

**CONSTITUTION**  
**of the**  
**MOUNT PEARL SKATING CLUB**

**ARTICLE 1 - NAME**

**The name of the organization shall be the ‘Mount Pearl Skating Club’, hereinafter referred to as the ‘Club’.**

**ARTICLE – 2 AFFILIATIONS**

**The Club shall be affiliated with Skate Canada and Skate Newfoundland and Labrador and shall be subject to the rules and regulations adopted by those bodies.**

**ARTICLE 3 – AIMS**

**The aim of the club is to promote the advancement of skating in the Mount Pearl area. The Club shall encourage the instruction, practice and enjoyment of skating for all its members in the spirit of competition, fair play and good sports ethics.**

## **ARTICLE 4 – MEMBERSHIP**

### **4.1 General Membership Guidelines**

**4.1.1 Any person with an interest in the Aims of the Club and the advancement of skating in the Mount Pearl area shall be deemed a member in good standing, providing all applicable fees are paid.**

**4.1.2 Members must uphold, observe and conform to all rules of the Club and organizations to which it is affiliated.**

**4.1.3 All members will be provided with a copy of the Constitution of the Mount Pearl Skating Club upon request.**

### **4.2 Voting Members**

**4.2.1 Voting members will be all those who have reached the age of majority and are in good standing.**

**4.2.2 Each voting member in good standing shall be afforded a single vote in person at any duly called meeting of the Club.**

**4.2.3 Members skating with the Mount Pearl Skating Club must also be considered to be in good standing with any other skating club they are or have been affiliated with.**

**4.2.4 Members must be in good standing in order to compete in any event associated with the Mount Pearl Skating Club or organization the Club is affiliated with.**

### **4.3 Members In Good Standing**

**Any member failing to abide by the guidelines set out in Article 4.1 or 4.2 shall be deemed not to be in good standing. Also any member who has committed an act considered to be outside the best interests of the Club by a two-thirds (2/3) majority of the full Board of Directors shall be deemed not to be in good standing.**

#### **4.4 Notice of Misconduct**

**A letter will be sent to the member indicating the reason they have been found to be ‘not in good standing’. The letter will include the Article from the Constitution outlining the Appeal process.**

#### **4.5 Appeal**

**Any member deemed to be ‘not in good standing’ by the required vote of the full Board of Directors of the Club shall have the opportunity to appeal the decision. The ‘notice of appeal’ shall be submitted in writing, within fourteen (14) days of the date on the Notice of Misconduct, to the President of the Club and must outline the grounds for the appeal. If an appeal is sought an Appeal Panel of three (3) members in good standing, outside of the Board of Directors, will be struck. The Appeal Panel members shall be agreed upon by the aggrieved party and the President. The Appeal Panel shall hear argument on the issue and then rule on the matter in a manner of the Panel’s choosing. The Panel will be struck, hear argument and render a decision within fourteen (14) days of the application of appeal being**

**received by the President. The decision of the Appeal Panel shall be final. The Appeal Panel can decide if it wishes to give reasons for its decision.**

## **ARTICLE 5 - BOARD OF DIRECTORS**

### **5.1 Composition**

**5.1.1 The Board of Directors, hereinafter referred to as the 'Board', shall be comprised of Immediate Past President, President, Vice President, Treasurer, Secretary, Director of Coaching and all other Directors deemed necessary for the management of the Club.**

**5.1.2 The Board shall consist of at least five (5) members and no more than twelve (12) members plus Immediate Past President.**

**5.1.3 The Board shall not conduct any business if its composition falls below four (4) except for the business of filling vacancies and meeting financial obligations.**

### **5.2 Obligations**

**5.2.1 The Board shall be accountable to the members of the Club.**

**5.2.2 The Board shall implement and monitor policies and procedures for the Club and exercise good judgment regarding the general affairs of the Club.**

**5.2.3 The Board shall manage and regularly review the finances of the Club and ensure the financial stability of the Club.**

### **5.3 Term**

**5.3.1 The President, Vice President, Treasurer and Secretary shall be elected for two (2) year terms. All other Board members shall be elected for a one (1) year term. The terms for the President and Secretary shall begin in years ending in an odd number commencing 2009. The terms for Vice President and Treasurer shall begin in years ending in an even number commencing in 2010. All elections shall take place at regularly convened Annual General Membership Meetings.**

**5.3.2 The Board has the right to appoint individuals to the Board between Annual General Meetings to fill vacancies provided there is less than one (1) year remaining in the term. The appointments must receive a two thirds (2/3) majority vote of the Board. The replacements will be entitled to serve until the next Annual General Meeting.**

**Any position with more than one year remaining in the term will be filled by way of election at a Special Membership Meeting and will serve until the next scheduled election for that position as per 5.3.1.**

**5.3.3 The Board may remove any of its members who are absent for three (3) consecutive meetings without just cause. The vote to remove a member of the Board shall require a two thirds (2/3) vote of the Board.**

**5.3.4 Any person removed from the Board by way of Article 5.3.3 shall be ineligible for nomination to a Board position at the next scheduled Annual General Meeting that follows the removal from the Board.**

**5.3.5 Any person resigning from the Board must do so by way of written notice to any member of the Board. Such resignation shall come into effect at the next regular meeting of the Board.**

#### **5.4 Eligibility**

**Any person deemed to be in good standing and has reached the age of majority may be nominated to hold a position on the Board.**

#### **5.5 Duties of the Board of Directors**

##### **5.5.1 President**

- a) Shall preside at all meetings of the Club and the Board and shall only vote in the case of a tie.**
- b) Shall be eligible to sit as an ex-officio member on all committees.**
- c) Shall delegate responsibilities to the members of the Board.**
- d) Ensure that meetings are held in accordance with the Constitution.**
- e) Represent the Club in all public matters or appoint a designee to do so.**
- f) Represent the Club on the Mount Pearl Arena Management Board or appoint a designee to do so.**
- g) Shall be the Club's representative for all matters concerning Skate Newfoundland and Labrador and Skate Canada.**
- h) Shall represent the Club at meetings of the Avalon Region or appoint a designee to do so.**
- i) Shall have financial signing authority along with two (2) other members of the Board of Directors.**

### **5.5.2 Vice-President**

- a) Shall perform all the duties of the President in the President's absence.**
- b) Shall oversee the booking/cancellation and maintenance of all ice time required by the Club.**
- c) Shall work with Arena Management to ensure the ice time requirements of the Club are met.**
- d) Perform all other duties relegated by the President and the Board of Directors.**

### **5.5.3 Treasurer**

- a) Responsible for the financial affairs of the Club.**
- b) Provide financial statements at all duly called meetings of the Board of Directors and the Membership.**
- c) Maintain all financial records pertinent to the Club.**
- d) Responsible for all financial transactions for the Board and the Club.**
- e) Provide all necessary documents as required by the any auditing authority put in place by the Board of Directors.**
- f) Perform any other duties as deemed necessary by the Board.**

### **5.5.4 Secretary**

- a) Record minutes of all Board meetings and Membership Meetings.**
- b) Distribute minutes to all Board members prior to meetings.**

- c) Maintain a file of all minutes from meetings of the Board and the Club**
- d) Shall oversee all correspondence for the Board or the Club and present the Board with all pertinent information received by the Club.**
- e) Perform any other duties deemed necessary by the Board.**

#### **5.5.5 Canskate/PreCanskate Director**

- a) Oversee the organization and operation of the program.**
- b) Shall provide notices of scheduling and other pertinent information about the program to all those registered or their guardians.**
- c) Perform any other duties deemed necessary by the Board.**

#### **5.5.6 Director of Coaching**

- a) Shall act as a representative on the Board for all coaches with the Club.**
- b) Shall act with the best interest of all coaches in matters pertaining to policies, procedures and individuals.**
- c) Shall ensure that the coaches with the Club are at the acceptable qualification level for the task they are performing for the Club.**
- d) Perform any other duties deemed necessary by the Board.**

#### **5.5.7 Ice Show Director**

- a) Shall oversee all aspects of planning and organization for the Annual Ice Show.**

**b) Perform any other duties deemed necessary by the Board.**

#### **5.5.8 Synchro Director**

**a) Shall oversee the organization and operation of the program for all Synchro teams.**

**b) Ensure that proper arrangements have been made for any travel for competitions.**

**c) Perform any other duties deemed necessary by the Board.**

#### **5.5.9 Registration Director**

**a) Shall ensure the proper organization and scheduling of registrations for all programs run by the Club.**

**b) Maintain a database of all members of the Club.**

**c) Ensure that current club membership is updated with Skate Canada through their online registration system.**

**d) Perform any other duties deemed necessary by the Board.**

#### **5.5.10 Test Director**

**a) Ensure that testing that is required for skaters is scheduled and carried out.**

**b) Ensure that a Chairperson is in place for all Competitions hosted by the Club where the Club is responsible for appointing a Chairperson.**

**c) Perform any other duties deemed necessary by the Board.**

#### **5.5.11 Publicity/Sponsorship**

- a) **Ensure that public notices regarding the club are sent to all media.**
- b) **Promotion of Club achievement through local media (including the website) is carried out and updated as is required.**
- c) **Seek out and manage Sponsorship for the Club.**
- d) **Perform any other duties deemed necessary by the Board.**

**5.6 The Board will appoint members to represent the Club at the Avalon Region Board and the Mount Pearl Sports Alliance Board.**

**The Board, if it so chooses, may appoint delegates and/or observers to attend the annual meetings of Skate Newfoundland and Labrador and Skate Canada.**

**5.7 Committees**

**The President and/or the Board of Directors (by majority vote) shall appoint all committees deemed necessary to carry out the business of the Club. When a committee is struck it will be stated by the President the make-up of the committee, the goal of the committee and the term of the committee. Board members may be requested to Chair and/or serve on committees. The President will be an ex officio member of all committees.**

**ARTICLE 6 – MEETINGS**

**6.1 Annual General Meeting**

**6.1.1 Schedule – The Board of Directors shall give public notice two (2) weeks in advance of an Annual General Meeting once each calendar year. The meeting should be held, if possible, in April to fall just after the winter schedule is complete.**

**6.1.2 Agenda – The meeting shall cover the following areas**

- Call To Order**
- Reading of previous minutes**
- Errors or omissions of the minutes**
- Approval of the Minutes**
- Business arising from the minutes**
- President’s report**
- Treasurer’s report**
- Directors reports**
- Committee reports**
- Constitutional amendments**
- Election of new officers**
- New business**
- Date of next meeting if necessary**
- Adjournment**

**6.1.3 Proceedings – All proceedings at the Annual General Meeting shall be conducted as per Robert’s Rules of Order.**

**6.2 Special Membership Meetings**

**6.2.1 A Special Meeting may be called by the Board of Directors by giving seven (7) days public notice.**

- 6.2.2 A Special Meeting will also be called by the Board of Directors upon request by any twelve (12) members in good standing if an issue has arisen that the Board, after written notice by the members, has failed to resolve to the satisfaction of the aggrieved members. This Special Meeting will be held providing the members notify the Board of Directors in writing fourteen (14) days prior to the meeting and specify the reason for the meeting. This Special Meeting will be called to deal only with the issue specified in the written notice and the Meeting will be called no later than twenty-one (21) days of the written notice has been received by the Board.**
- 6.3 Board of Directors Meetings – The Board of Directors shall meet as determined necessary by a majority vote of the Board, but no less than one (1) time per month during the Club’s skating season.**
- 6.4 Quorum – A quorum for an Annual General Meeting and any Special Membership Meeting shall be met by attendance of at least nine (9) voting members in good standing including fifty percent (50%) of the current Board of Directors. A quorum for a Board of Directors meeting shall be met when fifty percent (50%) of the Board is in attendance.**
- 6.5 Motions – A simple majority of fifty percent plus one (50% + 1) shall carry a motion at any meeting except for amendments to the Constitution.**
- 6.6 Any member may request the opportunity to make representation to the Board of Directors at any Executive Meeting. Such a request will be granted by a majority vote of fifty-percent plus one (50% + 1) of the Board.**

## **ARTICLE 7 – ELECTIONS**

- 7.1 Schedule – The election of the Board of Directors shall take place at the Annual General Meeting.**
- 7.2 Election Committee – A committee will be struck at the meeting from those present to conduct the elections. If one of the committee members is nominated and accepts the nomination for a position, they will step aside from the committee until that position has been filled.**
- 7.3 Nominations – A person not able to attend the General Membership Meeting where elections are being held can give a written notice of acceptance of nomination to the Board.**
- 7.4 Election of President – A voting member in good standing must be nominated from the floor for the position of President. The nomination must be seconded by a voting member in good standing and the person nominated must accept the nomination. If only one person has accepted nomination for President, that person will be acclaimed. If two people accept nomination, a secret vote will be held among those present who are voting members in good standing and a majority vote shall prevail. If there are more than two people accepting nomination for President, after the first vote the person with the least number of votes shall be eliminated from subsequent votes for President. This procedure will continue until there is a winner. If a person holds a clear majority of fifty percent plus one (50% + 1) after any vote then that person will be declared elected as President.**

- 7.5 The procedure from Article 7.3 will pertain to the Elections for all other Board members.**
- 7.6 End of Nominations – Nominations will end when all positions have been filled or until no further nominations for any of the positions are forthcoming.**
- 7.7 Assuming Control – A joint meeting of the previous and new Boards shall be held within one week to officially transfer all pertinent documents and information.**

## **ARTICLE 8 – AMENDMENTS**

**Proposed amendments to the Constitution of the Mount Pearl Skating Club may be voted upon at any Annual or Special Membership Meeting provided written notice has been given to the Board of Directors at least fourteen (14) days in advance of the meeting. The written notice shall consist of the proposed amendment and the portion of the Constitution that is to be amended. A two-thirds (2/3) majority by way of secret ballot, is required at a duly called membership meeting for any proposed amendment to succeed.**

## **ARTICLE 9 – WINDING UP**

**The Club's affairs will be wound up voluntarily whenever an extraordinary motion is passed by a two thirds (2/3) majority of the membership at a Special or General Membership Meeting requiring the Club to be wound up voluntarily. The vote will be conducted by secret ballot. After all the bills of the Club are paid, any monies and other**

**assets held by the Club shall be turned over to the Recreation  
Department of the City of Mount Pearl.**

**Amended May 12, 2009**