

**BYLAWS OF THE**  
**NORTH DURHAM MINOR HOCKEY ASSOCIATION**  
**2017-02-26**

**1.0 MISSION STATEMENT**

The purpose of the North Durham Minor Hockey Association is to organize, develop and promote minor ice hockey (with equitable representation for both girls and boys), including:

- A) The opportunity for all eligible individuals to participate in recreational house league hockey and to provide community based programs, which will allow a player to participate in an environment for fun, physical exercise and fair play.
- B) The development of and participation in representative hockey and provide the opportunity to participate at the highest competitive level.
- C) To instill in all players, coaches, managers and members associated with the North Durham Minor Hockey Association good sportsmanship, correct and proper behaviour on and off the ice, respect for authority and team play.
- D) The Association shall be operated without the purpose of pecuniary gain to any of the Members and any surplus or accretion of the Association shall be used solely for the purposes of the Association and for the promotion of its objects.

**2.0 NAME, REGISTERED OFFICE AND SEAL**

2.1 This Organization shall be called the North Durham Minor Hockey Association, hereinafter to be referred to as North Durham Minor Hockey Association or “The Association”.

2.2 The Corporate Seal of the NDMHA shall be in the form as the Board may by resolution from time to time adopt, and shall be entrusted to the Secretary of the NDMHA for its use and safekeeping.

2.3 The registered head office of the Association shall be in the Town of Port Perry, Municipality of Durham Region, in the Province of Ontario and thereafter as the NDMHA may from time to time determine by special resolution of the members pursuant to the Corporations Act. The NDMHA may establish such other offices within Uxbridge and Port Perry, as the Board may deem expedient by resolution.

2.4 The Boundaries for the NDMHA shall be those recognized by the OHF, OMHA and OWHA

**3.0 DEFINITIONS**

3.1 In this By-Law and all other By-Laws and Resolutions of the Association, unless the content otherwise requires:

- A) “Board” means the Board of Directors of the Association
- B) “Executive” also means the Board of Directors of the Association
- C) “Officer” means an active member of the Board of Directors
- D) “OMHA” means Ontario Minor Hockey Association
- E) “OWHA” means Ontario Women’s Hockey Association

- F) "Members" means all classes of membership in the Association as provided for in Section 4;
- G) "Members in Good Standing" means there are no outstanding financial obligations to the Association and there are not any active discipline orders in effect by the Board.

#### **4.0 AFFILIATIONS**

4.1 The Association shall have the following affiliations:

- A) The Association shall be a member of the Ontario Minor Hockey Association (OMHA); and,
- B) The Association shall be a member of the Ontario Women's Hockey Association (OWHA); and
- C) The Association shall be affiliated with the Ontario Hockey Federations (OHF);
- D) The Association shall be affiliated with Hockey Canada (HC).

#### **5.0 CLASSES OF MEMBERSHIP**

5.1 There shall be Two (2) classes of Membership in the NDMHA, the particulars with which are set forth in Section 6 hereof:

- A) Active Membership;
- B) Parent/Guardian Membership

#### **6.0 TERMS OF MEMBERSHIP AND ELIGIBILITY**

6.1 Terms and Eligibility

A) Active Membership:

"Active Members" shall include all elected or appointed Board Members, coaches, managers and trainers rostered for a current season, and all registered players who are at least 18 years of age at the time of such determination. Members in this classification will be allowed one vote per person, provided they are at the time of any such vote an Active Member in good standing.

B) Parent/Guardian Membership:

"Parent/Guardian Members" shall include both parents or legal guardians of registered players in good standing where the registered player is under the age of eighteen (18) years. Both Parent/Guardian Members in this classification will be allowed one vote and may attend membership meetings and, by invitation, meetings of the Board and Committees of the NDMHA, provided they are in good standing at the time of such vote.

6.2 One Person – One Class of Membership

Although it is possible for a member to be qualified for more than one (1) class of membership in the NDMHA, no person may hold more than one (1) class of membership and may not have more than one (1) vote in any matter. It is therefore

mandatory that each member shall declare himself/herself prior to the start of any meeting of the membership and advise the chairperson of the membership class he/she wishes to represent. Once the meeting is called to order, the member must remain in that class of membership and may not change to another category or class of membership.

### 6.3 Membership List

The Board shall prepare and maintain a list of current Active Members and Parent/Guardian Members and a list of all voting members. This list shall be kept at the head office and updated as necessary and made available to all Board Members upon request. Such list of Members shall be used to determine eligibility to attend and vote at any Meeting of the Membership.

### 6.4 Membership Year

Unless otherwise determined by a majority decision of the Board, Memberships, shall commence on and be effective from September 1 in each year, and shall lapse and terminate on the 31st day of August next following the date on which such Membership commenced.

## **7.0 MEETINGS OF THE MEMBERSHIP**

### 7.1 Annual General Meeting of Members

The Annual General Meeting shall be held each year on or before May 1<sup>st</sup> at a time, place and day determined by the Board, for the transaction of at least the following business to be set out in an agenda of such Annual General Meeting:

- A) Approval of the Agenda;
- B) Approval of the minutes of the previous AGM;
- C) Receiving reports of the activities of the Association during the preceding year;
- D) Receiving information regarding the planned activities of the Association for the upcoming year;
- E) Receiving and approving the report of the Auditor of the Association from the previous year and a projected financial position for the current year;
- F) Consideration of any proposed amendments to the Constitution or By-Laws of the Association;
- G) Transaction of any business which relates to the business of the Meeting referred to above, and
- H) Election of the new Board.

### 7.2 Additional General Meeting of Members

In addition to the Annual General Meeting described in Article 7.1, a General Meeting of the Membership may be called at any time by the Board. The business to be transacted at an Additional General Meeting shall be limited to that specified in the notice calling the Additional General Meeting.

### 7.3 Notice

#### 7.3.1 Annual General Meeting

Notice of the Annual General Meeting shall set out the agenda, including particulars of any other business to come before the Meeting. The time and the place of the Meeting, and such notice shall be made public to the membership. Such notice shall be posted in the Uxbridge and Scugog Arenas and on the Association website at least thirty (30) days prior to the date of the Meeting.

#### 7.3.2 Additional General Meetings of the Membership

Notice of any Additional General Meeting of Membership shall be posted in the Uxbridge and Scugog Arenas and on the Association website within at least fifteen (15) days prior to the date of the Meeting.

### 7.4 Changes or Amendments to the By-Laws

Changes or amendments to the By-Laws may be made at the Annual General Meeting or a General Meeting of the Membership called for that purpose following a 2/3rds approval vote of the Members present and voting at that meeting. Changes to the By-Laws will be circulated to the members no later than sixty (60) days before the AGM.

### 7.5 Voting Procedures:

7.5.1 A majority of votes cast by Members entitled to vote, unless otherwise required by the Corporations Act or by the Constitution and By-Laws of the Association, shall decide every question proposed for consideration at Annual or General Meetings of the Membership;

7.5.2 The Chair presiding at a Meeting of the Membership, providing they are a current Board Member, shall have a vote only in the event of a tie vote;

7.5.3 At the Meetings of the Membership, every question shall be decided by a show of hands, unless the use of ballots is required by the Chair or the Board of Directors.

7.5.4 Proxies will not be permitted. Members must be present in person in order to exercise their voting rights.

7.6 The Past President will Chair any Annual or General Meeting of the Membership. In the absence of the Past President, the President elect will Chair the meeting.

## 8.0 BOARD OF DIRECTORS

### 8.1 Eligibility

#### 8.2A Board Member candidate;

- A) Shall be eighteen (18) years of age or older and not be in an undischarged bankruptcy
- B) Must be resident of the Association at the time of election or become a member within 10 days of election
- C) Shall remain a Member of the Association throughout their term of office

- D) Head Coach or Manager can not hold a board position that is in conflict of interest.
  - a. Head Coach can not hold Head Coach Director, VP Rep, VP Blades, OWHA Rep or OMHA Rep positions
  - b. Manager can not hold Treasurer position Office Administrator's role
- E) Any member having taken action against (OMHA/OHF. Legal) the Association may be ineligible to sit on Board

### 8.3 Number of Board Members

The affairs of the Association shall be managed by a Board, which consists of no more than 20 officers of which 15 are voting positions.

### 8.4 Term of Office

- 8.3.1 The term of all incumbent Officers, whose term is for one season, shall commence on the first business day following completion of the AGM in each year, and shall terminate following completion of the AGM in the subsequent year.
- 8.3.2 The term of all incumbent Officers, whose term is for two seasons, shall commence on the first business day following completion of the AGM in each year, and shall terminate following completion of the AGM in the second subsequent year.

### 8.5 The Board of Directors shall consist of:

#### **Voting Members (elected)**

<i>President</i>	<i>2 Years maturing in even years</i>
<i>VP Rep</i>	<i>2 years maturing in odd years</i>
<i>VP HL</i>	<i>2 years maturing in even years</i>
<i>VP Blades</i>	<i>2 years maturing in odd years</i>
<i>OMHA Director</i>	<i>2 years maturing in even years</i>
<i>OWHA Director</i>	<i>2 years maturing in even years</i>
<i>Secretary</i>	<i>2 years maturing in odd years</i>
<i>Director of Risk Management</i>	<i>2 years maturing in off years</i>
<i>Director of Finance</i>	<i>2 years maturing in even years</i>

<i>Head Coach Director</i>	<i>1 year</i>
<i>Director of Development</i>	<i>1 year</i>
<i>HL Director Uxbridge</i>	<i>1 year</i>
<i>HL Director Port Perry</i>	<i>1 year</i>
<i>HL Director Blades</i>	<i>1 year</i>
<i>Past President</i>	

#### **Non Voting Members (appointed)**

<i>Head Trainer Director</i>	<i>1 year</i>
<i>Sponsorship Manager</i>	<i>1 year</i>

Marketing Manager/Webmaster 1 year  
 Equipment Manager 1 year  
 Referee Chief 1 year

**Staff**

Convenor for each level (Initiation/Novice/Atom/Peewee/Bantam/Midget/Blades)  
 Office Administration – Paid  
 Book Keeper - Paid

**9.0 PROCEDURE FOR ELECTION OF BOARD MEMBER**

**9.1 Nominations**

Nomination Forms for the Board of Directors positions shall be available each year to the membership on the Association website. A Nomination Form must be completed by all nominees. Such completed form must be delivered to the Secretary at least 15 days prior to the Annual General Meeting of the Membership. No election of a Board Member can be effective without prior written completion of such nomination forms.

**9.2 Nomination Pre-requisites**

9.2.1 The following are deemed to be prerequisite conditions for any member to seek election/appointment to the following Board Positions:

President	2-years experience on the North Durham Minor Hockey Association Board
Vice President	1-year experience on the North Durham Minor Hockey Association Board
Director of Development	Developmental 1 OMHA Certification Certificate and Previous Head Coaching Experience
Treasurer	Previous experience and understanding of financial reporting and general accounting principles
Referee-in-Chief	OMHA Level 3 Certification

**9.3 Election Notifications**

The Secretary shall make public a notice of individuals who have been nominated for election to the Board. Such listing shall identify what position each nominee is seeking election for and shall be posted in the Scugog and Uxbridge Arenas and on the Association website.

**9.4 Vacancies**

Any vacancy occurring on the Board may be filled only for the remainder of the current term by Resolution of the Board of Directors. The Board should attempt to appoint a replacement Officer within a reasonable time period.

## 9.5 Termination

### 9.5.1 Absenteeism

The absence of an Officer from three (3) consecutive Board Meetings or the absence of an Officer from four (4) out of any eight (8) consecutive should be deemed to be a resignation of the said Officer from the Board. The Board reserves the right to adjudicate condition of attendance at Board Meetings based on special circumstances surrounding the Officer in question.

### 9.5.2 Resignation

An Officer of a Board may resign by submitting a letter of resignation to the President of the Association.

### 9.5.3 Removal of Officer by the Board

The Board shall have the power to remove any Officer who is not carrying out their appointed duties before the expiration of his or her term of office by a two-thirds (2/3rds) majority vote.

## **BOARD RESPONSIBILITIES**

### Governance.

The Board of Directors shall govern the Association in compliance with the objects, powers, By-Laws and Policies of the Association, Rules of Operation and all applicable laws and regulations.

The Board shall have the power to suspend or discipline any coach, manager, player, trainer, referee or other members affiliated with the Association. These suspensions shall be based on actions which represent unsportsmanlike conduct either on or off the ice and shall remain in effect at the discretion of the Board.

### Quorum

A quorum for a Board Meeting shall be fifty percent (50%) + 1 voting members. No business of the Board shall be transacted in the absence of a quorum.

### Voting Rights

Each Voting Officer of the Board, present at a Board Meeting, shall be entitled to one vote. The President shall have an additional vote in the event of a tie.

### Remuneration

Officers shall serve without remuneration and no Officer shall indirectly or directly receive any remuneration, salary or profit from the position of Officer or for any service rendered to the Association

### Indemnification of Directors

Every Officer of the Association and his or her heirs, executors, administrators and estates and effects respectively shall from time to time be indemnified and saved harmless by the Association from and against:

(a) All costs, charges and expenses whatsoever that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her for and in respect of any act, deed, matter or thing whatsoever, made, done or permitted by him or her in or about the execution of the duties of his or her office; and

(b) All other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own willful neglect or default, provided that, no Officer of the Association shall be indemnified by the Association in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any actions, suit or other proceeding as a result of which he or she is adjudged to be in breach of statute unless, in an action brought against him or her in his or her capacity as an Officer he or she has achieved complete or substantial success as a defendant.

(c) The association may purchase and maintain -insurance for the benefit of its Officer as the Board may from time to time determine.

### Insurance

The Association shall pay insurance premiums to the OMHA/OWHA on an annual basis to cover injury or accident. Coverage is supplied by the OMHA/OWHA.

### Confidentiality

Every Officer of the Association shall respect the confidentiality of matters brought before the Board for consideration.

### Rules of Operation

Notwithstanding any other provision contained in this By-Law, the Board shall have the power to pass without any confirmation or ratification by the members of the Corporation all necessary Rules of Operation and regulations as they deem expedient related in any way to the operations of the corporation, including, without limitation, the conduct of members and member teams, provided such rules and regulations are not otherwise inconsistent with this By-Law.

Rules of Operation should strictly deal with only those day-to-day matters directly affecting the member teams and players including but not limited to hockey uniforms tournaments, player conduct and discipline, harassment and abuse, conduct of referees and officials, player release, equipment and ice time.

### Board Meetings

Meetings of the Board shall endeavour to be held at least once a month on a date, time and place deemed suitable by the Board.



## **11.0. Board Member Responsibilities**

As outlined in Policy

## **12.0 REPRESENTATIVES OF THE BOARD**

12.1. The following committees shall be Standing Committees of the Board:

- Coaching Selection Committee;
- OWHA Hockey Committee;
- Discipline Committee:

12.2. Standing Committee Procedure

All Standing Committees shall comply with all By-Laws, guidelines, Policies and procedures of the Association as determined by the Board or the Membership of the Association, from time to time, and also shall comply with all requirements of the OMHA, the OWHA the OHF, HC, and, if applicable, any other hockey organizations with which Association teams are participating.

## **12. FINANCIAL YEAR**

12.1. The financial year of the Association shall terminate on the 31st day of March in each year.

## **13. BANKING ARRANGEMENTS**

13.1. The Board shall designate, by Resolution, the officers and other persons authorized to transact the banking business of the Association.

## **14. EFFECTIVE DATE**

14.1. This By-Law shall come into force without further formality upon its enactment after approval by the Members of the Association as herein before set out.