

Constitution

ARTICLE 1 – NAME

Name of the society shall be the Terrace Blueback Swim Club hereinafter referred to as the Club.

ARTICLE – PURPOSES

The Club shall be a nonprofit organization and shall have the following purposes:

- (a) To promote and foster a passion for swimming, self-development, leadership and sportsmanship.
- (b) To promote and encourage the highest level of competitive swimming achievement possible in both individual and team categories.
- (c) To stimulate and encourage individual and team competition with other clubs and to facilitate attendance at these events.

BYLAWS

ARTICLE 1 – MEMBERSHIP

- (a) The members of the Club are the applicants for incorporation of the Society, and those persons who subsequently have become members, in accordance with these By-Laws and, in case, have not ceased to be members.
- (b) Any person interested in the objects of the Society may become a member upon complying with the subject to the provision of the By-Laws of the Club and upon payment of the appropriate fees.
- (c) Membership consists of current swimmers. Each swimmer represents one membership and one vote. Parents/guardians can vote on behalf of each of their swimmers if under the age of 19.
- (d) Swimmer membership is open to residents of the Terrace area who wish to swim competitively for non-competitively, who are eligible for registration with Swimming Canada and SwimBC and who agree to become members of both.
- (e) Applicants for Swimmer membership must be authorized to join the Club by their parents or guardians, if available, or by the Club Executive Committee. Application for Swimmer membership will specifically absolve the Club from responsibility for accidents, injuries or illness sustained in the course of Club activities, or arising as a result of the membership.
- (f) Swimmer membership may be suspended or revoked on grounds of bad conduct, repeated failure to participate in training sessions without notifying the Coach or his/her delegate, or without good reasons acceptable to the Executive Committee, or failure to pay fees within the time limits specified. Membership and privileges may only be suspended or revoked following a recommendation from the Disciplinary Board to the Executive Board. A person whose membership has been revoked may apply for re-admission to the Club and pay the full admission fee to regain admission upon the discretion of the Executive Board. Refer to Article 19 and 20 for Disciplinary and Appeal Board.

- (g) The amount of the first annual membership dues shall be the minimum Swimming Canada and SwimBC fees for swimmers. Annual membership dues shall be non-refundable.
- (h) Save as herein otherwise specifically provided, the formalities of application for membership, the amounts of dues and assessments for respective classes of members, the time for payment of fees, dues and assessments and the privileges from time to time incidental to membership of various classes shall from time to time be determined by the Directors.
- (i) Subject to By-Law 1(g) the refund of any dues, assessments or other revenues collected from members shall be in the sole and absolute discretion of the Directors.
- (j) Every member shall uphold the Constitution and comply with these By-Laws.
- (k) In addition to 1(f), a person shall cease to be a member of the Club:
 1. By delivering his/her resignation in writing to the Registrar of the Club or by mailing it or delivering it to the address of the Society.
 2. By death.
 3. On being expelled.
 4. On having been a member not in good standing for three (3) consecutive months.
- (l) A member who has been suspended or who has failed to pay the current annual membership fee or any other dues, assessments or debt due and owing by that person to the Club within thirty (30) days of the date when due is not in good standing, and the person shall remain not in good standing as long as the debt remains unpaid or the person remains under suspension.
- (m) A complaint that a member has engaged in conduct detrimental to the Club shall be made in writing to the President. See Articles 19 and 20 for procedures.

ARTICLE 2 – EXECUTIVE COMMITTEE

The affairs of the Club shall be administered by an Executive Committee drawn from the parents/guardians of the Swimmer membership. The Executive Committee shall comprise of eleven members, a President, a Vice-President (Meet Manager), a Registrar, a Treasurer, a Secretary and six Members at Large. The Members at Large will work under the direction of the President and Vice-President (Meet Manager), Registrar, Treasurer and Secretary at tasks which will be determined by the Executive at Executive meetings. The Head Coach shall be a non-voting member of the Executive Committee.

The Executive Committee shall be elected annually by ballot or acclamation at the Annual General Meeting by a single majority vote of the members present. A nominating committee shall be formed at least one month before the Annual General Meeting, comprising of one member of the Executive and two parents/guardians of the Swimmer Membership, all appointed by the Executive Committee.

Executive positions will be elected for a two year term at the Annual General Meeting. Terms begin effective immediately. Every effort will be made to rotate elections of the Executive annually to ensure continuity.

No person may hold the same office more than four years in succession but persons may be elected to different executive positions providing this rule of succession is followed. For this purpose the

Executive's status is determined by their function (Meet Manager, Registrar, Treasurer and Secretary) and this order determines the line of succession in the event the President resigns.

In the case of resignation or death of any member of the Executive Committee, the remaining members of the Executive Committee shall appoint a replacement.

The office of member of the Executive Committee shall be vacated if the member

- a) By notice in writing to the Club resigns one's office, or
- b) Becomes bankrupt,
- c) Becomes of unsound mind.

ARTICLE 3 – COACHING STAFF

The Executive Committee will appoint the Head Coach, who will be responsible for the swimming program. The Head Coach, with the approval of the Executive Committee, shall appoint Assistant Coaches as, if and when required.

The Executive Committee will be responsible for all matters pertaining to the Coach's contract.

ARTICLE 4 – MEETINGS

Meetings of the Executive Committee shall be held at the discretion of the President or at the request of any three members of the Executive Committee. They shall, however, be held at least every three months.

The Annual General Meeting shall be held at a time and place determined by the Executive Committee and ordinarily in the months of May or June. The new Executive Committee will take office immediately following their election. Written notice of the Annual General Meeting shall be sent to all members of the Club at least fourteen days in advance of the meeting.

General Meetings may be called at any time by the Executive Committee as needed to transact the business of the Club, and in accordance with the Society Act. At least one such meeting is to be called during the swim season.

Special General Meetings shall be called as required by the Executive Committee or as requested by a written petition signed by 10% of the Swimmer Membership and delivered to the Executive Committee. Written notice of such meetings shall be sent to all members at least fourteen days in advance of the meeting and must clearly state the topics of business to be transacted. No other topics of business may be transacted at the meeting other than those contained in the notice.

Swimmer members 19 years or over and parents/guardians of swimmers under 19 years of age may vote at such general meetings.

The first Annual General Meeting of the Club shall be held not more than 15 months after the date of the incorporation and after that an Annual General Meeting shall be held at least once in every calendar year and not more than 15 months after the holding of the preceding Annual General Meeting.

The accidental omission to give notice of a meeting to, or the non-receipt of a notice by, any of the members entitled to receive notice does not invalidate proceeding at that meeting.

ARTICLE 5 – TRANSACTION OF BUSINESS

The Chairman of a meeting may not introduce or second motions and shall not vote upon a motion other than to break a tie vote.

QUORUM for meetings shall be as follows:

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| (a) Executive Committee Meetings | 4 |
| (b) Annual General Meetings (never less than 3 persons) | 10% of Swimmer Memberships |
| (c) General Meetings | 10% of Swimmer Memberships |
| (d) Special General Meetings | 25% of Swimmer Memberships |

Motions shall be carried by a simple majority vote of the members present at a duly constituted meeting unless some other form of majority vote is called for in the Constitution or By-Laws.

ARTICLE 6 – FINANCES

The financial year shall be from August 1 to July 31 of the following year. Swimmer members shall be charged a membership fee in accordance with a schedule of fees set by Swimming Canada and SwimBC.

Membership fees become due and payable on the dates shown in the fee schedule for the current year as drawn up by the Executive Committee. Members thirty days in arrears shall be so notified in writing by the Treasurer and advised that their membership will be revoked should the fees not be paid before a further thirty days have elapsed.

ARTICLE 7 – COMMITTEES

Committees shall be formed by the Executive Committee or at any General Meeting of the Club as required to successfully run the Club. The term of the office for such committees shall expire at the subsequent Annual General Meeting. All Committees shall be responsible to the Executive Committee.

ARTICLE 8 – BY-LAWS

By-Laws necessary to govern the Club may be enacted or amended by a seventy-five (75%) percent majority of those members present at any General Meeting of the Club providing 14 days written notice of such amendments has been sent to the Membership.

ARTICLE 9 – AFFILIATION

The Club shall be affiliated with Swimming Canada and SwimBC. Affiliation with any other body shall be subject to approval of the Membership at a Special General Meeting.

ARTICLE 10 – BENEVOLENT DONATIONS

The Club may accept benevolent donations from outside sources provided that the guiding principle shall be that the Club retains absolute control of its own operation and of the swim program. The Executive Committee shall ensure that such donations promote the objectives and unity of the Club and do not discriminate against any group within the Club.

Acknowledgement of donations shall take the form of notices in the swim programs. An appropriate ceremony of acceptance to which the local press can be invited, announcements over the PA system at sim meets, etc. are allowed. The donor's emblem, crest or symbol can appear on the articles donated. The Club may acknowledge a donation in a form suitable for public display, such as a framed certificate plaque or medallion. They should be of standard format irrespective of the amount donated.

ARTICLE 11 – DISSOLUTION

Dissolution of the Club shall be undertaken when its operation is no longer viable. Dissolution shall be initiated following a two-thirds majority vote at a Special General meeting of the exiting membership. Physical assets shall be distributed to other organizations utilizing the same types of equipment. Liquid assets remaining after the Club debts have been paid shall be given to charitable organizations. Disposition of the assets shall be determined by a simple majority vote of those present at the Special General Meeting.

ARTICLE 12 – CONSTITUTION AMENDMENT

This constitution may be amended by a 75% majority vote of those present at a Special General Meeting.

ARTICLE 13 – DUTIES OF EXECUTIVE COMMITTEE

President

- Conducts the business of the Club
- Presides over the meeting of the Club and of the Executive Committee
- Supervises the activities of all other officials
- Represents the club before other bodies
- Is automatically a member ex-officio of all committees
- Is one of the signing officers of the Club
- Coordinates all publicity for the Club
- Will liaison between the Executive Committee and the Coaching staff

Vice-President (Meet Manager)

- Replaces the President during the latter's absence
- Works closely with the President and assists in carrying out duties
- Is one of the signing officers of the Club
- Will provide liaison between the Executive Committee and such other committees as the Executive Committee may delegate.
- Will coordinate meets hosted by the club including general oversight of all matters related to the meet (billets, officiating, publicity, etc)
- Will oversee all arrangements necessary regarding attendance of the club at out of town meets such as transportation, registration, billets, etc

Registrar

- Coordinate and arrange registration dates both for the Club and swim meets
- Register al new and returning members
- Communicate all required documentation to the Provincial Registry
- Work with Executive Committee members and coaches to maintain accurate and current member's roster and aquatic levels
- Render members contact information and club roster to Executive Committee and coaches as required
- Is one of the signing officers of the Club

Treasurer

- Receives deposits and pays out all monies of the Club
- Keeps books of accounts recording all financial transactions of the Club either personally or through an appointed bookkeeper
- Maintains a bank account in the name of the Club
- Is one of the signing officers of the Club
- Submits a financial report at each meeting of the Executive Committee
- Prepares last year's financial statement at the end of the fiscal year in time for presentation at the Annual General Meeting
- Prepares and presents a draft budget for the upcoming season
- Responsible for all fundraising activities of the Club

Secretary

- Prepares minutes of General Meetings and Executive Committee Meetings
- Receives and handles all correspondence
- Maintains a current directory of all members and keeps a record of attendance at meetings
- Keeps up to date files on all Club matters
- Responsible for notification of all meeting of the Executive Committee and meetings of the Membership

Members at Large

- At the Executive Committee Meetings, the Executive will assign some of the duties of the Executive to the appropriate members at large

ARTICLE 14 – DUTIES OF HEAD COACH

Head Coach

- Is responsible for the swim program
- Shall direct the activities of any assistant coaches provided by the Club
- Provide liaison between the coaching staff and the parent body concerning the swim program or particular swimmer performance
- Shall have the right to discipline swimmers for improper conduct, habitual lateness, unsatisfactory effort during training or irregular attendance without good cause
- Shall look to the Registrar for administrative assistance and shall cooperate with the President regarding relationships with the General Membership
- Shall attend Executive Committee meetings and participate with the Committee in drawing up the club program

ARTICLE 15 – DUTIES OF COMMITTEES

Committees may be appointed from time to time to assist the Executive Committee in the implementation of the programs of the Club. Committees might be set up to assist with meets, officiating, awards, records, membership, fundraising, equipment, billeting, publicity, etc. The Executive Committee may set up such committees for a specified period of time, and will develop written terms of reference. Chairpersons of such Committees are responsible to the Executive Committee.

ARTICLE 16 – FINANCES

A budget shall be drawn up prior to the swim season outlining anticipated revenue and expenses for the season's activities.

The Executive Committee may appoint an accountant to inspect the accounts of the Club and report back to the Executive Committee and members. Such appointment shall be subject to endorsement at the Annual General Meeting.

ARTICLE 17 – BORROWING

In order to carry out the purposes of the Club, the Executive Committee may, on behalf of and in the name of the Club, raise or secure the payment or repayment of money in the manner they decide, providing all borrowing of money has been approved by a vote at a General Meeting of the members. However, debentures may not be issued without the sanction of a special resolution.

ARTICLE 19 – USE OF THE CLUB NAME

The Club's name shall not be used in any manner without prior approval of the Executive Committee either by a member of the Club or outsiders. Should this occur, the Executive Committee shall demand a public retraction unless there are strong mitigating circumstances.