

Aurora Community Tennis Club: CONSTITUTION

As Amended October 14, 2020

Name:

The organization shall be known as the Aurora Community Tennis Club, hereafter referred to as ACTC.

Article 1- Aims:

- 1) To foster the development of tennis, good sportsmanship, friendship and community spirit for the enjoyment of all members
- 2) To maintain the facilities provided by the Town of Aurora for the use of playing members from April 1st-October 31st annually
- 3) To provide opportunities for group play, inter club play, junior and adult instruction and club tournaments
- 4) To function as a club within the approved rules of court usage and court etiquette

Article 2- Membership:

- a) Acceptance for membership shall be in the following order of priority:
 - 1) Members in good standing from the previous year who have renewed their membership by April 30th of the current year
 - 2) Residents of Aurora
 - 3) Non-residents of Aurora
- b) Members shall follow ACTC's rules and regulations.
- c) It should be recognized that each and every member is responsible for the facilities available for tennis and is expected to volunteer his or her services in maintaining them.

Article 3- Organization and Management:

- 1) ACTC will be managed by an Executive Committee elected at the Annual General Meeting (AGM) to be held by the end of September, or as close as possible to this timeframe. The Executive Committee will meet at least four times during the year, not including the Annual General Meeting (AGM)
- 2) The Executive Committee will consist of a President, Vice-President, Treasurer, Secretary and up to two other members, (Directors at Large), who will be assigned various duties within the operation. The Past President will be an ex-officio member.
- 3) No individual can hold more than one officer's position.
- 4) Members of the Executive Committee will not receive a free annual membership at ACTC.

- 5) Members of the Executive Committee are not entitled to remuneration for their services as such, but shall be entitled to reimbursement for out of pocket expenses that are properly incurred on behalf of ACTC.
- 6) The Executive Committee may appoint members to serve in other capacities or on sub-committees, as required. The Executive Committee has the authority to appoint members to specific positions or committees.
- 7) The Executive Committee is responsible for the selection and appointment of the Club Pro.

Article 4-Executive Committee Member Communication:

Members can contact the Executive Committee via an ACTC email address. An appropriate member of the Executive Committee will respond within seven (7) days. Depending on the nature of the enquiry, the response may be in the form of an email, telephone call, or a face to face meeting with two Executive Committee members. If an issue cannot be resolved or is a matter for the entire Executive Committee, then the member may wish to be placed on the Agenda of the next scheduled Executive Committee meeting.

Article 5- Conflict of Interest:

Members of the Executive Committee must represent non-conflicted loyalty to ACTC.

- 1) No member of the Executive Committee shall be a paid employee or a paid contractor of ACTC, (including the club pro).
- 2) Members of the Executive Committee will not participate in discussion or decision making about any matter that they may directly or indirectly benefit either themselves or someone with whom they have a close personal or business relationship. Instead, the member will leave the room when the agenda item is being discussed. Following completion of the agenda item by the Executive Committee, the member may return. The Executive Committee will not discuss that agenda item with the member who has disclosed a conflict, either during or outside the meeting or before or after the meeting. Failure to disclose a conflict to the Executive Committee may be grounds for dismissal from the Executive Committee.

Article 6-Elections:

- 1) Only adults with a full membership and in good standing are entitled to vote at the AGM. In order to do so, they must attend the meeting, unless they have assigned their vote by written proxy.
- 2) Members of the Executive Committee will be elected by a majority of voting members present and voting at the AGM.

Article 7-Annual General Meeting:

- 1) An AGM will be held each year by the end of September or as close to this timeframe as possible.
- 2) The membership shall be given at least thirty (30) days' notice of the AGM. Notice will be sent to the membership from the President by email. As well, notice of the AGM will be posted on the ACTC website and in the club house at least 30 days in advance of the meeting.
- 3) An AGM quorum will consist of at least 20 voting adult members present at the meeting or by written proxy votes assigned to those in attendance.
- 4) Minutes of the AGM, excluding financial information, shall be posted to the ACTC website following the AGM.

Article 8- Amendments to the Constitution:

- 1) Amendments to the Constitution can only be made at an AGM or a properly constituted general meeting of the membership (GMM) and there must be 2/3 majority of the voting members present at a meeting for proposed amendments to be carried.
- 2) Copies of proposed amendments shall be posted on the website and emailed to all voting members at least 30 days prior to the AGM or GMM.
- 3) A copy of any amendments to the Constitution which have been approved at an AGM/GMM shall be posted on the website and emailed to all members stating that these Articles were passed/ratified by members at an ACTC AGM/GMM and become effective immediately.

Article 9-Dissolution:

- 1) Dissolution is a recourse for the Executive Committee in the event of insufficient funds, memberships or Executive Committee personnel or like occurrence.
- 2) Members shall be advised by email of any possible dissolution and of a subsequent meeting date. A representative from the Town of Aurora must attend any meeting where dissolution is to be considered.
- 3) Assets, if any will be turned over to the Town of Aurora, to be held in trust in the event that a new club is formed.

Article 10- Finance:

- 1) All funds shall be deposited in ACTC's name in a chartered bank or trust company.
- 2) All disbursements are to be made by cheque.
- 3) All cheques are to be signed by two of four designated signing officers of ACTC. The signing officers are the President, Vice-President, Treasurer and Secretary.
- 4) Expenses in excess of \$500.00 will have to be approved by the Executive Committee.
- 5) The fiscal year shall be from January 1-December 31.

- 6) All out of pocket ACTC expenses are to be submitted to the Treasurer using the ACTC requisition form. Reimbursement will be in the form of a cheque. The person submitting the reimbursement request will not sign the cheque.

Article 11-Records Management:

- 1) All Corporate documents will be maintained in a secure location with copies stored electronically. Electronic records are to be backed up on either another computer or an external storage device or the cloud.
- 2) All ACTC records, except financial records, will be maintained for a period of at least five (5) years.
- 3) All ACTC financial records will be maintained for a period of at least seven (7) years.

Article 12- General

- 1) Every member of ACTC will be able to access an electronic copy of the Constitution on the website. A copy of the Constitution will also be posted in the clubhouse.
- 2) The Executive Committee shall have the power to deal with all matters not covered by the Constitution.

Aurora Community Tennis Club: BYLAWS

The purpose of the bylaws is to provide guidance for the operation of and the conduct of the Corporation.

Bylaw 1 Membership

1.1 Membership categories are as follows:

- FAMILY-maximum of 2 adults and up to 3 children living at the same municipal address
- ADULT-18 years and older (Age as of April 1 of current year)
- JUNIOR-Less than 18 years (Age as of April 1 of current year)

1.2 All membership applications shall be accompanied by the season's fees, as set out by the Executive Committee.

1.3 Members make use of the facilities at their own risk. Juniors require parents/guardian to sign a waiver as a condition of their membership and in order to attend all ACTC Junior programming, including but not limited to, clinics, lessons and summer camps.

1.4 By applying for membership at ACTC, members agree to abide by club rules and by-laws, and release ACTC and its Directors and Officers from all claims for injury or damage arising from participation of the applicant(s) during any activity on ACTC courts or property. This clause is to be included in any registration form/waiver that the members complete, and a separate signature is required, specific to the waiver portion of the registration.

Bylaw 2 Membership Fees

2.1 Membership fees will be set each year by the Executive Committee.

2.2 A surcharge, set at the discretion of the Executive, may be charged to all non-Aurora residents.

2.3 Membership fees are non-transferable.

2.4 Membership fees are non-refundable.

2.5 A guest fee will be set annually by the Executive Committee. ACTC reserves the right to collect the guest fee. Members must accompany their guests and are responsible for the payment of the guest fee. Individual guests are limited to two (2) visits per season and must use the facilities in accordance with ACTC Rules and Code of Conduct.

Bylaw 3 Term of Office

3.1 The elected term for members of the Executive Committee shall be one (1) year. Elected officers can hold the same position for no more than three (3) consecutive years whereas they can run for another office. In the event when any elected Executive's three (3) year tenure has been met and the position cannot be succeeded, the incumbent can continue in office for one (1) additional term.

3.2 The Past President shall serve for one (1) year only.

3.3 The elections shall be conducted at the Annual General Meeting (AGM) and the incoming Executive committee shall assume office after the AGM.

3.4 If the office of the President becomes vacant, it will be filled by the Vice-President. Any other vacancy will be filled by appointment by the Executive Committee. Replacements shall be for the balance of the term. Any vacancies will be emailed to the members at large and interested parties can apply for the position via the ACTC general email address.

3.5 Any one of the Executive Committee members may be removed from office for improper conduct or dereliction of duty, including missing more than three consecutive meetings, by a

properly constituted Executive Committee meeting. Disciplinary Action decisions require a two-thirds majority vote.

Bylaw 4 Duties of Executive Committee

4.1 The President shall:

1. Perform such functions as the Executive Committee shall assign.
2. Be the Chief Executive Officer of the association and be responsible for the functions of the Executive Committee.
3. When present, preside at all meetings of the Executive Committee, the AGM and General Meetings
4. Be the official designated spokesperson of ACTC, with signing authority
5. Be responsible for the promotion and maintenance of a positive profile in the community.
6. Ensure that ACTC is properly represented at all external meetings and meetings of significance.
7. In the case of a tie vote at any AGM or General Member Meeting (GMM), the President shall have a casting vote in addition to his or her vote as a voting member.
8. Be an ex-officio member of all committees of ACTC, with voting privileges.
9. Generally, ensure that all affairs, business, operation and general conduct of ACTC are executed in accordance with the Constitution and Bylaws.

4.2 The Vice-President shall:

1. Carry out the duties of the President in his or her absence.
2. Be a signing authority.
3. Carry out duties of the office in conjunction and consultation with the Executive Committee.
4. Liaise with the Executive Committee to identify needs such as clinics, workshops, projects and programs.
5. Assist the President in overseeing the day-day operations of ACTC.
6. Be responsible for the promotion and maintenance of a positive ACTC profile in the community.
7. Update and maintain the Constitution and By-laws, the Club Rules and Regulations and make recommendations for approval by the Executive Committee.

4.3 The Secretary shall:

1. Maintain all ACTC records and significant correspondence, except the accounting records.
2. Keep all legal documents of the Corporation in a permanent file.

3. Serve notice of meetings and record all the Minutes of duly constituted meetings of ACTC, including Executive Committee meetings.
4. Be a signing authority.
5. Publish and post agendas and approved minutes of all duly constituted meetings of ACTC, (including AGM/GMM and Executive Committee meetings).
6. Be the lead responsible for keeping the ACTC website updated and current.

4.4 The Treasurer shall:

1. Be responsible for all receipts and disbursement of ACTC monies and for their deposit in the name and to the credit of ACTC in a banking institution.
2. Be a signing authority.
3. Dispense funds with the approval of the Executive Committee.
4. Ensure that the signing officers are any two of the designated members of the Executive Committee.
5. Be responsible for reconciling and reporting to the Executive committee the financial records of ACTC.
6. Prepare an annual budget with regard to the current and future financial obligations of the club and track expenditures against the Budget.
7. Prepare an annual report and make the financial records available for audit as required.
8. Establish and maintain a Reserve Fund for the purpose of replacement of capital equipment or facilities, as necessary to ensure the long-term viability of ACTC.
9. Be available for consultation as the outgoing Treasurer.
10. Make financial records available for review/audit. The Executive Committee may from time to time appoint an auditor to hold office for such period as the Directors may determine and may from time-time designate the duties of such auditor.
11. Be the lead on ACTC membership responsibilities including registration, ACTC member data base and member list.

4.5 A Director at Large shall:

- 1) Serve as a member of the Executive Committee.
- 2) Attend all meetings of ACTC.
- 3) Share ideas, guidance and expertise with the Executive Committee.
- 4) Assume a portfolio of responsibilities based on priorities determined by the Executive Committee.
- 5) Assist the Executive Committee, as requested.

4.6 Indemnification of Officers

Every officer of ACTC exercising his/her powers and discharging his/her duties shall act honestly and in good faith with a view to the best interest of ACTC and exercise the care, diligence and skill that a reasonably prudent person should exercise in comparable circumstances. Subject to

the foregoing, no Officer shall be liable for the act, neglect or default of any other Officer or employee, or for any loss, damage or expense happening to ACTC through an oversight on his/her part, or for any other loss, damage or misfortune which shall happen in the execution of the duties of his/her office or in relation thereto.

Bylaw 5 Meetings

5.1 Executive Committee Meetings

- 1- Meetings will be held at the discretion of the Executive Committee.
- 2-Meetings are open to all ACTC members at the discretion of the Executive Committee, although they are not allowed to vote or participate in the meeting.
- 3-Anyone who wishes to make a presentation to the Executive Committee must contact the President or the Vice-President in writing seven days prior to the Executive Committee meeting

5.2 Annual General Meeting

The order of business at an AGM must include:

- 1-Call to Order, Introductory Remarks
- 2-Reading and adoption of the Minutes of the last AGM together with the Minutes of any intervening GMM
- 3-Business arising from the Minutes
- 4-Presentation of financial statement showing revenue and expenditures
- 5-The Annual Report of the Executive Committee outlining the significant developments of the year completed; approval and ratification of any and all acts of the Executive during the preceding year requiring approval or ratification.
- 6- Election of Directors and Officers of ACTC for the coming year.
- 7-New Business
- 8-Ajournment

The Secretary and President will sign and place the minutes on the official records of ACTC and present them at the next AGM for acceptance

5.3 General Member Meeting (GMM)

- 1- General member meetings may be called by a quorum of the Executive Committee.
- 2-Notice of all general meetings of the membership shall be posted on the website and emailed to all voting members at least thirty (30) days prior to such meeting.
- 3- Members may petition the Board with twenty (20) adult signatures requesting and explaining the purpose for convening a General Members Meeting. The Executive Committee shall respond to the request within two weeks, and will schedule a GMM within 30 days of properly presented requests.

Bylaw 6 Voting

6.1 All members who have paid their annual dues, as set by ACTC, and are of the legal age of 18 shall be entitled to one vote at the AGM and any GMM. Each adult member may have only one (1) vote. Underage members have no vote and memberships paid after August 15 will also have no voting rights

Bylaw 7 Elections

7.1 Thirty (30) Days prior to the ACTC AGM, the immediate Past President/ Nominations Chairperson shall post a list in the clubhouse and on the website of the Executive Committee positions up for election for the coming year.

7.2 The notice shall also indicate that the signup sheet is on the bulletin board in the Clubhouse and that individuals interested in running for the Executive Committee should sign up as soon as possible. Members may also indicate their interest in a specific position by either emailing the general ACTC mailbox or the immediate Past president/ Nominations Chairperson.

7.3 Any Adult member with voting status, aged eighteen (18) or over should sign the list in the clubhouse or indicate by email their willingness to serve in a particular position.

7.4 Seven days prior to the AGM, the immediate Past President/Nominations Chairperson shall remove the signup sheet, post a list of all candidates standing for election on the website and in the clubhouse, as well as forwarding the list by email to all ACTC members. This will enable the ACTC membership to have an opportunity to make an informed decision as to their choice of candidate(s) prior to the election.

7.5 Nominations from the floor at the AGM will be accepted.

7.6 Members will vote on positions contested by two (2) or more candidates. The voting will be by show of hands or secret ballot and the winner will be the person who receives the most votes at that time.

7.7 Scrutineers will be comprised of either two (2) directors, (neither of whom is nominated in the voting being undertaken), or two volunteers from the members at large at the AGM or a combination thereof.

7.8 All club records must be turned over to the newly elected Executive within (15) days of the AGM

Bylaw 8 Quorum

8.1 A simple majority shall form a quorum for the transaction of business at ACTC meetings. Should a meeting be necessary without a quorum, all resolutions made at that meeting must be ratified at a duly constituted meeting of the Executive Committee

Bylaw 9 Liability

ACTC shall not be responsible or liable for any personal undertaking and/or commitment made by an Executive member of ACTC not authorized by this Constitution or the Executive Committee.

Bylaw 10 Amendments to Bylaws

10.1 Bylaws may be amended only at the AGM or a properly constituted general meeting of the membership and there must be 2/3 majority of voting members present at the meeting for proposed amendments to be carried.

10.2 Copies of proposed amendments shall be posted on the website and emailed to all voting members at least 30 days prior to the AGM or GMM.

10.3 Proposed amendments shall be discussed and voted upon at an AGM/GMM.

10.4 A copy of any amendments to the Bylaws which have been approved at an AGM/GMM shall be posted on the website and emailed to all members stating that these bylaws were passed/ratified by members at an ACTC AGM/GMM and become effective immediately.

Bylaw 11 Code of Conduct

11.1 ACTC strives to preserve a safe and inclusive environment for all of its members to use and enjoy. The principles of court etiquette, fair play, good sportsmanship and respect for others are expected from all members of ACTC at home or as guests of other tennis clubs. These principles also apply to all guests and visitors, tennis professionals and parents.

Principles:

- Respect for all ACTC property and facilities, including but not limited to courts, nets, teaching equipment, grooming equipment, furnishings supplies and appliances.
- Be respectful to all members regardless of age, gender or sexual orientation, race, culture or religion.
- Harassment will not be tolerated and is defined as any comment, conduct or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. It includes but is not limited to sexual harassment.
- Members of the Executive committee are required to ensure the confidentiality and privacy of members' personal information and the information received at meetings and activities.
- Members of the Executive Committee shall not make unauthorized public statements regarding ACTC or make use of such information for personal gain. They shall also act in

the best interests of ACTC and understand the financial and strategic responsibilities and implications of their decisions.

11.2 Complaints and Resolutions:

Any allegations of improper conduct or behaviour by anyone against a member, visitor, guest, parent or tennis professional shall be in writing (email) to the President and indicate the specific charges or alleged violations and the desired resolution.

The Executive Committee shall follow procedures for handling complaints in accordance with the principles of fairness. These procedures may include, but are not limited to:

- An investigation by an ad hoc committee of the Executive Committee.
- Sending a notice of a disciplinary matter to the member involved requesting that they come before the Executive Committee. The member shall have the right to appear at the meeting to show cause why disciplinary action should not be taken.
- Where the member involved is a Junior, it is mandatory that the parents/guardian attend the meeting.

11.3 Discipline:

Members who contravene the By-laws may lose their good standing at ACTC and be disciplined. The Executive Committee will determine the appropriate action which may include but not limited to:

- 1) Corrective action (warning), in writing.
- 2) Revoking membership and forfeiture of membership fees.
- 3) Non-members or visitors will be prohibited from returning to ACTC.

The Executive Committee's decision in matters of discipline or policy is final.

Bylaw 12 Rules and Regulations:

12.1 General

The rules and regulations of the club governing such items as access to the premises, allocation of courts for leagues, tournaments, special events, dress code and the closing of the courts for maintenance purposes shall be determined by the Executive Committee.

- 1) The rules and regulations of play shall be published on the website and made available to all members at the beginning of the playing season and must be observed by all members and guests.
- 2) Smoking and alcoholic beverages are prohibited on the court or in any enclosed area of ACTC.

12.2 Court Regulations

- 1) Courts are for the use of members except when they are required for public hours or by permission from the Executive Committee.
- 2) Proper tennis attire is required.
- 3) To prevent court damage and personal injury, rubber soled, non-marking tennis shoes must be worn at all times.
- 4) Shoe tags must be worn on the court.

12.3 Playing Times

- 1) Hours of play are from 7.00 am -11.00 pm daily, April through October.
- 2) Adult members have priority after 6.30 p.m.
- 3) Lessons, social events, house league and intercounty matches approved by the Executive Committee shall take priority for court use. House league and Intercounty matches require the use of all three courts. Schedules are to be posted on the bulletin board in the ACTC clubhouse and on the website.
- 4) The last player off the court at night will turn off the overhead lights by means of the switches located in the box by the entry gate.
- 5) The last person to leave the ACTC premises must ensure that the clubhouse is left clean and the door is locked and secure.
- 6) The court lights will automatically turn off at 11.00 pm, as set by the Town of Aurora.

12.4 Court Usage

- 1) Allocated and designated times for open play may be amended to accommodate tennis league play, tournaments social events and round robins.
- 2) Courts rotate on the hour.
- 3) The general principle is to allow members court time of one (1) hour. If courts are available at the completion of the hour, then the occupants can continue to play. Otherwise they must rotate the courts on the hour.
- 4) The hourly court rotation system is in place to ensure that all members have a chance to play and use the courts with the shortest possible wait time in a manner that is fair for all.
- 5) At rotation time, (on the hour), whoever is waiting, is entitled to use the court regardless of the amount of time the occupants have been playing or whether or not another court is available.
- 6) Players playing singles may finish the game, (not set), if there are players waiting to play.
- 7) Doubles have priority over singles.

12.5 Club Pro

- 1) The Club Pro appointed by the Executive Committee has the exclusive rights to provide lessons and coaching on ACTC property, unless otherwise agreed to, in consultation with the Executive Committee.
- 2) The Club Pro is appointed on an annual basis, by the Executive Committee.