

Dakota Weightlifting Club

BY-LAWS

Article I.

Interpretation

1.1 DEFINITIONS. In these By-Laws, unless the context otherwise requires:

- (a) "Club" means the Dakota Weightlifting Club
- (b) "Board of Directors" or "Board" means the board of Directors from time to time of the club.

Article II.

Membership

2.1 NON-REQUIREMENT OF MEMBERSHIP. Dakota Weightlifting is supportive and inclusive all athletes and of the sport of a whole. Any person who may wish to train with Dakota Weightlifting may do so regardless of any external club or organizational membership, and will not be required to maintain membership with Dakota Weightlifting. These persons will generally be entitled to (but not necessarily be limited to) coaching by available staff during published hours and the use of club equipment. Any non-member of the Club may elect, at their choosing, to join Dakota Weightlifting as a member at any time.

2.2 REQUIREMENT OF MEMBERSHIP. Any person wishing to compete in any sanctioned meet with the Club shall be required to be a member of the Club and shall be required to pay annual club dues. Members will also be entitled to (but not necessarily be limited to) competition-specific preparation and, where feasible, competition coaching. The membership year runs from October 1 to September 30.

2.3 MEMBERSHIP DUES. Club dues are currently set at \$75 per year and are due in full prior to the member's first competition of the year. Members who have not paid their Club membership dues by this time shall not be entitled to membership privileges in the Club until all dues have been paid. Membership dues are not pro-rated and are non-refundable.

2.4 CHANGE IN MEMBERSHIP DUES. The Board of Directors may, by resolution, determine the amount of membership dues to be paid by the Members as well as the time they become due, provided that at least fifteen (15) days' notice is given of any proposed change.

2.5 INDEPENDENCE. Membership with the Club is independent from any membership with and/or fees paid to any host facility or organization.

2.6 VOTING MEMBERS. Any person residing in Manitoba and being 16 years of age may become a voting member of the Club upon payment of the membership dues. Any voting member in good standing shall be eligible to hold any office in the Club.

2.7 YOUTH/JUNIOR/SENIOR/MASTER MEMBERS. Dakota Weightlifting supports the athletic development of athletes of all ages. All competitive athletes will be considered a Club member and are entitled to the full benefits of membership regardless of age.

2.8 WITHDRAWAL OF MEMBERSHIP. Any member wishing to withdraw from membership may do so upon giving notice in writing to the Board of Directors through its Secretary of his or her intention to withdraw from membership and shall cease to be a member upon that date therein specified.

2.9 CANCELLATION OF MEMBERSHIP. The voting members may, by a resolution passed by a majority of such members, at a meeting called for such purpose, at any time cancel the membership of a member for any cause, which the Club may deem reasonable.

2.10 PROHIBITION. Any member who receives a ban by the Canadian Center for Ethics in Sport (CCES), or any other national or international governing body, in regards to an anti-doping violation shall be prohibited from membership in the Club and from training with the Club for the duration of the ban.

2.11 SUBSIDIZATION: Members who are competing at a National or International level of competition and who are not eligible for MWA subsidization, will be subsidized by the Club for the event entry fee to a maximum value of \$500/ event.

2.12 VOLUNTEERING: Members are required to assist with a minimum of one (1) volunteer shift per year.

Article III.

Board of Directors

3.1 MANAGEMENT. The management of the affairs of the Club shall be vested in the Board of Directors. The Board of Directors may enact and enforce regulations regarding the management and operation of the Club, and such regulations shall be consistent with these By-Laws.

3.2 BOARD MEMBERSHIP. The affairs of the Club shall be managed by a Board of not less than three (3) directors. A director must be a voting member. Director roles will include: President, Vice President/Treasurer and Secretary.

3.3 ELECTION AND TERM. The directors of the Club shall be President, Vice President/Treasurer, and Secretary. The election of directors shall take place at the annual general meeting of the members where all directors then in office who have served their two (2) year term shall retire, but if qualified shall be eligible for re-election. The executive officers elected each year shall be the President and in odd years followed by the Vice President/ Treasurer and Secretary in even years. A quorum of directors may fill any vacancy among the directors, which must be ratified at the next General Meeting. A director appointed or elected to fill a vacancy holds office for the unexpired term of his or her predecessor unless their appointment is not ratified by the general membership at the General Meeting following their appointment.

3.4 ELIGIBILITY. Only members of the Club in good standing who are not in a position of having a conflict of interest, as determined by the Board of Directors, are eligible to serve as directors.

3.5 APPOINTMENT OR ELECTION. A person appointed or elected a director becomes a director if they were present at the meeting when being appointed or elected, and did not refuse the appointment.

They may also become a director if they were not present at the meeting but consented in writing to act as a director before the appointment or election, or within ten (10) days after the appointment or election. Only members of the Club are eligible to serve as directors.

3.6 RESIGNATION. A member of the Board of Directors may resign by providing written notice of such to the President. A member of the Board who does not attend two (2) consecutive Board meetings is considered to have resigned.

3.7 REMOVAL OF DIRECTORS. The voting members may, by a resolution passed by a majority of not less than two-thirds of the votes of such members at a meeting called for such a purpose, remove any director before the expiration of his or her period of office. A vacancy created by the removal of a director may be filled by the voting members at the meeting at which the director is removed or, if not so filled, may be filled by a quorum of directors.

3.8 RENUMERATION. Members of the Board shall serve without remuneration, but shall be entitled to reimbursement for expenses reasonably incurred.

3.9 MEETINGS OF DIRECTORS. Meetings of the Board shall be held as often as is required, but at least once every six (6) months and shall be called by the President. A special meeting of the Board may be called upon the request of any two (2) directors provided that they request the President in writing to call such a meeting and state the business to be brought before the meeting. Meetings may be held without notice if quorum of the Board is present, however any business transacted at such meetings shall require ratification at the next regularly called meeting of the Board.

3.10 PLACE OF MEETING. Meetings of the Board may be held at any place.

3.11 QUORUM. The quorum for the transaction of business at any meeting of the board shall consist of more than half of the directors.

3.12 VOTES TO GOVERN. Each member of the Board of Directors is authorized to exercise one (1) vote at members meetings and at all motions of the Board of Directors. Questions arising at any meeting of the Board shall be decided by a majority of the votes. In the case of an equality of votes, the President shall have a second or casting vote.

3.13 RESOLUTION IN WRITING. Notwithstanding anything to the contrary in these By-Laws, a resolution in writing signed by all the directors shall be valid and effectual as if it had been passed at a meeting duly called and constituted. In lieu of a handwritten signature, an email received from the personal email account of a director shall be considered equivalent to a signature.

Article IV.

Officers

4.1 APPOINTMENT. The officers of the Executive Committee shall consist of a President, Vice President/Treasurer, and Secretary. Any Board member may be assigned to coordinate various aspects of business, including the chairing of non-executive committees, but the specific responsibilities of these members may change from time to time, dependent on the needs of the organization.

4.2 PRESIDENT. The President shall be a director, and shall be charged with the general management and supervision of the affairs and operations of the Club. The President shall be an ex-officio member of all Committees. The President shall when present, preside at all meetings of the members of the Club and the Board of Directors. In the absence or inability of the President, to preside over a given meeting, the Vice President will assume the responsibilities of the President.

4.3 VICE PRESIDENT/TREASURER. The Vice President/Treasurer shall be a director, and shall be charged with assisting the President in the management and supervision of the affairs and operations of the Club. Should the President be unavailable, the Vice President will preside at all meetings of the members of the Club and the Board of Directors. In the absence or inability of both the President and the Vice President, a chairperson may be elected at the meeting to preside. The Vice President / Treasurer shall receive all monies paid to the Club and shall be responsible for the deposit of same in a Canadian chartered bank, trust company, credit union or treasury branch designated from time to time by the Board. The Treasurer shall properly account for the funds of the Club and keep such books as may be directed, and shall present a full detailed account of receipts and disbursements to the Board whenever required. The Treasurer may entrust the Senior Advisor to assist with deposits and book keeping on his/her behalf, but is ultimately responsible for the financial transactions of the Club.

4.4 SECRETARY. The Secretary shall be a director and shall be the Secretary of all meetings of the Board of Directors and of the members and shall enter or cause to be entered in records kept for that purpose minutes of all proceedings thereat. The Secretary shall keep a record of all the members of the Club and their addresses, send all notices of meetings as required, and shall collect and receive the annual dues or assessments levied by the Club.

4.5 REMOVAL OF DIRECTORS. The directors may at any time, in their discretion, remove any officer of the Club.

Article V.

Meetings of the members

5.1 ANNUAL MEETINGS. The annual meeting of members of the Club shall be held at some point during the membership year for the purpose of electing directors, if appropriate, and appointing auditors, and for the transaction of such other business as may properly be brought before the meeting. Notice of the Annual Meeting or Special Meeting or General Meeting shall be provided in accordance with paragraph 5.04 of these By-Laws.

5.2 SPECIAL MEETINGS. A special meeting of the members shall be called by the President or Secretary upon receipt by either of them of a petition signed by one-third (1/3) of the voting members in good standing, setting forth the reasons for calling such meeting. Notice of the Annual Meeting or Special Meeting or General Meeting shall be provided in accordance with paragraph 5.04 of these By-Laws.

5.3 GENERAL MEETINGS. General meetings of the members of the Club may be called at any time by the Secretary upon instructions of the President or the Board. Notice of the Annual Meeting or Special Meeting or General Meeting shall be provided in accordance with paragraph 5.4 of these By-Laws.

5.4 NOTICE. Notice of the agenda, time and place of each meeting of the members shall be sent to each member by regular mail addressed to the member at his latest address as shown in the records of the Club not less than fifteen (15) days before the meeting, or by electronic mail addressed to the member at his latest electronic mail address as shown in the records of the Club, or by telephone, or by any other means of communication, including the Club's website, not less than ten (10) days before the meeting. If mailed, such notice shall be deemed to have been received on the third (3rd) day following the date of mailing, if delivered by telephone or electronic mail or any other means of communication, such notice shall be deemed to have been received on the date of transmission or delivery. A member who participates in a meeting shall be deemed to have received notice thereof.

5.5 PLACE OF MEETINGS. Meetings of the members may be held at any place.

5.6 QUORUM. The quorum for the transaction of business at any meeting of the members shall consist of at least five (5) members in favor of voting members in good standing.

5.7 VOTING AND VOTES TO GOVERN. Any voting member who has not withdrawn from membership or whose membership has not been suspended or cancelled as herein provided shall have the right to vote at any meeting of the members. Every voting member shall have one (1) vote. Such votes must be made in person and not by proxy or otherwise. Questions arising at any meeting of the members shall be decided by a majority of the votes of the voting members. In the case of equality of votes, the President shall have a casting vote.

5.8 VOTES FOR MOTIONS. All motions at meetings shall be decided by a majority of votes cast, unless otherwise required by these By-Laws. A tie vote on a motion shall be considered a defeated motion.

5.9 RESOLUTION IN WRITING. Notwithstanding anything to the contrary in these By-Laws, a resolution in writing signed by all of the members entitled to vote thereon shall be valid and effectual as if it had been passed at a meeting duly called and constituted.

Article VI. Financial Arrangements

6.1 FINANCIAL YEAR. The financial year end for the Club shall be September 30 in each year.

6.2 BANK ACCOUNTS. All monies received by the Club shall, promptly following their receipt, be deposited to the credit of the Club in a Canadian chartered bank, trust company, credit union or treasury branch designated from time to time by the Board of Directors.

6.3 SIGNING OFFICERS. Cheques drawn by the Club shall be signed by such persons as are designated from time to time by the Board of Directors. All cheques must be signed by two Executive Officers.

Article VII.

Equipment

7.1 USAGE. Persons training with the Club, both members and non-members alike, are entitled to use the equipment provided by the Club for training purposes. This includes, but is not limited to, equipment owned by the Club, equipment owned by the Manitoba Weightlifting Association and provided to the Club for use by the Club, and equipment provided to the Club for training purposes by any third party.

7.2 NON-REMOVAL. No person may at any time remove equipment from the training facility without first obtaining the express written permission of the owner of the equipment in question to the Board.

Article VIII.

Remuneration

8.1 REMUNERATION OF DIRECTORS, OFFICERS AND MEMBERS. Any director, officer or member shall be entitled to receive remuneration for services rendered to the Club subject to the discretion of the Board of Directors and where a director, officer or member shall be authorized to incur expense on or about the business of the Club, he or she shall be entitled to reimbursement by the Club.

Article IX.

By-Laws

9.1 AMENDMENTS. These By-Laws may be rescinded, altered, or added to by a Special Resolution of the voting members of the Club; provided that the members of the Club have received thirty (30) days written notice of the proposed rescission, alteration or addition.

Article X

Books and Records

10.1 INSPECTION. Any and all books and records of the Club shall be open for inspection by any member of the Club at the Annual Meeting or at such other time upon giving reasonable notice to the officers having charge of the books and records.

Article XI

Dissolution

11.1 DISSOLUTION. In the event of the dissolution of the Club, and after payment of all debt and liabilities, the distribution of remaining assets will be at the discretion of the Board of Directors and shall comply with any limitations and restrictions imposed by funding bodies, where applicable.

11.2 EQUIPMENT. Any equipment provided to the Club by the Manitoba Weightlifting Association or any third party for use by the Club shall be returned to the owner(s) of the equipment in question.