**

Membership in the Club shall be open to all.

**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.

**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. Members will not be permitted to take part in any Club activities if these fees are NOT paid within 60 days of the date set for payment. Members in arrears shall be considered as having terminated their Club membership.

**By-law 5: Setting all 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.

**By-law 6: Membership Year**

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 7: General Dispute Reporting and Resolution Procedure**

The Club Board shall develop a policy and procedure to handle general disputes within the Club to standardize the measures and procedures to ensure that Club Members have a process to report general disputes, confidence that there will be no retaliation or reprisal for reports made in good faith and reports will be investigated and dealt with within a fair and timely manner.

This policy and procedure 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.

**By-law 8 Classes of Club Membership**

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 registrants 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.

**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 registrants 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)

**Special Membership:** Parent or guardian of legally underage Active Members who have paid the fees as set by the Club.

**Partial Membership:** All eligible skaters who are registrants of Skate Canada through another HOME club and have paid a reduced fee as set by the Club. Partial members may be granted ice time for practice only. They may not have lessons, vote, or hold office.

**Member (non-voting):** A non-voting member is a paid individual (paid by the club, Section or Association) such as a non-active coach, a performing professional skater or a professional dance partner. A non-voting member is not permitted to hold elected office, vote at meetings, compete in competitions, or officiate at tests or competitions.

**Termination of Club Membership:** A Member may terminate their Club Membership in accordance with the policy as set forth by the Club. Termination of Club Membership does not mean termination of Skate Canada registrant status.

## **LIABILITY**

### **By-law 9: Liability**

The Club shall not be responsible for any damages, injury, illness or loss of property to any member, guest or visitor to the Club regardless of the reason or nature of such damage, loss, illness 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.

## **CLUB MANAGEMENT**

### **By-law 10: 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 registrants in good standing with Skate Canada, and be of legal age. No member of the Board of Directors and Committees shall receive compensation for their role (s) or service (s) to the Club.

**By-law 11: General Management of the Club**

- 1) The general management of the Club shall be vested in the Board of Directors consisting of:
  - a. President
  - b. Vice-President
  - c. Secretary
  - d. Treasurer
  - e. Registrar
  - f. Assessment Coordinator
  - g. Coaching Representative (non voting)
  - h. Other directors as needed- may include Fundraising Chair, Team Manager, Carnival Coordinator, Immediate Past President

2) The President, Vice-President, Secretary, and Treasurer shall be elected at the Annual General Meeting by a simple majority of the membership present and they shall hold office for a period of two (2) years or until a successor is duly elected or appointed, as provided for in these Bylaws. They will each carry one (1) vote only on the Board of Directors with the exception of the President who can only vote in the event of a tie. The Past President shall be ex-officio and shall hold office until a new President has been duly elected.

3) The Coaching Representative shall be elected annually by a simple majority of the Club Coaches. A coach can sit on the board but does not have a vote. A coach can choose a non-coaching, non-paid individual to represent them on the board and thus have a vote that way.

4) Officers and Directors shall be elected at the Annual General Meeting in accordance with the Bylaws and the schedule below:

- a) President- Odd Year
- b) Vice-President- Even Year
- c) Treasurer- Odd Year
- d) Secretary- Even Year
- e) Directors- Annually

**By-law 12: 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 Club members by a 75% majority vote at a Special General Meeting duly called for that purpose.

**By-law 13: Conflict of Interest**

Board Members shall avoid conflicts of interest or perceived conflicts of interests. The Board Member must disclose fully and promptly such interest, the nature and extent of such interest to the Board or Committee.

**By-law 14: Voting at Board of Directors Meetings**

- 1) A quorum of the Board of Directors shall consist of 50% plus 1 members of the Board of Directors, 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.

- 2) From time to time, email votes may be required, the President would call for a vote via email which would then require a motion and seconder and a vote of 50%+1 of the filled Board positions. These email motions will then be attached to the next scheduled Board meeting minutes.

**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 their absence, the Vice-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 audit. The Treasurer is also responsible for arranging for an unaudited financial statement. Any two Board Members who have been voted in to have signing authority 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 their delegate, shall issue all notices for Board of Directors and general meetings, shall take minutes at all meetings, and shall distribute and archive the minutes and materials as approved by the Board. They shall also 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: Committees President as ex-officio member**

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

**By-law 21: Committees - Appointment**

The majority of the Board 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 22: Committees Eligibility to Serve**

All Club Board of Directors and members of Committees shall be of legal age (18 years). They must be members in good standing of the Club.

**By-law 23: Rules of Order**

In the absence of Club Meeting Procedures, rules of order for all meetings, General and Board of Directors, shall be as outlined in Robert's Rules of Order.

**By-law 24: Skate Canada Club Delegate**

The Club Delegate to Skate Canada and/or the Section shall be approved annually by the Club 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.

**ANNUAL GENERAL MEETING**

**By-law 25: Timing, Quorum, Special Meeting Request**

An Annual General Meeting shall be held within 60 days of the close of the Spring season. Other general meetings may be held from time to time upon the request of the Board of Directors or upon written request of 10 percent of Club Members. A quorum for

an Annual General Meeting or Special Meeting shall be 10 percent of the eligible-voting members.

## **Nomination Process**

### **By-law 26: Nominations**

Nominations may be made by any member in good standing by a written submission to the Board at least 30 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 27: Written Notice**

Written notice of all Annual General Meeting and Special Meetings shall be provided 21 days in advance to each eligible voting member by email to last known email as provided by the 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 28: 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 may be by a show of hands.

### **By-law 29: Eligibility to Vote**

Voting for Club elections or on any matters pertaining to skating shall be restricted to Individual Members who are 18 years of age, Active Members who are 18 years of age, and Special Members voting on behalf of an underage (less than 18) Active Member. Each eligible voting member is entitled to one vote.

### **By-law 30: Order of Business**

The order of business at an Annual General Meeting 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
- Treasurer's Report (Annual Financial Statement)
- Other Reports
- Election of Board of Directors
- Amendments to the Bylaws
- Appointment of Auditors (as applicable)

- New Business

## **AMENDMENTS**

### **By-law 31: Right to Submit, Process for Submitting**

Any member of the Club, in good standing, may propose an amendment to the 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 30 days before the respective meeting. No amendment to the by-laws of the Club shall be accepted from the floor at any meeting.

### **Bylaw 32: Voting of Amendments**

Any amendment, to be accepted or ratified, must pass by a vote of 75% of those eligible to vote and present at an Annual General Meeting of the Club.

### **By-law 33: 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 Alberta Corporate Registry shall come into force once approved by the same. All such amendments shall be submitted to Skate Canada-Alberta/NWT/Nunavut. Skate Canada and the Section Office reserve 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: Financial Year**

The financial year of the Club shall be August 1 to July 31.

### **By-law 35: Contracts of the Society**

The Board shall be responsible for the oversight of all Contracts as necessary for Club operations.

### **By-law 36: Depositing Funds and Borrowing Money**

The Treasurer shall deposit all funds of the Club in such banks or other institutions as may be designated by the Board of Directors. The Club shall not be able to borrow money.

### **By-law 37: Disbursements**

All disbursements of club funds shall be by cheque or other auditable document. The Club does not use a corporate seal.

**By-law 38 : Financial audit**

A person designated by the Board of Directors shall make an audit 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 39 Dissolution**

In the event that the club ceases to exist, the net assets from liquidation shall go to an eligible charitable organization based on a majority vote of the membership.

**COMMITTEES**

Committees listed below are the most likely ‘standing’ Committees that a club will require. Terms of reference for each committee shall be approved by the Club Board of Directors. (For small clubs a Chair may replace a committee. For medium to large clubs a committee of 2-5 people is suggested.)

**By-law 40: 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 41: Nominating Committee**

This committee is responsible for ensuring at least a full slate of candidates for election to the Club Board of Directors. The nominating committee shall consist of a minimum of two members, neither up for election, one from the Board of Directors and one from the membership.

**By-law 42: 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 43 Skating Programs Committee Chair**

In consultation with the club coaches, the committee shall coordinate and oversee the implementation and delivery of all Skate Canada skating programs including but not limited to CanSkate, CanPowerSkate, Synchronized Skating, Star Pathway, Podium Pathway, and Talent Identification and Development. Reporting to the skating programs committee is the recreational skating programs sub-committee.

The Board of Directors may annually form Committees to assist the Board. Committees should be provided with a committee role description which outlines the work each

committee is tasked with and states the outcomes each committee is to achieve (eg. Carnival Committee). Role descriptions are to be approved by the Board of Directors.

### **By-law 44 Club Operations**

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

The Club, with regard to any aspect of its operation is to be managed and operated by a volunteer Board of Directors, who are registrants of Skate Canada with the specific purpose:

- a) To operate only Skate Canada programming to its members.
- b) To maintain membership in good standing with Skate Canada and the Skate Canada: Alberta – NWT/Nunavut section.
- c) 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.
- d) To 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.
- e) Only Skate Canada Coaches are permitted to provide figure skating and skating programs.

Adopted by:

Devon Figure Skating Club

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On 28<sup>th</sup> of May 2024

Signed \_\_\_\_\_ (President)                      Date \_\_\_\_\_

Signed \_\_\_\_\_ (Club Board Member) Date \_\_\_\_\_