



## **PICKLEBALL MONCTON INC. CONSTITUTION AND BY-LAWS**

### **ARTICLE 1: GENERAL PROVISIONS**

#### **Section A: Name and Incorporation**

The name of the club shall be Pickleball Moncton Inc. (PBM). Pickleball Moncton Inc. is an incorporated, not-for-profit company under the Companies Act of New Brunswick as of September 6, 2022, under the Business number 737274.

#### **Section B: National Affiliation**

Pickleball Moncton shall be affiliated with Pickleball Canada Organization (PCO).

#### **Section C: Provincial Affiliation**

Pickleball Moncton shall be affiliated with Pickleball New Brunswick (PBNB).

#### **Section D: Head Office**

The head office shall be established at the resident address of the presiding Secretary.

#### **Section E: Logo**

The logo of Pickleball Moncton shall be:



## Section F: Goals/Purpose

The goals/purpose of this club shall be:

- To promote the sport of Pickleball for all in the greater Moncton area of New Brunswick in a safe environment while protecting the assets of the club.
- To provide the opportunity for all members to learn and improve their play.
- To implement instructional lessons and clinics.
- To schedule recreational play, league play and tournaments; to encourage the highest standards of safe play and to promote social Pickleball activities within the community.
- To manage one or more dedicated indoor or outdoor pickleball facilities in the greater Moncton area.

## ARTICLE II: MEMBERSHIP & DUES

### Section A: Eligibility

Membership shall be open to all members of Pickleball Canada Organization (PCO). A junior membership may be established for those 16 and under, accompanied by an adult.

### Section B: Definition of members

Members are defined as those who have paid their dues. They can participate in the AGM and have the right to vote. They can participate in all the Pickleball activities (play sessions, training, tournaments, etc. depending on terms and availability of space).

### Section C: Dues

(I) Members will be charged an annual membership fee which shall entitle them to play at PBM.

(II) The annual membership fee shall be determined by the Board of

Directors each year, based on the club's operating budget.

(III) The annual membership fee is nonrefundable.

(IV) The Board of Directors reserves the right to charge an additional fee for court reservations, league play, tournaments and any other fees deemed necessary to the quality and sustainability of the club.

(V) The Board of Directors may suspend, for such period as it determines, or expel any member whose conduct is deemed detrimental to Pickleball Moncton Inc. Before pronouncing a suspension or an expulsion, the Executive Officers must advise, in writing, the individual concerned of the date and time of the hearing of his case and allow the member to be heard.

## ARTICLE III: GENERAL ASSEMBLY OF MEMBERS

### Section A: Composition

The General Assembly is made up of the members in good standing (paid up) of Pickleball Moncton Inc.

### Section B: Quorum

The Annual General Meeting (AGM) quorum shall consist of twenty paid members of PBM.

### Section C: Vote

All members present at the AGM have the right to vote.

### Section D: Annual General Meeting

An Annual General meeting (AGM) shall be held in June of each year. A notice of meeting with the time, date, place, the agenda and the related documents shall be sent to members at least 30 days in advance. Each member has the right to vote.

The agenda for the AGM shall be:

1. Call to Order
2. Credentials (Attendance)
3. Adoption of the Agenda
4. Adoption of the minutes from the last AGM
5. Ratification of the BOD's decisions
6. President's Report
7. Committee Reports
8. Treasurer's Report
9. Presentation of the financial Statements
10. Adoption of the financial report
11. Amendments to the Bylaws (if any)
12. Report of the Nominating Committee Chairman
13. Election of Officers
14. Adjournment

#### Section E: Powers of the Annual General Meeting

The Annual General Meeting has all the rights, including:

- electing members of the PBM Board of Directors;
- adopt the financial statements of PBM;
- ratify the bylaws of PBM;
- ratify the BOD decisions for the previous year;
- decide on the general orientations of PBM;
- appoint or elect a bookkeeper/accountant for the following year.

#### Section F: Special General Meeting

A Special General Meeting may be convened at the request of the BOD or one third of the members entitled to vote, at the date and a place set by the Board of Directors. A notice of

meeting must at least ten (10) days prior to the meeting. The notice must include the subject to be acted upon during the Special General Meeting and no other subject can be discussed.

## ARTICLE IV: BOARD OF DIRECTORS

### Section A: Structure

The Board of Directors (BOD) shall consist of the four Executive Officers and additional Board members. The additional Board members shall be a minimum of five (5) and maximum of seven (7) PBM members in good standing. No more than one member of any immediate family may hold a position on the BOD.

### Section B: Responsibility

Management of this club shall be vested in the BOD to be responsible to the general membership and to uphold the Constitution and bylaws.

### Section C: Compensation

No compensation will be paid to any BOD member.

### Section D: Term

Board members, excluding the Executive Officers, shall be elected for a term of three (3) years. A Board member shall serve a maximum of two terms and must sit out at least one year before re-election. Board terms will be staggered so that a maximum of three Board members are replaced each year.

### Section E: Advisors

The President, subject to BOD approval, may appoint advisors to the BOD who may attend and participate at BOD meetings in a non-voting capacity.

## ARTICLE V: EXECUTIVE OFFICERS

### Section A: Executive Officers

The Executive officers of PBM shall be the President, Vice-President, Secretary, and Treasurer.

### Section B: Eligibility

Executive officers must be members of Pickleball Moncton Inc. in good standing.

### Section C: Election

The Executive officers shall be elected by secret ballot or by acclamation at the Annual General Meeting each year in June.

### Section D: Term

The term of the Executive Officers shall be for one year and will commence on July 1<sup>st</sup> each year. All Executive Officers shall be eligible for re-election each year.

### Section E: Vacancy

If a vacancy occurs in the office of President, the Vice-President shall assume the office for the remainder of the term and vacancies in any other office shall be filled by a special election or a board member appointed by the President, subject to BOD approval, if nobody comes forth to volunteer for the vacant office.

## ARTICLE VI: DUTIES OF OFFICERS

### Section A: President

It shall be the duty of the President to:

- Preside at meetings
- Vote only in case of a tie

- Represent the club
- Appoint committee chairs subject to the approval of the Board of Directors.
- Serve as an ex-officio member of all committees except any nominating committee.
- Perform other such duties as ordinarily pertain to this office.

#### Section B: Vice-President

It shall be the duty of the Vice-President to:

- Preside in the absence of the President
- Present committee reports as required.
- Fill in for any missing executive at any Board meeting.
- Perform other such duties as ordinarily pertain to this office.

#### Section C: Secretary

It shall be the duty of the Secretary to:

- Record and report the minutes at all meetings, keep an up to date minute book which is accessible to the general membership.
- Keep two copies of all the important club records, one a hard copy and the other electronic, such as cloud storage.
- Issue notices of meetings by group email or letter (if needed)
- Keep and report the general correspondence of the club.
- Perform other such duties as ordinarily pertain to this office.

#### Section D: Treasurer

It shall be the duty of the Treasurer to ensure the following:

- Maintenance of the Club Bank Account which shall require two signing authorities.
- Receiving and distributing all funds appropriately.

- Keeping an orderly file of all receipts and expenditures and making reports as directed
- Providing monthly and annual financial reports to be signed by the president.
- Preparing the annual budget for presentation at the AGM each year.
- Performing other such duties as ordinarily pertain to this office.

#### Section E: Board Members

It shall be the duty of board members to:

- Attend and vote at all Board of Directors and general meetings.
- Consult, advise and assist the Executive Officers.
- Replace any office that is vacated during the term if possible.
- Enforce and protect the Constitution.

#### Section F: Required Attendance

Missing three or more consecutive BOD meetings may result in termination of office, subject to BOD review.

### ARTICLE VII: MEETINGS

#### Section A: BOD Meetings

Regular BOD meetings shall be held at least once per month. The day and time will be determined by consensus of the BOD.

#### Section B: Special Meeting

Special meetings may be called at any time by the President with the approval of the BOD. Any reasonable request shall be considered.



### Section C: Quorum

A quorum for the BOD meetings shall be a simple majority of the BOD.

### Section D: Parliamentary Authority

Perry's Rules of Order, shall govern this club in all cases to which they are applicable and in which they are not inconsistent with these bylaws.

### Section E: Emergency Act

In the event an emergency order is declared by any level of government in Canada which affects PBM operations, the BOD shall have the authority to suspend, cancel or change any operation of the club until the emergency order is lifted. Once the Emergency order is rescinded the BOD shall determine how operations will be resumed.

## ARTICLE VIII: COMMITTEES

### Section A: Committees

The following shall be the standing committees of PBM and will be activated as needed. The President shall appoint the chair of these committees, subject to BOD approval.

### Section B: Standing Committees

1. Finance
2. Health and Safety/Maintenance
3. Training/Coaching/Refereeing
4. Communications & Marketing/Fundraising & Sponsorship/Membership
5. Scheduling
6. Special Events/Social/Tournament
7. Governance

8. Nominating: To seek out members for nomination to the positions of executive officers and BOD members each year prior to the AGM. Normally chaired by the immediate past president.

#### Section C: Ad-hoc Committees

The BOD shall have the authority to appoint any ad-hoc committees from time to time as need demands. Ad-hoc Chairs shall have a non-voting role on the BOD for the duration of their tenure if they are not already members of the BOD.

### ARTICLE IX: AMENDMENTS

#### Section A: Selection

These bylaws may be amended by a two thirds majority vote of the general membership attending the AGM.

#### Section B: Notice

All members shall receive advance notice of the proposed amendment at least thirty days prior to the meeting.

### ARTICLE X: FINANCIAL RESPONSIBILITY

#### Section A: Fiscal Year

The fiscal year of PBM shall run from June 1<sup>st</sup> until May 31<sup>st</sup> each year.

#### Section B: Signing Officers

There will be two signing officers for any financial transaction of the club, namely the Treasurer and one other signatory determined by the BOD. The President shall not have signing authority.

Section C: Small Purchases

Approval of purchases, by the signing authorities and the President, of \$500.00 and under need no general BOD approval.

Section D: Large Purchases

Purchases over \$500.00 shall require a simple majority vote of the BOD excluding the President, except when needed to break a tie. This can be done at a BOD meeting, a special emergency meeting or by email vote.

Section E: Dissolution

Upon dissolution of PBM and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of to registered non-profit(s) recognized by the Canada Revenue Agency having objects the same as, or similar to, the objects of PBM.

ADOPTED BY THE MEMBERSHIP AT THE  
ANNUAL GENERAL MEETING , JUNE \_\_\_\_, 2023.

SIGNED \_\_\_\_\_ President

SIGNED: \_\_\_\_\_ Secretary