

PORT CREDIT VOLLEYBALL CLUB CONSTITUTION

This constitution was presented and adopted at the General Meeting held on the 20th Day of April 2017.

Article 1 – NAME

- 1.1 The name of the organization shall be the “Port Credit Volleyball Club”, hereinafter called “PCVC”.

Article 2 – CLUB ADDRESS

- 2.1 PCVC does not own or rent any premises to which mail may be sent, therefore, correspondence should be forwarded to the current year’s President, Vice President and/or Treasurer as it pertains to the notification.

Article 3 – PURPOSE

- 3.1 The purpose of PCVC shall be:
- a) to provide competitive recreational volleyball for adults in Mississauga and surrounding areas;
 - b) to set rules and regulations which ensure a properly and fairly run volleyball club;
 - c) to attain by permit, a facility or facilities in which to play volleyball;
 - d) to promote social activities among the membership;

Article 4 – AFFILIATION

- 4.1 PCVC shall operate as an independent not-for-profit corporation without affiliation to municipal, provincial, or federal governmental organizations.

Article 5 – MEMBERSHIP

- 5.1 PCVC is a co-ed organization open to members who are at least nineteen (19) years of age.
- 5.2 Membership is on an annual basis, from September to May, and is renewable if the member is in good standing.
- 5.3 The Executive may, prior to the acceptance of applications for Membership in any year, limit the number of Members to be accepted.
- a) This must be done before August 15th;
 - b) The previous year’s members will be given the opportunity to renew by August 15th;

- 5.4 The interest of a Member in PCVC is not transferable. Membership shall lapse and cease to exist in the following circumstances (refer By-law 5.2):
- a) upon expiry of the deadline as set in Section 5.3 above, without renewal from the existing member.
 - b) upon such Member's death or resignation;
 - c) upon being terminated by a vote of three-quarters (3/4) of the PCVC Executive or otherwise in accordance with the Constitution of PCVC;

Article 6 – MEMBERSHIP FEES

- 6.1 Membership fees shall be determined from time to time by the Executive.

Article 7 – MEETING OF MEMBERS

- 7.1 There shall be an Annual General Meeting of Members of PCVC in each year to be held at such time and place as the Executive may determine. At such meeting, the Members shall receive a report from the Executive and elect the members of the Executive for the ensuing year in accordance with Articles 9 and 10 of this Constitution.

Members will be notified of the AGM and its time and location through PCVC, email, newsletters and/or posting on league website. Proxy votes are not allowed for constitutional items. Elections for the Executive are held at the AGM and at advanced polls for those unable to attend. Advanced polling times will be emailed and listed on league website

- 7.2 Special General Meetings of PCVC may be called at any time by order of the President or by three (3) members of the Executive or by ten (10) Members in good standing on notification to the Secretary who shall proceed to give notice of such meeting to the Members.
- 7.3 Notice of any General Meeting shall be emailed and posted on league website to the Membership or distributed at PCVC's League games at least twelve (12) days prior to the meeting. Brief particulars of any business to be transacted (an Agenda) shall be included in the notice.
- 7.4 Sixteen (16) Members in good standing of PCVC shall constitute a quorum at any General Meeting of the Membership.
- 7.5 Each Member in good standing of PCVC shall be entitled to one (1) vote at any General Meeting of Members. All questions, other than an amendment to an Article of the Constitution, at meetings of Members, shall be decided by a majority of the votes cast. In the event of an equality of votes, the Chairperson of the meeting shall have a second or casting vote.

Article 8 – THE EXECUTIVE AND THEIR DUTIES

8.1 The Executive elected by the Members from among the Membership at each Annual General Meeting with advanced polls as designated by the Executive, in accordance with this Constitution shall manage the property, business and affairs of PCVC consistent with its purpose as set out in Article 3. The executive shall be comprised of the President, the Vice-President, the Secretary, the Treasurer, the Membership Secretary, the Tournament Director and the League Convenor who shall report and be responsible to the Members in accordance with this Constitution each having the specific powers, duties and responsibilities which are more particularly described as follows:

- a) The PRESIDENT shall preside at all Meetings of Members and of the Executive and shall see that orders and resolutions of the Members or of the Executive are carried into effect. The President will be the executive with primary responsible for communicating to the membership.
- b) The VICE-PRESIDENT shall be responsible for assisting the President in the President's duties and shall perform such duties when the President is unable to do so. The Vice-President shall also perform such other duties as may from time to time be described by the Executive.
- c) The TOURNAMENT DIRECTOR shall be responsible for the preparation, organization and execution of all PCVC Tournaments. To ensure smooth tournament operation, the Tournament Director shall enlist the support of other members of the Executive as necessary. The Tournament Director shall perform such other duties as may from time to time be described by the Executive.
- d) The TREASURER shall have custody of the funds of PCVC and keep full and accurate accounts of receipts and disbursements in books belonging to PCVC. The Treasurer shall be responsible for maintaining financial records for at least seven years after the end of the fiscal year. The Treasurer shall deposit all monies and other valuable effects in the name and to the credit of PCVC. The Treasurer shall disburse the funds of PCVC as may be ordered by the Executive, taking proper vouchers for such disbursements, and shall render to the President and the Executive, whenever they may require, an account of all transactions undertaken as Treasurer and of the financial position of PCVC, using proper accounting methods. The Treasurer is required to keep historical printed financial records in compliance with the record-keeping requirements for Non-Profit Corporations of Ontario. The Treasurer shall also perform such other duties as may from time to time be described by the Executive.
- e) The SECRETARY shall attend all meetings of the Executive and of the Members and act as Secretary thereof and record all votes and minutes of all proceedings in the books to be kept for that purpose. The Secretary is required to keep historical printed meeting-minutes in compliance with the record-keeping requirements for Non-Profit Corporations of Ontario. The Secretary shall give or cause to be given notice of all meetings of the Members or of the Executive and shall perform such other duties as may from time to time be described by the Executive.
- f) The MEMBERSHIP SECRETARY shall have the responsibility of promoting membership in PCVC, collecting membership fees. The Membership Secretary shall be responsible for maintaining the PCVC membership roster. The membership

roster will contain the name address, email address and phone number of each member. A printed copy of the membership roster will be retained for 10 years. The Membership Secretary shall issue receipts upon request from Members on payment of membership fees and shall remit all monies received together with a general accounting of same to the Treasurer on a regular basis and shall perform such other duties as may from time to time be described by the Executive.

- g) The LEAGUE CONVENOR shall be responsible for organizing/scheduling volleyball activity and tournaments with the assistance on the fellow executives. In addition, the convenor is to ensure appropriate recognition of teams and players at the Annual General Meeting and shall perform such other duties as may from time to time be described by the Executive.

Article 9 – ELIGIBILITY AND TERMS OF OFFICE OF THE EXECUTIVE

- 9.1 The terms of office for each position are two years and are staggered to provide PCVC's Membership with continuity and an experienced Executive Committee. A Member elected to an office is not eligible to run for election seeking another office prior to completing the original term of office unless first obtaining the consent and approval of the majority of the remaining Executive.
- 9.2 The elections for the positions of President, Secretary, Tournament Director and League Convenor shall be held in years ending with an odd digit.
- 9.3 The elections for the positions of Vice-President, Treasurer and Membership Secretary shall be held in years ending with an even digit.
- 9.4 During the period following their election and prior to their assumption of office, the newly elected Members of the Executive shall not be entitled to a vote until October 1st of their elected calendar year, or they have assumed their duties from the outgoing executive.
- 9.5 No Member may be elected to the Executive unless such Member has been a Member in good standing for the preceding membership year.
- 9.6 Casual vacancies on the Executive may be filled by appointment of a Member in good standing made by a majority of the remaining Executive.
- 9.7 An Executive Member shall cease to be eligible to remain on the Executive Committee of PCVC if such Member:
 - a) at any time becomes of unsound mind or is found by any Court of competent jurisdiction to be mentally incompetent;
 - b) ceases for any reason to be a Member of PCVC;
- 9.8 The Members may, by resolution passed by at least two thirds (2/3) of the votes cast at a Special Meeting of the Members, of which notice specifying the intention to pass such resolution has been given, remove any Executive Member(s) before the expiration of their period of office and appoint another eligible Member or

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eligible Members in their stead for the balance of their term(s).

- 9.9 The PCVC Executive may, by resolution passed by at least two thirds (2/3) of the votes cast at a Special Meeting of the PCVC Executive, of which notice specifying the intention to pass such resolution has been given, remove any Executive Member(s) before the expiration of their period of office and appoint another eligible Member or eligible Members in their stead for the balance of their term(s).
- 9.10 Every Executive Member who has, directly or indirectly, any interest in any contract or transaction to which PCVC is or is to be a party, shall declare the interest in such contract or transaction at a Meeting of the Executive of PCVC and shall at that time disclose the nature and extent of such interest and shall not vote and shall not be counted in the quorum in respect of such contract or transaction

Article 10 – ELECTION OF THE EXECUTIVE

- 10.1 The Executive shall be elected by the Members in good standing at each Annual General Meeting with advanced polls as designated by the Executive and shall serve until their term has expired and until their successors are elected, provided that Members of the Executive shall be eligible for re-election.
- 10.2 The following procedure for election of the Executive shall be adopted:
The position will be posted and announced to the league with additional information to be provided by executives. Executives may approach members in good standing with the suggestion of running for a particular position.
- 10.3 A list of all Nominees for the Executive shall be posted on PCVC website with the notice of the Elections.

Article 11 – EXECUTIVE MEETINGS

- 11.1 Meetings of the Executive may be called by any member of the executive.
- 11.2 Four (4) Members of the Executive shall constitute a quorum at any Meeting of the Executive.
- 11.3 All questions at Meetings of the Executive shall be decided by a majority of the votes cast. In the event of an equality of votes, the Chairperson of the Meeting shall have a second or casting vote.
- 11.4 The position of Chairperson may rotate among the Members of the Executive for each meeting.

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Article 12 – NOTICE OF EXECUTIVE MEETINGS

- 12.1 Reasonable notice will be given to all executives for scheduled meetings. Should an unscheduled meeting be required, 4 executives should be present and minutes distributed to missing members.

Article 13 – SPECIAL COMMITTEES

- 13.1 Special Committees comprised of Members (hereinafter referred to as the “Committee”) may be appointed by the Executive from time to time. The Executive shall also appoint a Chairperson for each Committee who shall report to the Executive but who shall not be a voting Member of the Executive.
- 13.2 The Executive may fill vacancies on any Committee and may remove from any Committee a Member who is negligent in the performance of their duties.
- 13.3 Any Committee appointed by the Executive may meet for the transaction of business, adjourn and otherwise regulate its Meetings as it thinks fit. Unless otherwise determined by the Executive, a majority of the Members on a Committee shall be a quorum. Questions arising at any Meeting of a Committee shall be decided by a majority of votes cast and in the case of an equality of votes, the Chairperson of the Meeting shall have a second or casting vote. Minutes of all proceedings at all Meetings of a Committee shall be given to the President as soon as possible.

Article 14 – CHEQUES

- 14.1 Except as set out hereinafter, all cheques, bills, notes, acceptances and orders for the payment of money shall be signed or endorsed by two (2) of the following persons only:
- The President, the Vice-President or the Treasurer
 - However, in the case of a vacancy in one of the above-listed positions, the Executive shall elect from its Executive Committee one other signing officer.
- 14.2 Notwithstanding the foregoing Articles, no other Member or Members may sign or endorse cheques, bills, notes, acceptances and orders for payment of money, except as set out in this Article.

Article 15 – CONTRACTS

- 15.1 The term “contracts, documents and instruments in writing” as used herein shall include conveyances, transfers and assignments of property, real or personal, immovable or moveable; agreements, releases and discharges for payment of money or other obligations; conveyances, transfers and assignments of bonds, debentures or other securities; and all paper writings.



- 15.2 Contracts, documents or any instruments in writing requiring the signature of PCVC shall be signed other Executive Member who shall be appointed from time to time by the Executive Committee on behalf of PCVC, either to sign contracts, documents and instruments in writing generally, or to sign specific contracts, documents or instruments in writing. All contracts, documents and instruments in writing so signed shall be binding upon PCVC without any further authorization or formality.
- 15.3 All contracts, documents and instruments in consideration of five hundred dollars (\$500.00) or more shall only be binding upon if the Executive has, by prior resolution, approved same, and authorized and directed the President and one other Executive Member to execute and deliver same on behalf of PCVC in the form presented to the Executive

Article 16 – THE BOOKS OF PCVC

- 16.1 The Books of PCVC shall be made available for audit by (2) Members in good standing and not serving on the Executive, or by professional accountants appointed by the Membership at the Annual General Meeting. The financial statement for the previous financial year and the up-to-date Book of Meeting minutes will be available for inspection by any member.

Article 17 – RULES AND REGULATIONS

- 17.1 The Executive may from time to time make Rules and Regulations with respect to the carrying out of the provisions of this Constitution in respect of the management of PCVC's affairs, and it may, from time to time, repeal or amend any such Rules and Regulations.
- 17.2 The Executive shall have the right to lay down such Rules and Regulations as it deems necessary from time to time to insure the safety and proper conduct of the Members and shall have the right to revoke or suspend the Membership, or limit the privileges of such Members whom it judges to be in default of such Rules and Regulations.

Article 18 – DISCIPLINARY PROCEDURE

- 18.1 The Chairperson of the Disciplinary Committee shall be appointed by the President. The Chairperson shall appoint the remaining two (2) members of the Committee, who shall not be Executive Members, to sit as required at Meetings of the Committee. In the event that the appointed Chairperson is on the same team as a Member about whom a written complaint has been filed as required by Article 18.2, the complaint shall be delivered to the President who shall appoint a temporary Chairperson for the purpose of completing the disciplinary procedure set out in this Article.

- 18.2 Where any Member in good standing alleges that the conduct of another Member contravenes any of the hereinafter grounds for discipline, such Member shall file a written complaint with the Chairperson. Such complaint shall set out with reasonable particularity the alleged misconduct of the other Member.
- 18.3 The Chairperson, upon receipt of the written complaint, shall review the complaint and thereupon may take any of the following actions:
- a) request an explanation in writing from the Member who is alleged to have, engaged in the alleged misconduct;
 - b) issue a warning without a hearing;
 - c) empanel a Disciplinary Committee hearing, which shall include the Chairperson and two (2) Members;
 - d) no action, provided that reasons for taking no action shall be given to the Member who filed the written complaint;
 - e) consult with any two (2) Members concerning the written complaint for advice and to assist in determining which of the actions set out in (a) through (d) above should be taken.
- 18.4 Where the Chairperson empanels a Disciplinary Committee hearing pursuant to Article 18.3 (c), written notice of the Disciplinary Committee hearing shall be given to the Member whose alleged misconduct is the subject of the complaint, the person who filed the written complaint and any other person or persons as the Chairperson may designate as parties to the Disciplinary Committee hearing. Such notice shall specify:
- a) the date of the Hearing;
 - b) the time of the Hearing;
 - c) the place of the Hearing;
 - d) the general nature of the complaint;
- 18.5 The Grounds for Discipline which will give rise to Disciplinary Committee action are:
- a) breach of or non-compliance with the Rules or Constitution of PCVC;
 - b) breach of or non-compliance with any contractual obligation of PCVC;
 - c) acceptance by any Member of PCVC of any direct or indirect benefit which is attributable to such person due to their status as a Member of PCVC, except such benefits as are provided for in the Constitution of PCVC, where such direct benefit is not available to the general membership of PCVC;
 - d) any conduct which is an unreasonable infringement of the enjoyment of the rights of Membership of any Member or Members in good standing;
 - e) any other conduct which is contrary to the best interests of PCVC;
- 18.6 The Disciplinary Committee, after having found a breach of the Grounds for Discipline, may, with respect to all or any of the privileges of any Member, and for such length of time as the Disciplinary Committee sees fit:

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- a) revoke such privileges;
- b) suspend such privileges;
- c) attach such conditions to the further exercise of such privileges as seen fit;
- d) issue a reprimand;

18.7 All decisions of the Chairperson of the Disciplinary Committee are subject to appeal to the Executive by any party. Upon completion of an action by the Chairperson or a Committee hearing, the Chairperson shall provide a written report to the Executive.

Article 19 – AMENDMENTS TO THE CONSTITUTION

19.1 The Articles of this Constitution may be amended only by a resolution passed by two-thirds (2/3) vote of the Members present at a General Meeting duly called for that purpose. A copy of the proposed resolution shall be included with the notice of such Meeting

19.2 The By-Laws of this Constitution may be amended only by a resolution passed by a majority vote of the Members present at a General Meeting duly called for that purpose. A copy of the proposed resolution shall be included with the notice of such Meeting.

19.3 Definitions:

- a) Articles of the Constitution describe the fundamental purpose of PCVC. They map out PCVC's big purpose.
- b) By-Laws of the Constitution are like a book of rules that govern day-to-day procedures for PCVC. They are usually more specific than an Article. By-Laws will frequently change to match the emerging needs of PCVC as it grows or adapts to new circumstances.

Article 20 – NOTICE AND ADJOURNMENTS

20.1 Whenever pursuant to the provisions of this Constitution or the By-laws notice is required to be given, unless otherwise specifically provided, the notice may be given either personally or electronic delivered to the Member at the address as it appears in the records maintained on behalf of PCVC. For the purpose of sending any notice, the address of any Member shall be the last address of such Member as recorded in PCVC records. Any Member entitled to receive any notice may waive the notice either before or after the meeting to which the notice refers.

20.2 No error or omission in giving notice of any annual or general meeting or any adjourned meeting, whether annual or general, of the Members shall invalidate the meeting or make void any proceedings taken at it and any Member may at any time waive notice of any of these meetings and may ratify any proceedings of the meeting.

20.3 Any meetings of the Members and/or the Executive may be adjourned to any time and from time to time and the business may be transacted at the adjourned meeting as might have been transacted at the original meeting from which the adjournment took place. No notice shall be required of any adjournment. The adjournment may be made in spite of no quorum being present.

Article 21 – INDEMNIFICATION OF EXECUTIVE

21.1 All Members elected and acting as an Executive and their heirs, executors and administrators shall at all times be indemnified out of the funds of PCVC including any liability insurance maintained by PCVC on behalf of its Members from:

- a) all costs whatsoever that such Member incurs in any proceeding that is brought against the Member for any action taken, done or permitted to be done by such Member in the execution of their duties as an Executive; and
- b) all other costs that the Member incurs in or in relation to the conduct of the affairs of PCVC except costs incurred or occasioned by such Member's own wilful neglect or misconduct;

Article 22 – DISSOLUTION

22.1 In the event Port Credit Volleyball Club ceases to exist, all equipment and assets will be donated to charity.

BY-LAWS

BY-LAW 1 – DONATIONS AND FUND RAISING

1.1 All donations and/or funds raised by PCVC and/or its Members are to be allocated by the Executive. That is, no individual Club Team shall acquire and/or use monies for its own specific purposes.

BY-LAW 2 – MEETINGS

2.1 Votes at General Meetings and at Executive Meetings can be taken by a show of hands unless otherwise requested.

2.2 All meetings under PCVC's jurisdiction shall be conducted by PCVC President or chairperson duly designated by the President, in accordance with "Robert's Rules of Order" unless otherwise agreed upon.

BY-LAW 3 – MEMBERSHIP

3.1 The Membership of PCVC is restricted to 96 Members of which up to 62.5% shall be male and no less than 37.5% shall be female. This number may change as facilities and circumstances permit. Best efforts to maintain a 5/3 ratio between men and women.

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- 3.2 A member in good standing is defined as an individual who has been a member of PCVC within the last fiscal year, has met attendance requirements, does not have any past-due amounts owing to PCVC, and remains at a skill level required to compete in the league.

BY-LAW 4 – CLUB FEES

- 4.1 PCVC fees will be set by the Executive from year to year as they see fit in order to carry out the functions of PCVC.
- 4.2 Any Member who:
- a) resigns from PCVC,
 - b) is suspended from PCVC,
 - c) is unavailable due to a medical condition,
 - d) withdraws due to pregnancy,
 - e) withdraws due to relocation be it residential or work related,
 - f) withdraws for any other reason,

is not entitled to any reimbursement of any Membership Fees and forfeits all rights and/or benefits in regard to PCVC and/or PCVC's activities, unless otherwise determined by the Executive in their discretion on a case-by-case basis.

- 4.3 Replacement players may be asked to pay a fee as set by the executive as they see fit.
- 4.4 Financial policy including but not limited to deadlines for payment, service fees, and refund policy will be set by the Executive from year to year as they see fit in order to carry out the functions of PCVC.

BY-LAW 5 – CLUB LEAGUE ATTENDANCE

- 5.1 Failure by any Member to attend and play on their team during three (3) consecutive nights without having provided satisfactory notice to their Team Captain may be cause for suspension or revocation of his/her Membership privileges.
- 5.2 Notwithstanding By-Law Article 5.4, failure by any Member to attend and play on their team for at least 65 percent of regularly scheduled games may be cause for suspension or revocation of his/her Membership privileges.
- 5.3 An executive member has the right to begin the procedure to suspend or revoke Membership privileges where the circumstances described under By-Law Articles 5.1 or 5.2 occur. The procedure shall be as follows:
- a) An executive member shall provide verbal warning to the Member of his/her actions and the repercussions associated with such actions.
 - b) If the Member's attendance remains unacceptable, the Executive shall provide written notice to the Member of the intent to suspend or revoke the Member's

privileges, and shall notify the Member of the date, time and location of a meeting to discuss this intention.

- c) An executive member shall determine, by majority vote, the action to be taken with respect to the Member's Club privileges. The Member will be given the opportunity to attend this Executive meeting.
- d) The Member shall be notified of PCVC Executive's decision in writing.

- 5.4 If a Member in good standing is unable to complete the remainder of the season due to medical conditions or pregnancy, they will retain their right to renew their membership for the next season. The executive has the right to request a physician's verification of the medical condition or pregnancy.
- 5.5 If a Member in good standing is unable to renew their membership due to medical conditions or pregnancy, they will retain their right to renew their membership for one year following their notification of withdrawal from play. The executive has the right to request a physician's verification of the medical condition or pregnancy.
- 5.6 To replace a player unable to complete the remainder of the season, the Executive may assign a similarly ranked player from outside PCVC to that team. That new player shall be deemed as having a temporary membership in PCVC for the duration of the season. The temporary player will be considered for Membership for the following season after returning Members. If the temporary player wishes to be considered for full membership, their application will be considered together with new players applying to the league. In choosing new applications to the league, if all other attributes are equally matched, the executive will give preference to the temporary player.
- 5.7 Members are eligible to participate in the playoffs if they have attended at least 65 percent of the team's scheduled game nights. Eligibility for members placed on a team after the start of the season will be determined on a pro-rated basis. Exceptions are made at the discretion of the Executive.
- 5.8 Teams have the option to receive a substitute player for the following reasons
 - a) team member is unavailable continuously for three weeks or more due to work-related, vacation, medical, or other reasons.
 - b) cannot field the minimum of one woman and three men.

The executive will make every attempt to provide a substitute for that team. League members are not allowed to arrange their own substitutions. In the event of no substitution, regular league rules will apply.

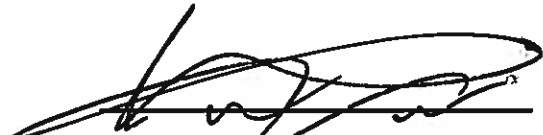
- 5.9 Should a player become injured, ill, or experience a life event which prevents them from attending for a period of time longer than 3 weeks, the player must communicate the situation with the executive, thus allowing for a substitute player to be arranged. The Executive team has the authority to exempt this period of time required to recover from the player's absences, if they so determine.

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BY-LAW 6 – FISCAL YEAR

6.1 PCVC's fiscal year shall be from October 1st – September 30th.

WITNESS the hands of PCVC's President, and executive Board duly authorized in that behalf this day of April 20th, 2017



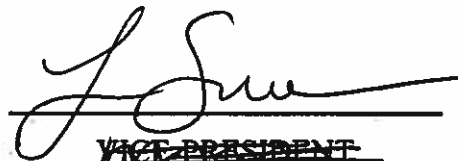
PRESIDENT



SECRETARY



VICE-PRESIDENT



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MEMBERSHIP SECRETARY



TREASURER



LEAGUE CONVENOR



IMMEDIATE PAST-PRESIDENT

