

BYLAWS
YORK SIMCOE EXPRESS HOCKEY ASSOCIATION INC.

BYLAWS

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BYLAWS

Bylaw 1 – Meetings under the jurisdiction of YSEHA: agendas, rules of procedure, conduct of members etc.

B1.0 – General Membership Meetings

Unless a different time or place is determined necessary by the Executive, the President shall call General Meetings as follows:

- (a) an Annual General Meeting ("AGM") held no later than the 31st of May each year and;
- (b) a Special General Meeting when in the opinion of the President a matter is of such importance necessitating a decision by the membership or;
- (c) when petitioned in writing by:
 - (i) five or more Officers of the Executive or;
 - (ii) 25 voting members of YSEHA;wherein the agenda for Special General Meetings, shall be limited to the purpose(s) for the meeting being called.

B1.1 – Executive Board Meetings

- (a) The President shall convene regular monthly meetings of the Executive except when a quorum of its members is unattainable wherein at the discretion of the President, the date for said meeting may be rescheduled or deferred to the next regular meeting;
- (b) Special Meetings for the Executive shall be at the call of the President and/or be convened when the Secretary is petitioned in writing by five of its members;
- (c) The agenda for Special Meetings of the Executive shall be limited to the purpose(s) for the meeting being called.

B1.2 – Notice of General Membership Meetings

Members are entitled to receive notices of, and to attend, participate in and debate at all membership meetings called by the President, hereinafter referenced as General Membership Meetings. No public notice nor advertisement of General Members' meetings shall be required, but notice of the time & place of every such meeting shall be given to each Member by sending the notice by distribution to Members through team Officials and by entering such notice on the web site maintained by YSEHA ten days before the time fixed for the holding of such meeting. An affidavit statement by the Secretary attesting to the date and method of notice is prima facie proof of such notice.

B.1.3 – Member Voting Rights

To ascertain voting rights and upon verification of an individual's standing within YSEHA, the Secretary or Registrar shall provide to each member attending a General Membership Meeting, a voting card which designates their individual voting rights in one of the categories stipulated herein.

- a) One vote for each Registered Player participant at the time of the General Membership Meeting who holds a carded position for the forthcoming playing year with a YSEHA team;
- b) One vote for each Registered Player participant at the time of the General Membership Meeting who held a carded position for the previous year with a YSEHA team.
- c) One vote for each member of the Executive.

- d) One vote for each individual who serves as a carded official of a YSEHA team.

There shall be no more than one vote per Player participant.

B1.4 – Rules of Procedure

All meetings under the jurisdiction of YSEHA, shall be conducted in accordance with the ‘rules of procedure’ as follows:

Rule 1 – Start Time

A meeting shall be called to order by the ‘chair’ within 20 minutes of the scheduled time except when a quorum is not present. In this event, the chair may delay the ‘call to order’ until a quorum is attained or may cancel the meeting. Pending the attainment of a quorum, the chair may designate those numbers in attendance as having status as a ‘committee’ for purposes of discussion and/or formulating recommendations regarding any matter of business scheduled for the meeting.

Rule 2 – Order of Business

Except when otherwise ‘noticed’ to the attending members, the Order of Business shall be:

- (a) announcement of official start of meeting by the ‘chair’;
- (b) roll call of Executive Board Members (for General Membership Meetings) or confirming a list of attendees for any other meeting;
- (c) reading of minutes of previous meeting (when not provided in writing), corrections, discussion and adoption thereof;
- (d) report(s) by Officers and any other member of the Executive Board requested to do so;
- (e) during AGM's: -
 - (i) report of the Treasurer for consideration the members entitled thereto;
 - (ii) appointment of ‘auditors’ for the ensuing year;
- (f) reports of committees reading of correspondence and/or presentations;
- (g) unfinished business (deferred from previous meetings);
- (h) new business – includes suggestions or recommendations by members;
- (i) notice of motions (i.e. proposals to amend Constitution or Bylaws);
- (j) election of officers;
- (k) adjournment.

Rule 3 – Change to Sequence of Business/Suspension of Rules

The Chair, by ‘general consent’, may allow changes to the order of business, or the temporary suspension of a specific rule(s). Upon objection thereto, a 2/3 majority of voting members who are present will be required for any change or ‘suspension’ as herein allowed.

Rule 4 – Processing of Motions

- (a) Except when stated otherwise, motions shall be decided by a majority of those members voting;
- (b) A member desiring to speak shall rise and before speaking be recognized by the Chair;
- (c) A main motion which introduces new business, shall require a second and be recorded in the minutes;
- (d) Once a main motion has been stated by the Chair, it shall become the property of the assembly subject to customary considerations pending the vote on its disposition as follows:
A main motion may be subject to a subsidiary motion to:
 - (i) ‘postpone temporarily’; (in order for a different/urgent matter to be considered and/or handled);
 - (ii) ‘close debate and vote’;
 - (iii) ‘refer to a committee’; (for additional study with an instruction for recommendations, reports, etc.)
 - (iv) ‘amend’; (by deleting and/or adding words, or by substituting different words);
 - (v) ‘amend an amendment’;

which motions shall have precedence in the order listed herein with (i) having highest precedence and no further subsidiary motions shall be permitted.

Rule 5 – Rules for Debate and Voting

- (a) Chair shall request alternate ‘pro’ and ‘con’ debate;
- (b) Unless permitted by the Chair, a member may not speak
 - (i) more than twice on the same motion and the second time only after all others have been provided the opportunity to speak;
 - (ii) longer than three minutes each time;
- (c) Upon the close of debate the Chair shall state the motion which is immediately pending and proceed to hold the vote and;
- (d) The Chair or two members, may move that the vote be taken by ballot, otherwise the Chair shall order a vote be taken by general consent, voice, a show of hands or by a ‘standing count’.

Rule 6 – Reconsideration

A motion (i.e. main motion only), when affirmatively carried, may not be reconsidered during the same meeting.

Rule 7 – Member – Conduct

- (a) During a meeting the Chair shall call to order, any member who acts in an improper manner even if the member is in possession of the floor and speaking.
- (b) When a member is called to order by the Chair, the member must stop the improper behaviour and/or take his/her seat.
- (c) When a call to order is stated, all discussion/debate shall be suspended until:
 - (i) the offending member apologizes to the meeting and/or an aggrieved member or;
 - (ii) the offending member leaves, if requested or,

(iii) order is reinstated and the Chair resumes the business then under consideration.

Rule 8 – APPEAL on Points of Order, Rulings by the Chair, etc...

- (a) During all meetings, the Chair shall decide all issues on a point of order and he/she may speak to a point of order or to explain the ruling before any member.
- (b) When the Chair has decided a question of order, any member may appeal his/her ruling to the meeting providing a reason for the appeal. The Chair shall respond with an explanation of his/her ruling and without further debate, put the appeal to a vote.
- (c) The question ‘put’ will be “...shall the decision of the Chair be sustained?” When a majority of those voting, do not sustain the decision of the Chair, only then will the decision of the Chair be overturned and the point of order shall be the decision of the meeting.

Rule 9 – Parliamentary Authority

For any procedures and/or rules not detailed herein and subject to the process allowed herein, whenever appropriate, shall be those prescribed by YSEHA’s Parliamentary Authority – See Constitution – Article A10.2.

Bylaw II – Term of Office, Nominations & Election of Officers

B2.0 The nomination and election of Officers shall be an order of business at each Annual General Meeting wherein any Executive Board vacancy may be filled utilizing the electing procedures prescribed herein.

B2.1 A vacancy(ies) notwithstanding, the Officers of YSEHA (see Constitution – A4.4)

- (a) shall be elected to a regular term of office extending over two consecutive years, beginning on June 1st and concluding on May 31st (two years) thereafter.

B2.2 Eligibility of Candidates for all Officer positions – nominees must be a member in good standing at the time of their nomination and in addition, the nominee for President shall have completed two years as an YSEHA Officer and the nominee for Vice President/Director of Hockey Operations shall have completed one year as an YSEHA officer. Failing these qualifications, the nomination will then be open to the General Membership.

B2.3 Nominations and elections will be held upon the expiry of each term of office as follows:

Every ODD numbered Year

President
Treasurer
Registrar
Equipment Director
Fund Raising Director

Every EVEN numbered Year

Vice President/Director of
Hockey Operations
Secretary
Publicity Director
Ice Operations Director

- B2.4** Nominations shall be by the Nominations Committee or from the floor. In the event a nominee is unable to be present, their acceptance must be in writing and be available when requested by the Chair.
- B2.5** A nominee may stand (i.e. be a candidate) for more than one office. However, a member may not hold more than one office at the same time and upon being elected to office, his/her former position is thereby vacated.
- B2.6** Voting for multiple candidates for a single office shall be by ballot – by members attending the AGM and having voting privileges prescribed by Bylaw 1.3. The candidate receiving the majority of all votes cast, shall be declared elected.
- B2.7 Ratification – when only a single candidate**
At the close of nominations for each office and when a single nominee is the only candidate, the Chair shall advise the members that upon the request of a single member, a ballot vote to ratify the candidate’s election may be ordered. Upon a majority of those voting to confirm the candidate to office, or upon no requirement for ratification, the chair shall declare the candidate “...elected by acclamation!”

Bylaw III – Rights/Duties of the Executive Board and its Management Committee

- B3.0 The Executive Board** – see Article A4.4.
In accordance with Article A4.2 and subject only to the authority of a General Membership Meeting as prescribed under Article A4.1 the Executive Board shall be the governing body responsible for the effective administration of YSEHA and the enforcement of all rights and duties emanating under its Constitution, Bylaws and/or Policies adopted thereto. In this regard the Executive shall retain the authority to further direct and/or approve actions of all Officers, Representatives and/or Committees in the performance any of their duties prescribed hereunder.
- B3.1 – The Management Committee** – see Article A4.4
The Management Committee being YSEHA’s four Senior Officers and also being the directors of the corporation named YSEHA, shall be responsible to maintain the corporation’s registration as required under Article A1.3 and fulfill further duties as mandated by the Corporation Act, or as further authorized by the Executive.

Bylaw IV – Removal and Eligibility of Officers and Representatives

- B4.0 - Removal From Office**
Further and having established an unacceptable circumstance of ‘neglect of duty’ the Executive shall, by motion – moved, seconded and carried – move a vote of no confidence and request the resignation of the member. The member so requested, who does not submit his/her resignation within 14 days, and does not appeal this decision to the Executive, through the secretary within 14 days of receiving notice, the Executive may at it’s next meeting by motion – moved, seconded and carried, declare the position vacant

and subsequently fill the position with a member who is qualified and willing to serve.

B4.1 Eligibility

An Executive member cannot sit on YSEHA Executive and have a child who is eligible to play for YSEHA, play outside the OMHA. Coaches cannot coach and have a child who is eligible to play for YSEHA, play outside the OMHA. Junior clubs are exempt. To be eligible to run for an executive position a member must be in good standing in the Association. Any member who is in contravention of any of YSEHA Constitutional Rules, Bylaws or Policies or who owes money to the Association is not considered to be a member in good standing.

Bylaw V – Rights & Duties of Officers and Representatives

B5.0 - President

The President shall be the Association's Chief Executive Officer who may exercise a vote on all matters. Between meetings of the Executive Board, the President shall exercise this authority towards the fulfillment of the objects of YSEHA and in this regard shall:

- (a) convene and preside over all General Meetings and meetings of the Executive Board;
- (b) appoint special committee(s) required hereunder and/or at the request of a General Meeting, or the Executive, or at his/her discretion subject to the approval of the Executive;
- (c) be an ex-officio voting member of all committees;
- (d) maintain supervision over all activities of YSEHA Officers, Representatives to/under this constitution and bylaws;
- (e) be an executive signing authority for YSEHA.

B5.1 - Vice President/Director of Hockey Operations

The Vice President shall exercise the executive authority necessary to complete the duties requested or designed hereto and further in the absence of the President or in the event of the President's inability to act, the Vice-President shall have, and exercise all the powers of the President.

In addition to the above, the Vice President shall:

- (a) use his/her executive authority to enforce all written policies and maintain supervision over all matters involving hockey operations;
- (b) act as YSEHA's liaison (contact person) between YSEHA and the OMHA;
- (c) serve as YSEHA's representative on the Eastern 'AAA' Hockey League (ETA) Executive;
- (d) Act as Chair of the Coaches Selection Committee;
- (e) Act as Chair of the Discipline Committee.

B5.2 – Secretary

The Secretary while holding office shall be the custodian of YSEHA's official records.

The Secretaries' duties shall be to:

- (a) attend General Meetings and Executive Meetings for the purpose of taking notes on all matters to be included as minutes;
- (b) prepare a draft copy of the minutes for consideration and approval at the next meeting;
- (c) receive, distribute and/or respond to correspondence as may be necessary or appropriate;
- (d) provide notices of meetings and the business to be considered as required hereunder;
- (e) maintain up-to-date contact list of all Executive Members and Team Officials which is to be available upon request after the start of the official season;
- (f) provide such other general secretarial duties as may be required hereunder;
- (g) upon leaving office, forward all records to the successor Secretary or YSEHA's President;
- (h) be a signing authority for YSEHA.

B5.3 – Treasurer

The Treasurer shall be responsible to maintain accurate records of all financial transactions of YSEHA.

The Treasurer's duties shall be to:

- (a) receive and deposit all revenues into the account(s) of YSEHA;
- (b) monitor all disbursements wherein payments shall be made upon an invoice(s) being submitted and only by cheques signed by two authorized Officers;
- (c) provide the Executive a monthly financial report;
- (d) serve as Chair of the Budget Committee;
- (e) ensure that a year-end auditor's report will be available to members in attendance at YSEHA's AGM;
- (f) review team budgets;
- (g) be a signing authority for YSEHA.

B5.4 - Ice Operations Director

The Ice Operations Director shall be responsible for the attainment and allocation of all ice facilities required by YSEHA.

In this regard the Ice Operations Director shall:

- (a) negotiate all annual ice use agreements/contracts within budget;
- (b) distribute fairly, the ice requirements for tryouts, team practices, team (home) games etc.;
- (c) act as YSEHA's representative for determining the ice schedules for all league (ETA) and Playoff games;
- (d) co-ordinate the scheduling of game officials with YSEHA's Referee-In-Chief;
- (e) serve as a member of the Budget Committee.

B5.5 - Fund Raising Director

The Fund Raising Director shall be responsible to ascertain an approximate amount of revenues to be received from fund raising and/or sponsorship activities.

In this regard the Fund Raising Director shall:

- (a) supervise Executive fundraising/sponsorship activities;
- (b) provide guidelines when appropriate, on fundraising activities for individual teams.

B5.6 - Publicity Director

The Publicity Director shall be responsible for promoting the YSEHA and the preparation, placement and/or distribution of YSEHA communications, which are appropriately required hereunder.

In this regard the Publicity Director shall:

- (a) subject to the approval of the Executive, develop a program of publicity to promote the activities of YSEHA to its member home centres and their communities;
- (b) solicit and utilize team write-ups and information on YSEHA activities for press releases and other purposes hereto;
- (c) serve as Chairperson of the Communication & Publicity Committee.

B5.7 - Registrar

The Registrar shall be responsible for the registration of players and other participants accepting an official position under the jurisdiction of YSEHA.

In this regard the Registrar shall:

- (a) in consultation with the Vice President develop and maintain a system of record keeping and/or procedures determining eligibility for tryouts, player 'cuts' and/or issuing of waivers, letters of offer(s) acceptance(s) as a member of a YSEHA team and all financial matters related thereto;
- (b) maintain a record of registration-related activities
- (c) within thirty days after the start of the ETA Season have available a list of team officials and their players, a list of members in good standing (or otherwise);
- (d) provide a list of names of players from each home centre who have participated in tryouts and those who have accepted a position on a YSEHA team;
- (e) be responsible for accounting and reconciling registration monies;
- (f) be responsible for obtaining appropriate player and team official insurance.

B5.8 - Equipment Director

The Equipment Director shall be responsible for the purchase, Distribution and return of all designated YSEHA equipment.

In this regard the Equipment Director shall:

- (a) minimize product costs by bulk purchases and obtaining up to three written quotes wherever possible;
- (b) act as purchasing agent when authorized by the Executive.

B5.9 - Home Centre Representative

The Home Centre Representative(s) (Representative) upon his/her appointment letter being received and noted in the minutes of an Executive Meeting, the Executive may designate the named Representative a member of the Executive Board. Upon being so designated, the Representative's duty shall be to attend all meetings, participate in debate and exercise his/her vote as may be required hereto.

In this regard the Representative shall:

- (a) act as a liaison between his/her home centre and YSEHA and report matters of mutual interest to the monthly Executive Meetings of both the home centre and those of YSEHA;
- (b) help facilitate the registration requirements of players from his/her home centre;
- (c) post notices and/or otherwise advise the home centre Executive and their members of YSEHA activities including try-outs which shall include dates, times and locations;

B5.10 - Bingo Designate

Oversee all activities related to the administration of the YSE Bingo.

Bylaw VI - Vacancy(ies) on the Executive Board

B6.0 - An Executive Board Vacancy shall exist when an Officer or Representative:

- (a) resigns;
- (b) is suspended and/or, is otherwise no longer eligible to serve as provided hereunder;
- (c) the position is declared 'vacant' as provided hereunder;
- (d) is absent for three (or more) consecutive meetings with or without explanation and the Executive deems the position abandoned and declares it vacant.

B6.1 - An Executive Vacancy shall be filled in the interim until the forthcoming election by the Executive exhausting the procedures as follows:

- (a) **For President or Vice President:**
 - (i) appoint an officer who is deemed suitable and is qualified as required under Bylaws 2.2, or;
 - (ii) appoint a member of the Executive who may have a background

- of home centre executive experience and is deemed suitable , or;
(iii) appoint a member who has appropriate qualifications and experience and is deemed suitable and willing.

The appointed President or Vice President being the incumbent officer is eligible without the qualification under Bylaw 2.2, to stand as a candidate for the next (upcoming) election;

- (b) **For any other Officer vacancy**, the Executive shall appoint a member deemed suitable and willing to serve;
(c) **For a vacancy in a Representative position**, the Secretary shall advise the home centre and ask that another 'Representative' be appointed as soon as possible.

By-Law VII - Amendments to the YSEHA Constitution

- B7.0** (a) Amendments to the YSEHA Constitution may be proposed by any member of the YSEHA in writing with a mover and seconder;
(b) All proposals to amend the Constitution must be in the hands of the Secretary by March 15 and will be voted on at the AGM. All proposed amendments to the Constitution will be made available to the membership at least one week prior to the AGM.

By-Law VIII - Conflict of Interest:

- B8.0** It is the duty of any officer, director or Executive Board member of the YSEHA to disclose any information that could rationally regard as affecting the impartiality of the officer, director or Executive Board member in acting as such.

By-Law IX - Member Appeal Process

- B9.0** In cases where an individual feels that he or she has cause to appeal any disciplinary committee decision he or she may submit an appeal in writing to the Secretary of the Association. The Executive will review the findings of the Disciplinary Committee and hand down a decision.