



## **Skate Canada Pickering Skating Club**

### *Constitution and By-Laws*

*August 10, 2021*

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**CONSTITUTION & BY-LAWS of the  
SKATE CANADA PICKERING SKATING CLUB NO. 0489**

**ARTICLE 1  
NAME, LOCATION AND AFFILIATION**

- i. The name of the club shall be the “**Skate Canada Pickering Skating Club**” (hereinafter called the “**Club**”).
- ii. The Club’s headquarters shall be maintained in the City of Pickering.
- iii. The Club is located in the Central Ontario Section of Skate Canada (“COS”).
- iv. The Club is a not-for-profit skating 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 skating programs for Skate Canada members.
- v. The Club shall pay such fees and such other charges as shall be required of clubs by Skate Canada.

**ARTICLE 2  
PURPOSE**

- i. 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 and Policies of Skate Canada.
- ii. 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.
- iii. The Club shall produce or co-operate in the production of Ice Carnivals or Shows as determined by the Club Executive.
- iv. The Club shall protect the eligible status of its members. The Club shall not take or omit any action that would knowingly jeopardize the eligible status of its members.
- v. Only Club Executive Board approved Skate Canada Professional Coaches are permitted to teach figure skating and skating in the Club.

**ARTICLE 3  
BY-LAWS**

- i. 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.
- ii. The Rules and Regulations of Skate Canada and those of the Section in which

the Club operates shall take precedence over the Club By-laws.

- iii. 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.

#### **ARTICLE 4 MEMBERSHIP**

**BY-LAW 1.** All applications for membership shall be in writing on a form supplied by the Club for that purpose.

**BY-LAW 2.** Membership in the Club shall be open to all, irrespective of gender, age, creed or colour.

**BY-LAW 3.** Existing members of the Club will be given preference in the renewal of their membership prior to open registration.

**BY-LAW 4.** Residents of the City of Pickering will be given preference in filling new memberships that become available.

**BY-LAW 5.** Applications for membership of persons under the age of 18 years must be endorsed by the applicant's parent or legal guardian.

**BY-LAW 6.** Club membership shall commence on the first day of the Skate Canada Skating Year, 1 September, or the date that fees are paid (whichever is the latter) and terminate on the last day of the Skate Canada year, 31 August

**BY-LAW 7.** Members of the Club shall be registered with Skate Canada and pay such registration fees to Skate Canada as set forth in the Skate Canada Rule Book.

**BY-LAW 8.** All members shall uphold, observe and conform to the rules of Skate Canada, the By-laws of the Club and such rules, policies and regulations as set forth from time to time by the Executive Board.

#### **ARTICLE 5 MEMBER IN GOOD STANDING**

**BY-LAW 9.** To be considered in good standing, all members of the Club must pay, within the time limits shown in By-law 11, such Club fees as are stipulated by the Club Executive.

**BY-LAW 10.** A member in good standing shall be a member whose age is 18 years and over, or be a parent or legal guardian who has endorsed a member's application whose age is under 18 years and who conforms to By-laws 7, 8 and 9 above.

**BY-LAW 11.** Members in arrears will not be permitted to take part in any Club activity. If any arrears are not paid within **thirty (30)** days of the date set for payment, such members shall be considered as having terminated their membership.

**BY-LAW 12.1.** Membership is automatically terminated when:

A. the Member dies; and

B. in any case the Member resigns as a Member by delivering a written resignation to the club Board of Directors in which case such resignation shall be effective on the date specified in the resignation.

Resignation as a Member shall not release the Member from payment of any dues owing, including those for the current Membership Year or any other indebtedness to the club.

**BY-LAW 12.2.** Membership is terminated when:

- A. a Member fails to pay dues or debts owing to the club; or
- B. the Member willfully commits a breach of the Articles, Bylaws, or written policies of the club or Skate Canada as determined by the Executive Board.

**BY-LAW 12.3.** The Executive Board shall give to the individual a written explanation for the termination of membership on request. Upon termination of Membership, the rights of the Member pursuant to the Bylaws automatically cease to exist. The individual shall have the right to appeal to the Executive Board within **thirty (30)** days of termination. When an appeal has been requested, the membership privileges remain suspended pending the outcome of the appeal.

## **ARTICLE 6 CLASSES OF MEMBERSHIP**

**BY-LAW 13.** The Classes of membership, eligibility and privileges shall be as follows:

**A. 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 (1)** vote.

**B. Active Membership**

All eligible skaters who have paid the fees as set forth by the Club and are Associate Members of Skate Canada. All Active Members of the legal age of 18 have **one (1)** vote each. Underage Active Members have no vote but are represented by Special Members as in C. below.

**C. Special Membership**

Any parent or guardian of legally underage Active Members who has paid the fees set by the Club and are Associate Members of Skate Canada. The Special Member will have **one (1)** vote per family regardless of how many underage Active Members are in the family.

**D. Honorary Membership**

A General Meeting of members may elect yearly any person as an Honorary Member of the Club for the period of **one (1)** year. An Honorary Member shall be exempt from dues and shall not have an interest in the assets of the Club. Honorary Members shall be entitled to **one (1)** vote but may not hold office.

## **ARTICLE 7 INDEMNITY**

**BY-LAW 14.** 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 their own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance Programs.

## **ARTICLE 8 MEMBER PRIVILEGES, RULES AND REGULATIONS**

**BY-LAW 15.** Membership privileges, fees, skating rules and skating hours shall be as set by the Executive Board from time to time. All activities of the Club skaters shall be supervised by a member of the Executive Board, a Skate Canada Coach or appointee thereof. Membership is non-transferable.

**BY-LAW 16.** All fees paid in cash shall be acknowledged by a written receipt signed by a member of the Executive Board.

## ARTICLE 9 CLUB MANAGEMENT

**BY-LAW 17.** The general management of the Club shall be vested in an Executive Board consisting of an Immediate Past President, President, 1st Vice-President, 2nd Vice-President, Treasurer, Secretary, **five (5)** members-at-large consisting of Membership, **Publicity & Social , Test & Competition/Skater Development, Senior Rep** and a Coaching Representative.

**BY-LAW 17.1.** Of the above, the President, 2nd Vice-President, Treasurer, Membership and Senior Representative shall be elected at the Annual General Meeting in even calendar years and the 1st Vice-President, Secretary, Social/Publicity and **Test & Competition/Skater Development** shall be elected at the Annual General Meeting in odd calendar years.

**BY-LAW 17.2.** An Executive Committee shall be formed to resolve and present internal issues to the Board of Directors. The Executive committee shall consist of the President, 1st Vice-President, 2nd Vice-President, Secretary and Treasurer.

**BY-LAW 17.3.** The Past President shall hold the position for **one (1)** year after presidency. The Coaching Representative shall be elected yearly by the Club Coaching Staff at the first meeting after the start of the Club's fiscal year.

**BY-LAW 18.** The members of the Executive Board, Chairpersons of committees and the 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, be a SCPSC club member for a minimum of **twelve (12)** consecutive months immediately prior to submitting letter of intent and be eligible, with the exception of the Coaching Representative as defined by the Skate Canada Rules. The majority of the Executive Board shall be Canadian citizens within the meaning of the *Canadian Citizenship Act*.

**BY-LAW 18.1** The SCPSC Executive Board will consist of a maximum of 2 coaches, one being the Coaching Representative. The coach position on the SCPSC Executive Board will be limited to the following volunteer positions: Social/Publicity, **Test & Competition/Skater Development** and Senior Representative.

**BY-LAW 19.** The members of the Executive Board shall hold their respective office until their successors are elected as stated in By-law 17 above or as elected as stated in By-law 35 below.

**BY-LAW 19.1.** Any member whose membership is terminated as stated in by-law 12 or by-law 34 shall not be eligible for nomination or appointment to the Executive Board for a period of 48 months following the date of his/her membership termination.

**BY-LAW 19.2.** An Executive Board member after resignation from the Executive Board before the end of their term shall not be eligible for nomination or appointment to the Executive Board for a period of **twenty-four (24)** months following the date of resignation.

**BY-LAW 19.3.** An Executive member after resignation from the Executive Board shall revert back to a Special Member and fulfill the balance of their obligations.

**BY-LAW 20.** A quorum of the Executive Board shall consist of 50%, plus one, of the eligible voting members of the Executive Board, including the Chairperson. 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. A majority of the Board of Directors shall form a quorum.

**BY-LAW 21.** The Delegate to Skate Canada or alternate shall be appointed annually by the Executive Board. The Delegate need not be a member of the Executive Board. The Skate Canada National Office shall be advised of the appointed Delegate's name.

**BY-LAW 22.** The Executive Board shall meet, not less than monthly during the winter skating season which is 1 September to 31 March and thereafter as required, to deal with the business of the Club.

**BY-LAW 23.** Special meetings of the Executive Board shall be called upon the written request of any **three (3)** members of the Executive Board.

**BY-LAW 24.** The Club's fiscal year shall be June 1 to May 31.

**BY-LAW 25.** A summary of the financial transactions (year-to-date) of the Club shall be presented at all General Meetings.

## **ARTICLE 10 RESPONSIBILITIES OF THE EXECUTIVE BOARD**

### **BY-LAW 26. President**

The Club President is responsible for ensuring that all Club activities, rules and regulations are carried out in accordance with Skate Canada by the responsible members. The President shall act as chairperson of General, Special and Executive meetings. In his/her absence, this duty will be filled by the 1<sup>st</sup> Vice-President. The President shall prepare the Agenda for all General and Executive meetings. The President is an ex-officio member of all committees and offers guidance to the Executive committees.

### **BY-LAW 27. 1<sup>st</sup> Vice-President**

The 1<sup>st</sup> Vice-President shall carry out the duties of the President in his/her absence. The 1<sup>st</sup> Vice-President shall be responsible for overseeing the operations of the various programs offered to ensure that all activities, members and professional coaching staff adhere and comply with the rules, policies and regulations of the Club, Section and Skate Canada. He/She shall be the Club Coaching Liaison.

### **BY-LAW 28. 2<sup>nd</sup> Vice President**

The 2<sup>nd</sup> Vice-President shall be responsible for co-ordinating and arranging various methods by which the Membership may raise monies to help offset the costs incurred by the Club.

### **BY-LAW 29. Treasurer**

The Treasurer shall be the custodian of the funds and 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. All cheques and legal documents shall be signed by any **two (2)** of the Board members except where position is filled by a coach. This signing authority shall be in effect unless there is a perceived or real conflict of interest, in which case one of the designated signatures can be changed by a majority vote of the Executive Board of the Club. All funds shall be deposited by the Treasurer in a banking institution in the City of Pickering. All disbursements of the Club shall be by cheque or other auditable document. The treasurer shall prepare a financial statement for presentation at all the Club's General meetings.

**BY-LAW 29.1.** The Executive Board of the club has the option of contracting an individual to fulfill the Treasurer role. The contracted individual must prepare a financial statement for review at each monthly board meeting. This individual is not a member of the board and has no

signing authority. In the event of a contracted worker to fulfill this role, the Treasurer board position will not be counted for quorum in any Club meetings.

**BY-LAW 30. Secretary**

The Secretary shall deal with all correspondence, subject to the approval of the President or his/her delegate. The Secretary shall issue all notices for Executive and General meetings, shall record, type, photocopy and distribute Minutes of all Executive and General Meetings, and shall be responsible for submitting to Skate Canada and Section such reports as are required by the Skate Canada Rules or other regulations.

**BY-LAW 31. Five Members-at-Large**

The **five (5)** members-at-large shall be elected to carry out the duties in the following areas:

(a) Membership

The Membership Chairperson shall be responsible for promoting and developing membership in the Club by arranging for the notices to the public of Club programs and dates of registration. It is the Membership Chairperson's responsibility for collecting membership fees and registering Club Members with the Skate Canada National Office. He/She shall maintain records of Club Members' addresses, telephone numbers, dates of birth, membership status, fee receipts, date of application and Skate Canada registration numbers on the Club provided Computer.

(b) Senior Representative

The Senior Representative Chairperson shall be responsible for providing competent and responsible people to staff the music room during sessions requiring music including test days; ensuring that music is available and current with Skate Canada requirements; providing current lists from information obtained from the Membership Chairperson, schedules and changes for the music room personnel. He/She shall be the Club Liaison with the Junior, Intermediate and Senior skaters. He/She shall invoice and collect for monies owed for occasional ice used as recorded.

(c) Publicity/Social

The role has 2 main function:

As the Publicity Chairperson he/she shall be responsible for keeping Club Members informed on Club activities in the community through a variety of current media. It is the Publicity Chairperson's responsibility to communicate to interested parties regarding the various programs offered by the Club. He/She shall direct and oversee the maintenance of the Club Website.

As Social Chairperson, he/she shall be responsible for planning and arranging the necessary refreshments for the Club's various functions

(d) Test & Competition/Skater Development

The role has 3 main function:

As the Test Chairperson he/she shall be responsible for arranging and supervising all tests (in consultation with the appointed referees), and obtaining judges or evaluators for Skate Canada Tests, keeping Club records of Tests, preparing test records for forwarding to Skate Canada and for the encouragement of Club members as potential Skate Canada judges. The Test Chairperson shall be aware of all Rules and Regulations regarding the Skate Canada Tests.

As the Competition Chairperson he/she shall be responsible for arranging and supervising the Club Competitions (if held) (in consultation with the appointed referees), obtaining judges for the Competition, keeping Club records of the Competition and preparing the results for forwarding on to the Skate Ontario Chairperson. He/She shall be aware of the Rules and



Regulations regarding Competitions. The Competition Chairperson shall promote the participation of the Club members in competitions. Duties also include representing the Club at Interclub and Area Competition Committee meetings. He/She shall prepare, organize, distribute and collect monies for the purchase of Club Clothing.

As the Skater Development Chairperson he/she shall be responsible for the planning and arranging of all clinics and seminars required by the Club. It is the Skater Development Chairperson's responsibility to arrange, schedule and record attendance of all Canskate Program Assistants. It is also the responsibility of the Skater Development Chairperson to arrange and conduct Skater/parent orientation sessions.

**BY-LAW 32. Professional Coach**

The Professional Coaching Representative shall represent the professional coaches of the Club and act as an advisor to the Club with respect to areas related to this function. It will be the responsibility of this position to relate all information provided to the professional coaching body of the Club.

**ARTICLE 11  
EXECUTIVE RESIGNATIONS AND VACANCIES**

**BY-LAW 33.** Any member of the Executive Board wishing to resign shall notify the Secretary in writing and return all Club documents or property before relinquishing his/her duties.

**BY-LAW 34.** Any member of the Executive Board failing to perform his/her duties to the satisfaction of the Club may be removed from office by a majority vote of not less than **2/3rds** of the Executive Board present at a Special Meeting of the Executive Board called for that purpose. To be deemed unsatisfactory by the Club, the Executive must receive notice of dissatisfaction from not less than **twenty (20)** voting members. An appeal must be requested within **thirty (30)** days of removal.

**BY-LAW 35.** Where the Executive Board position becomes vacant for whatever reason before its term is complete, the Executive Board may appoint a qualified person, by majority vote of the Executive Board, to fill the vacancy until the next Annual Meeting. If there is a further year remaining in the Executive Board Members term, an election will be held to fill the remainder of his or her term at a General Meeting called for that purpose.

**ARTICLE 12  
COMMITTEES**

**BY-LAW 36.** The Executive Board may appoint Special Committee Chairpersons who shall look after duties assigned to them. All Special Committee Chairpersons must submit the names of their committee members to the Executive Board. Each Special Committee Chairperson shall report to the Executive Board and obtain approval from the Executive Board for recommendations and expenditures.

**ARTICLE 13  
ANNUAL GENERAL MEETING, GENERAL MEETINGS AND SPECIAL MEETINGS**

**BY-LAW 37.** An Annual General Meeting shall be held within **thirty (30)** days of the close of the skating season. Other general meetings may be held from time to time upon the written request of **ten (10%)** percent of the members in good standing or at the discretion of the Executive Board.

**BY-LAW 38.** A quorum for an Annual General Meeting shall consist of the number of persons holding not less than **five (5%)** percent of the active membership votes of members in good standing. If there are fewer than the **five (5%)** percent of the membership votes in attendance at the Annual General Meeting, General or Special Meeting, the presiding officer shall immediately adjourn the meeting. When an Annual General Meeting, General or Special Meeting is adjourned for the lack of a quorum, the Executive shall immediately determine a new time, date and place for the meeting to be held within **thirty (30)** days thereafter and shall inform the members in the manner prescribed in By-law 39 below.

**BY-LAW 39.** Notice of all Annual General Meetings and Special Meetings shall be given no sooner than **twenty-one (21)** days and no later than **fifteen (15)** days in advance to all 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 candidates nominated for elections.

**BY-LAW 40.** Voting on Club elections shall be by secret ballot for candidates who have submitted letters of intent to the Executive Board prior to the posting of the AGM notification as set out in By-Law No. 39 above and a simple majority shall elect a candidate. Voting on other matters may be by a show of voting cards.

**BY-LAW 41.** Voting for Club elections or on any matter pertaining to skating shall be restricted to eligible Club members who are in good standing and have been an active registered SCPSC club member for a minimum of **six (6)** consecutive months immediately prior to the club election, or other vote. This includes members who are registered as Associate Members of Skate Canada and are 18 years of age, the Club Coaching representative(s) and 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 entitled to **one (1)** vote per family so long as all Associate Members are in good standing.

**BY-LAW 42.** The Executive Board shall present to the Club's membership at the Annual General Meeting a summary of the year's activities.

#### **ARTICLE 14 AMENDMENTS**

**BY-LAW 43.** 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 Board of the Club. The proposed amendment will be presented at the Annual General Meeting or Special Meeting falling **twenty-one (21)** days or more after the date of submission. No amendment to the Constitution or By-laws of the Club shall be accepted from the floor at any meeting.

**BY-LAW 44.** By-laws may be enacted or amended by a majority vote of the Executive Board whenever required. Such By-laws or amendments must be presented at the next Annual 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 (1)** calendar year.

**BY-LAW 45.** Any amendment, to be accepted or ratified, must pass by a vote of **2/3rds** of those present and eligible to vote at an Annual or General meeting of the Club.

**BY-LAW 46.** All amendments become effective immediately if they are passed unless the motion of the amendment specifies otherwise. All such amendments shall be submitted to the National Office of Skate Canada. Skate Canada reserves the right of refusal of any amendment. Such refusal shall only be made if the intent of such amendments is to violate in principle or spirit, any CFSA rule.

**BY-LAW 47.** The Executive Board shall ensure for the provision of an annual review of the By- Laws of the Club.

**BY-LAW 48.** The Executive Board shall provide a copy of the Club Constitution to any member wishing to obtain one.

**ARTICLE 15  
ORDER OF BUSINESS**

**BY-LAW 49.** The order of business at the Annual General Meeting, General Meetings 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
- Confirmation of the actions taken by the Executive Board
- Secretary’s Report
- Treasurer’s Report (Annual Financial Statement)
- Other Reports
- Election of Executive Board
- Amendments to the Constitution and By-laws
- Appointment of Auditors (as applicable)
- New Business

**BY-LAW 50.** Rules of Order for all meetings, general or executive, shall be as outlined in “Roberts Rules of Order” or “The Law & Procedure of Meetings in Canada” by William Graham Craig, in all cases in which they are applicable and in which they are consistent with the By-laws or Special Rules of the Club.

**ARTICLE 16  
DISSOLUTION**

**BY-LAW 51** Upon dissolution of the SCPSC, all assets and property held or acquired from the proceeds of the licensed lottery events (example, lottery trust account or property purchased with lottery proceeds) shall be distributed to charitable organizations that are eligible to receive lottery proceeds within Ontario.

**ADOPTED by the SKATE CANADA PICKERING SKATING CLUB**

on this 10<sup>th</sup> day of August 2021.

By 1<sup>st</sup> Vice President:

*Ivee Medrano*

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By Senior Representative:

*Shadia Sulaiman*

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