

# Capital City Skating Club Club Constitution and By-laws



**SKATE/PATINAGE**CANADA  
NEW BRUNSWICK/NOUVEAU BRUNSWICK

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Capital City Skating Club  
P.O. Box 1173,  
Fredericton, NB,  
E3A 5G8

Adopted February 12, 2008  
Amended October 12, 2018

**Constitution and By-laws of the Capital City Skating Club**  
**Skate Canada Club Number - 1000585**

**Article 1: Name of Organization**

The Name of this not-for-profit organization shall be Capital City Skating Club, hereinafter referred to as the Club or CCSC.

**Article 2: Capital City Skating Club**

- 2.1** A not-for-profit figure 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 figure skating and/or skating programs for Skate Canada members [Skate Canada By-law 1100 (3)].
- 2.2** The Club shall pay such fees and such other charges as shall be required of clubs from time to time by Skate Canada. [Skate Canada By-law 1201 (1) (c) (ii), 1201 (1) (c) (viii) and 1201 (1) (c) (ix)]
- 2.3** The Club shall abide by all Skate Canada By-laws, rules and regulations as per Skate Canada By-law 1201 (1) (c) (iv).
- 2.4** The Club is in the New Brunswick Section of Skate Canada. See Skate Canada By-law 1503 for definition of Sections.

**Article 3: Purpose of the Club**

- 3.1** 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, Policies and Procedures of Skate Canada.
- 3.2** 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 [By-law 1201 (1) (c) (iv)]
- 3.3** The Club shall protect the eligibility status of its members. The Club shall not take or omit any action that would knowingly jeopardize the eligible status of its members.
- 3.4** The Club shall operate only Skate Canada figure skating and skating programs.
- 3.5** Only Skate Canada Registered Professional Coaches are permitted to teach figure skating and skating in the Club.

**Article 4: Definitions**

In these by-laws unless otherwise indicated, the following words and phrases shall have the meaning so defined:

**Annual Meeting** – the annual meeting of Members.

**Board** – the board of Directors of Capital City Skating Club.

**By-laws** - these by-laws and any other by-law of Capital City Skating Club as amended and which are, from time to time, in force and effect.

**Chair** - the chair of the Board.

**Club** - Capital City Skating Club.

**Days** – total days including weekends and holidays.

**Director** – an individual elected or appointed to serve on the Board pursuant to the by-laws.

**Good Standing** - a person who has paid all dues outstanding to Skate Canada, a Club, or a Skating School (as applicable) and who the Board has not declared not to be in good standing and in the case of Members.

**Member** – each entity that meets the requirements as defined in By-law 2 hereof.

**Members Meetings** - Annual Meetings and/or Special Meetings.

**Membership** - the state of being a Member.

**Membership Year** – the term of each Member's Membership being from September 1st of the year in which Membership is granted to such Member until August 31st of the following year and which is subject to renewal in accordance with the policies of Skate Canada and the bylaws.

**Ordinary Resolution** – a resolution passed by the majority of votes cast on that resolution.

**Person Entitled to Vote** - each Delegate and each Registered Professional Coach in Good Standing.

**President** -the president of Capital City Skating Club.

**Registered Professional Coach in Good Standing** – A skating expert with the required National Coaching Certification Program (NCCP) qualifications to provide a remunerated service at Skate Canada sanctioned clubs and skating schools, both on- and off-ice. These individuals have registered, provided full payment and have met all professional coach registration requirements as set annually by Skate Canada.

**Special Meeting** - a meeting of any class or classes of Members and a special meeting of all Members entitled to vote at an Annual Meeting.

**Special Resolution** – a resolution passed by a majority of not less than two-thirds (2/3) of the votes cast on that resolution.

#### **Article 5: Interpretation**

**5.1** Words in the singular include the plural and vice-versa, words in one gender include all genders, and “person” includes an individual, body corporate, partnership, trust, and an unincorporated organization.

**5.2** The Board will have the authority to interpret any provision of the Bylaws that is contradictory, ambiguous, or unclear, provided that such interpretation is consistent with the purposes of Capital City Skating Club, as set out in the Articles

#### **Article 6: By-Laws of the Club**

**6.1** The By-laws contained in this section of the Constitution, shall describe the organization and functions of the Club, and the means by which members of the Club may elect the Club Board of Directors and control the property and activities of the Club.

**6.2** The By-laws, Rules and Regulations of Skate Canada and those of the Section in which the Club operates shall take precedence over any Club By-laws [Skate Canada By-law 1201 (1) (c) (iv)].

**6.3** 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. [Skate Canada by-law 1201 (1) (c) (iv).]

### **Section 1 – Membership**

#### **By-law 1: Club Membership**

**1.1** Membership in the Club shall be open to all, irrespective of gender identity, sexual orientation, age, ability, religion or race.

**1.2** A Registered Professional Coach making application for membership shall be admitted as prescribed by the Board of Directors of Skate Canada New Brunswick.

#### **By-law 2: Membership Conditions**

**2.1** All members shall uphold, observe and conform to the By-laws, Rules and Regulations of Skate Canada, the By-laws of the Club and such regulations as made by the Board of Directors of the Club.

- 2.2** Each member shall be entitled to receive notice of, attend, and vote at all Members Meetings and each Member shall have one (1) vote at such meetings.
- 2.3** Each member of the Registered Professional Coach Class shall be entitled to receive notice of, attend, and vote at all Members Meetings and each Member shall have one (1) vote at such meetings.

**By-law 3: Membership Fees**

Members of the Club shall be registered with Skate Canada and pay such registration and other fees to Skate Canada as set from time to time by Skate Canada. (See Skate Canada By-law 1201 (1) (c) (ix), Skate Canada By-law 1202 (1) (a), Rule 2101, Policies and Procedures.)

**By-law 4: Member in Good Standing**

For a member of the Club to be considered in good standing with the Club, that member must pay Club fees as are stipulated by the Club Board of Directors according to the payment terms established by the Board. Members will not be permitted to take part in any Club activities if these fees are not paid within 30 days of the date set for payment. Members in arrears shall be considered as having terminated their club membership.

**By-law 5: Setting of Club Fees, Rules and Skating Hours**

Fees, skating rules and skating hours of the Club shall be decided by the Board of Directors from time to time. Club membership shall commence on the first day of the Skate Canada membership year, 1 September, or the date that fees are paid (whichever is the latter) and terminate on the last day of the Skate Canada membership year, 31 August.

**By-law 6: Suspension and Expulsion from the Club**

The Board of Directors may suspend or expel a member of the club for acting contrary to the By-laws, Rules and Regulations of Skate Canada or of the Club. The Club Board shall develop a suspension and expulsion policy in accordance with the Skate Canada Complaint, Suspension and Expulsion Policy and Procedure that contains a provision for suspending or expelling of any member of the Club from such membership on terms and conditions that are deemed appropriate and necessary by the Club Board of Directors. This policy shall be approved by the Club Board of Directors from time to time and it shall be in writing and made available to all members in advance of its implementation. This policy must include an appropriate hearing and appeal process, which includes principles of due process, an appropriate reinstatement application process and an appropriate graduated series of disciplinary measures. [See Skate Canada By-law 1204.]

**By-law 7: Classes of Club Membership**

The classes of membership, eligibility and privileges shall be as follows:

- **Individual membership:** Non-skating members who have paid the fees as set by the club and are Associate Members of Skate Canada. Individual members of legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club.
- **Active Membership:** All eligible skaters who participate in a Club Skating Program and who have paid the fees as set by the club and are Associate Members of Skate Canada. All Active Members of the legal age of 18 shall be entitled to one vote at each Annual General Meeting and Special Meeting of the Club. (Underage Active Members cannot vote but may be represented by Special Members who can vote).
- **Special Membership:** Parent or guardian of legally underage Active Members who have paid the fees as set by the Club.

- **Partial Membership:** All eligible skaters who are Associate Member or Restricted Member of Skate Canada through another HOME club and have paid a reduced fee as set by the Club. Partial Members shall have no voting privileges and may not hold office.
- **Honorary Membership:** The Annual Meeting of members may elect any person an Honorary Member of the club. An Honorary Member shall be exempt from club dues (but not Skate Canada dues).
- **Restricted Membership:** A restricted member is an individual who is a paid employee (of the club, Section or Association), a non-active coach, a performing professional skater or a professional dance partner. A restricted member is not permitted to hold elected office, may not vote at meetings, is not permitted to compete in competitions, and is not permitted to officiate at tests or competitions. [See Skate Canada By-law 1201 (1) (c) (xi), By-law 1202 (2) and Rule 2001.]

## **Section 2 - Liability**

### **By-law 8: Liability**

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. Every member, guest or visitor shall use the Club facilities at his or her own risk. The Club shall participate in the Skate Canada Club Liability and Member Accident Insurance programs [Skate Canada By-law 1201 (1) (c) (viii)].

## **Section 3 – Club Management**

### **By-law 9: Board of Directors**

The general management of the club shall be vested in a Board of Directors consisting of:

1. Immediate Past President;
2. President;
3. Vice-president;
4. Secretary,
5. Treasurer;
6. Registration Director;
7. Directors at large; and,
8. Coaching Representative.

All the above, with the exception of the Past President and the Coaching Representative shall be elected for 2-year terms at the Annual General Meeting. The President and Vice-President and 50% of Directors at large shall be elected in even numbered years and the Secretary, Treasurer and the remaining Directors at large shall be elected in odd numbered years. The Coaching Representative shall be elected annually by and from within the coaches of the club. The Past President shall be non-voting and shall hold office until a new President has been duly elected. The coaching representative shall be elected as per Skate Canada by-laws.

### **By-law 10: Eligibility**

The members of the Board of Directors and members and Chairs of committees must be members in Good Standing of the Club, be registered as Associate Members of Skate Canada, be of legal age, and be eligible persons (with the exception of the Coaching Representative) as defined by Skate Canada Rules.

### **By-law 11: Nominations**

- 11.1 Any nominations to fill a vacancy on the Board shall be submitted to the President, or such other person as the Board may designate, forty-five (45) days prior to the next scheduled Annual Meeting. Nominations will be accompanied by the written consent of the nominee pursuant to Skate Canada New Brunswick policies.
- 11.2 Individuals currently on the Board eligible to be re-elected are not subject to nomination but must provide written notice to the President, or such other person as the Board may designate forty-five (45) days prior to the next scheduled Annual Meeting.
- 11.3 Names of valid nominees and those seeking re-election will be circulated to all Members twenty-eight (28) days prior to the earliest scheduled Annual Meeting.
- 11.4 Nominations from the floor will not be accepted.

### **By-law 12: Holding of Board of Directors Office**

The Board of Directors shall hold office until the close of the meeting at which their successors have been duly elected. Any member of the Board of Directors may be removed by the members by a 2/3 majority vote at a Special General Meeting duly called for that purpose.

### **By-law 13: Voting at Board of Directors Meetings**

A quorum of the Board of Directors shall consist of 50% plus 1 members of the Board of Directors, including the Chair. 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. [Skate Canada By-law 1420 (5)]

### **By-law 14: Board of Directors Vacancies**

Casual vacancy occurring between any Annual General Meeting of the Club may be filled, until the next annual General Meeting by a majority vote of the remaining members of the Board of Directors or in the case of the Coaching Representative, by the coaching staff.

### **By-law 15: Board of Directors Member Absenteeism**

If a Board of Directors Member is absent for more than three consecutive scheduled Board of Directors meetings, without good cause and/or without prior notification to the President or Secretary, then that office may be declared vacant by a majority vote of the Board of Directors.

### **By-law 16: Role of President**

The President shall act as Chair of all Board of Directors and general meetings. In his/her absence, the Vice-president will fill this duty.

### **By-law 17: Role of Treasurer**

The Treasurer shall be responsible for the safe control of all club funds, for preparing and submitting to the Board of Directors on a regular basis an annual budget and keeping such records as are required for financial review. The Treasurer is also responsible for preparing an unaudited annual financial statement. The President, or the Vice-president and the Treasurer together shall sign all legal documents.

### **By-law 18: Role of Secretary**

The Secretary shall deal with all correspondence subject to the approval of the President or his/her delegate, shall issue all notices for Board of Directors and general meetings, shall take

minutes at all meetings, and shall be responsible for submitting to Skate Canada and the Section such reports as are required by Skate Canada rules and other regulations.

**By-law 19: Committees – President as ex-officio member**

The President shall be an ex-officio member of all committees.

**By-law 20: Committees - Appointment**

The President shall appoint Directors who may form committees and whom shall look after duties assigned to them. All Committee Chairs must submit the names of their committee members to the President for approval.

**By-law 21: Committees: Eligibility to Serve**

All Club Board of Directors and members of Committees shall be eligible persons and shall be of legal age (18 years). They must be members in good standing of the club and be Associate Members of the Association. Skate Canada By-law 1201 (1) (c) (ii).

**By-law 22: Rules of Order**

Rules of order for all meetings, General and Board of Directors, shall be as outlined in Roberts Rules of Order in all cases in which they are applicable and consistent with the by-laws or special rules of the Association (Skate Canada By-law 1603).

**Section 4 - Skate Canada Club Delegate and Region Councilors**

**By-law 23: Delegates and Councilors**

The Club Delegate to Skate Canada and/or the Section shall be appointed annually by the Board of Directors. The Delegate need not be a member of the Board of Directors. The Section and/or Skate Canada National Office shall be advised of the appointed delegate's name. The Club shall appoint a Councilor and an alternate Councilor to serve on the Region Council as required by the By-laws of the Region Council. The delegates and councilors shall report on activities at these meetings and shall be entitled to receive compensation for pre-approved expenses related to attendance at required meetings.

**Section 5 - Annual General Meeting**

**By-law 24: Timing, Quorum, Special Meeting Request**

An Annual General Meeting shall be held within 40 days of the close of the March 31<sup>st</sup> fiscal year. Other general meetings may be held from time to time upon the request of the Board of Directors or upon written request of 15% (per cent) of Club Members. A quorum for an Annual General Meeting or Special Meeting shall be 5% (per cent) of the eligible-voting members. [Skate Canada By-law 1201 (1) (c) (i) requires that each club hold an annual meeting.]

**By-law 25: Written Notice**

Written notice of all Annual General Meeting and Special Meetings shall be provided 15 days in advance to each eligible voting member. 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 the candidates nominated for elections.

**By-law 26: Voting on Club Elections**

Voting on Club elections shall be by secret ballot and a simple majority shall elect a candidate. Voting on other matters may be by a show of hands.

**By-law 27: Eligibility to Vote**

Voting for club elections or on any matters pertaining to skating shall be restricted to eligible club members who are registered as Associate Members of Skate Canada and are 18 years of age, to the club Coaching representative(s) and to 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 restricted to one vote per family regardless of how many children are in the family.

**By-law 28: Order of Business**

The order of business at an Annual General Meeting of the Club shall be as determined by the Board.

**Section 6 - Amendments**

**By-law 29: Right to Submit, Process for Submitting**

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 Club Board of Directors. The proposed amendment will be presented to the Annual General Meeting or Special Meetings. All amendments must be submitted at least 21 days before the respective meeting. No amendment to the Constitution or By-laws of the Club shall be accepted from the floor at any meeting.

**By-law 30: Interim Amendments**

By-laws may be enacted or amended by a majority vote (50% plus 1) of the Board of Directors whenever required. Such by-laws or amendments must be presented at the next General Meeting for ratification by the members. If they fail to be ratified, they will cease to be effective and may not be re-enacted by the Board of Directors for one calendar year.

**By-law 31: Voting of Amendments**

Any amendment, to be accepted or ratified, must pass by a vote of 2/3 of those eligible to vote and present at an Annual General Meeting of the Club.

**By-law 32: Effective Force of Amendments to By-laws**

All amendments to the by-laws upon receiving approval of any general or special meeting of members and upon approval of the provincial government (if applicable) shall come into force immediately or on a date specified for same. All such amendments shall be submitted to Skate Canada. Skate Canada reserves the right of refusal of any amendment. Such refusal shall only be made if the intent of such amendment is to violate, in principle or spirit, any Skate Canada rule and/or by-law.

**Section 7 - Funds**

**By-law 33: Deposits**

The Treasurer shall deposit all funds of the Club in such banks or other institutions as may be designated by the Board of Directors.

**By-law 34: Disbursements**

All disbursements of club funds shall be by cheque or other auditable document.

**By-law 35: Review of Financial Transactions**

The Treasurer shall make the financial statements available to the membership each year at the the Annual Meeting. The Treasurer shall provide a list of all disbursements made by the Club to the Board of Directors.

**By-law 36: Dissolution**

In the event that the club ceases to exist, the net assets from liquidation shall go to the Skate Canada New Brunswick Section of Skate Canada.

**Section 8 - Committees**

The Board will annually name committee chairs to carry out its work as it deems appropriate.

**By-law 37: Nominating Committee**

This committee is responsible for selecting at least a full slate of candidates for election to the Club Board of Directors and shall present such a slate to the Board of Directors no later than 21 days before an Annual Meeting in the year, which an election is to be held. The nominating committee shall consist of a minimum of two members, one from the Board of Directors and one from the membership. Other nominations may be made by any member in good standing by a written submission to the nominating committee at least 3 days before the Annual Meeting. Each nominee must indicate acceptance in writing prior to the commencement of elections. Nominations from the floor at the Annual Meeting will not be accepted.

**By-law 38: Other Committees**

Committees may be formed as approved by the Board of Directors. Examples appear below.

- Registration Committee / Chair
- Ice Show Committee/Chair
- Test Committee/Chair
- Club Competition Committee/Chair
- Synchronized Skating Committee/Chair
- CanSkate Committee/Chair
- Competitive Program Committee/Chair
- Communications & Website Committee/Chair

**Adopted by:**

Capital City Skating Club

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on \_\_\_\_\_ of \_\_\_\_\_  
(day) (month) (year)

Signed \_\_\_\_\_  
(President) (Date)

Signed \_\_\_\_\_  
(Club Board Member) (Date)

**APPENDIX A**

**LIABILITY WAIVER AND RELEASE**

Re: [Insert name of skater]

It is understood and agreed, as a condition of participation in skating programs offered by the Capital City Skating Club and Skate Canada, that neither the Club nor Skate Canada shall be liable for any injury, loss or damage suffered by the above-noted member while travelling to or from or while participating in skating practices, competitions or other activities, however caused.

It is further agreed that neither the Club nor Skate Canada is responsible for any injury, loss or damage caused by the member while travelling to or from or while participating in the said practices, competitions or other activities.

The member, or his/her parent/legal guardian who has signed this form, shall indemnify the Club and Skate Canada and hold them harmless from any claims, demands or actions arising from or in respect of such injury, loss or damage.

\_\_\_\_\_

Athlete or Parent/Legal Guardian Signature

\_\_\_\_\_

Date