

Constitution

2014 Revision

(As accepted at the October 7, 2014 Annual General Meeting)

(Previous revision was dated 2013)

ARTICLE 1 – ORGANIZATION

- a) Name: This organization shall be known as the Don Mills Tennis Club, hereinafter referred to as the Club.
- b) The Club will operate as a self-governed, non-profit, non-discriminatory recreational organization under the jurisdiction of the City of Toronto and the North York Tennis Association (NYTA) and shall abide by the Toronto Parks, Forestry and Recreation Department Tennis Club Operating Regulations.
- c) Rules and regulations shall be formulated, and maintained, to guide the membership in the general operation of the Club.

ARTICLE 2 – AIMS

- a) To provide recreational play.
- b) To develop and promote the skill level at both the junior and adult levels.
- c) To foster sportsmanship, friendship and community spirit.
- d) To ensure the continuity of the organization by encouraging the general membership to participate in the executive and other club activities.
- e) To attract new players to the game of tennis.

ARTICLE 3 – MEMBERSHIP

- a) Acceptance for membership shall be in the following order of priority:
 1. Members in good standing from the previous year who have joined by April 30.

2. Residents of the City of Toronto.

3. Non-residents of the City of Toronto.

b) Membership may be closed and a waiting list established when the membership reaches a total of 600 “paid” adult members (100 per lighted court as recommended by the City of Toronto).

c) Members shall follow the Club’s rules and regulations which are conspicuously posted on the premises.

ARTICLE 4 – MEMBERSHIP FEES

a) Each junior and adult member of the Club shall pay an annual fee, as set by the Executive Committee for each season. This fee shall be payable in advance.

ARTICLE 5 – EXECUTIVE COMMITTEE

a) No individual can hold more than one office.

b) The Executive Committee of the Club shall be 13 members: Past President, President, Vice President, Secretary, Treasurer, Membership Director, League and Tournament Director, Social Director, Grounds Director, Publicity Director, Junior Development Director, Clubhouse Director and Member-at-Large. A simple majority of the executive committee shall form a quorum for the transaction of business.

ARTICLE 6 – ELECTIONS

a) Elections will be held once a year at the Annual General Meeting.

b) A President who vacates office shall be replaced by the Vice President.

All other vacancies are to be filled by appointment and approval of the Executive Committee.

ARTICLE 7 – GENERAL MEETINGS

a) There shall be one Annual General Meeting (AGM) each year near the close of the playing season. It will include the following individual reports at a minimum: Call to Order, Minutes of the previous AGM, President’s Report, Treasurer’s Report and Audited Financial Statement of the

previous year, Membership Director's Report, Publicity Director's Report, League and Tournament Director's Report, Junior Director's Report, Social Director's Report, Grounds Director's Report, Member(s)-At-Large Report, Election of the Executive Committee for the following year, Appointment of Auditor, and Other Business.

- b) Other general meetings may be called by a quorum of the Executive Committee or a written request from 20 adult members indicating that they will attend. Such a meeting shall be held within 30 days of properly presented requests.
- c) A quorum for a general meeting shall be 20 adult members in good standing.
- d) Notice of the date and the agenda of the Annual General Meeting must be made by mail or E-mail to all the adult members at least 15 days prior to the meeting. Notice of other general meetings shall be posted in the clubhouse at least 15 days prior to the date of the meeting.
- e) Voting privileges shall be provided to all adult members in good standing. Voting by proxy in the event a member cannot attend shall be allowed except for amendments to the Constitution when votes may only be cast by members present in person.
- f) Secretary and President to sign and place the minutes in the official records of the Club and be presented at the next Annual general Meeting for acceptance.

ARTICLE 8 - AMENDMENTS TO THE CONSTITUTION

- a) Amendments may be made at a general meeting only.
- b) There must be a quorum of 20 adult members.
- c) Amendments shall require a majority vote to be adopted.

ARTICLE 9 - DISSOLUTION

- a) Dissolution is recourse for the Executive Committee in the event of insufficient funds, memberships or Executive personnel or like occurrence.
- b) Members shall be advised by mail of the possible dissolution. An NYTA officer must be in attendance at any meeting where dissolution is to be considered.

c) Assets, if any, will be turned over to the NYTA, to be held in trust in the event that the club restarts within two years.

ARTICLE 10 – FINANCE

a) All funds shall be deposited in the Club’s name in a chartered bank or trust company.

b) All disbursements are to be made by cheque.

c) All cheques are to be signed by two of the three designated signing officers of the Club. The three signing officers shall be the Treasurer, President and Vice President, in that order.

d) An auditor shall be appointed at the Annual General Meeting. The auditor must not be a member of the outgoing Executive Committee nor a nominee for incoming office.

e) An estimated financial statement for the fiscal year ending October 31 shall be prepared and presented at the Annual General Meeting, then updated and audited for the NYTA.

BY-LAWS

I – MEMBERSHIP

a) A member in good standing has paid the required dues and is supportive of the Club’s aims.

b) Adult members shall be at least 18 years of age as of January 1 of the current year.

c) Intermediate members shall be 15 to 17 years of age, as of January 1 of the current year, and shall have Adult privileges. Intermediate member status is based on the club professional’s recommendation and/or Junior Development Director and approved by the Executive Committee.

d) Junior members shall be under 18 years of age as of January 1 of the current year.

e) The enrolment of members may be limited by the Executive Committee due to overcrowding and in accordance with the City of Toronto/NYTA regulations.

f) Any allegations of improper conduct and behavior by Club members shall be investigated by members of the Executive or by an ad hoc Conduct and Behaviour Committee composed of at least two adult members.

(I) Membership may be suspended/cancelled/not renewed by the Executive for conduct considered prejudicial or harmful to the Club and/or its members.

(II) The Club is required to send notice of a disciplinary matter involving the member which is to come before an Executive meeting. Such duty is considered to have been fulfilled 48 hours after an email notice is sent to the email address on record or 168 hours after a notice has been sent by ordinary mail to the address on record (whichever comes first). If email and post mail addresses are available on club records notice shall be sent both ways.

(III) The notice shall include the date, time and place of the Executive meeting which will consider disciplinary action and will include notice that the member has the right to appear at the meeting to show cause why disciplinary action should not take place.

(IV) Where the member is a junior member the notice shall include an invitation for the parents/guardians to attend the meeting.

(V) Suspension/revocation/non renewal of membership shall occur upon resolution of the Executive at a duly constituted meeting. Disciplinary decisions require a majority vote by a quorum.

(VI) Where a member whose membership has been suspended/revoked/not renewed has not appeared at the meeting where the matter was dealt with by the Executive there shall be a right of appeal. The club secretary shall send notice to individuals whose suspension/revocation of membership/non acceptance of application for membership renewal has been decided notifying the individual of the action and of the right of appeal. This requirement of notice shall be deemed to be satisfied 48 hours after sending by email to the individual's email address on file or after 168 hours after sending by ordinary mail to the individual's address on file (whichever comes first).

II – YEAR

a) Membership shall be for the period March 31 to March 30 of the following year.

b) Fees shall be due April 30 for renewal membership on a priority basis.

Membership shall be open after that date. See Constitution Article 3

- c) The playing season shall be from the first Saturday in May to Tuesday noon the day after Thanksgiving Day inclusive, but may be extended earlier or later at the discretion of the Executive.
- d) The fiscal year shall end October 31.

III - EXECUTIVE COMMITTEE

- a) At the Annual General Meeting, the Club membership shall elect the Executive Committee who shall take office November 1.
- b) The volunteer Executive Directors, as members of an effective team, should be allowed to perform their responsibilities and duties independently within the framework of the Constitution. Decisions and information should be communicated in a timely fashion with the Executive Committee.
- c) All Executive members except for the Chair shall have one vote. In the event of a tie, the Chair shall cast the deciding vote
- d) The President and Treasurer shall serve no more than five consecutive years in these offices. There shall be a gap of two years out of all offices before re- election.
- e) The Past President shall serve for at least one year and no more than two. In the event the successor President serves for more than one year and the Past President elects to serve for one year only, the past president's duties will be re-assigned to a committee appointed by the board.
- f) Nominations for any position on the Executive Committee will be accepted where two adult members and the nominee indicate approval. There shall be at all times a Nominating Committee headed by the Past-President, if available.
- g) Any one of the Executive Members may be removed from office for improper conduct or dereliction of duty (miss three consecutive meetings, etc.) by majority vote of a properly constituted Executive Committee meeting.
- h) 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 President and approval of the Executive Committee. Replacements shall be for the balance of the term.

- i) The Executive Committee shall conduct the general operations of the Club.
- j) The Executive Committee shall review and approve the Rules and Regulations of the Club as presented by the Vice President and cause them to be posted in the clubhouse.
- k) No member of the Executive Committee shall undertake a non-budgeted expenditure on behalf of the Club in excess of \$100.00 without prior Executive Committee approval.
- l) Personal membership data (postal address, phone no., email address, etc.) should be used for club business only. The board will decide who has access to this personal data and will require those individuals to sign an agreement prohibiting the use of personal membership data outside of DMTC club activities.

IV – EXECUTIVE COMMITTEE MEETINGS

- a) Meetings shall be at the call of the President with no fewer than four a year.
- b) A quorum shall be seven or more of the Executive Members. Special Committees may be appointed by the Executive Committee. The duties of these committees shall be clearly defined.
- c) Each member of a special or sub-committee, other than the Chair, shall have one vote. In the event of a tie the Chair shall cast the deciding vote.

V – HONORARIA

- a) All members of the Executive Committee shall have for themselves only, free membership in the Club with full privileges.
- b) Each executive member shall be given the option of pre-selecting two forty-five minute blocks of court time per week, during non-prime time, on a priority basis, for his or her exclusive use. This block of court time is to be identified in the monthly activity calendar.
- c) Members who are deemed to have provided extraordinary service to the club will be recognized via a Distinguished Service Award which will be awarded at a club event and permanently posted on the club website.
- d) Candidates for a Distinguished Service Award shall come from a screening of the entire membership, and shall be recommended by an Executive Member. Selection shall be based on

pre-established criteria and voted on and approved by the Executive Committee and announced at the Annual General Meeting.

VI – DUTIES OF THE EXECUTIVE MEMBERS

In addition to the specific duties outlined below, each Executive Member shall:

- a) Represent the Club's best interests in dealings with individual members, suppliers and the general public.
- b) Uphold the Constitution, By-Laws and Rules and Regulations of the Club. c) Attend all General and Executive Committee meetings.
- d) Budget and manage funding for his or her area of responsibility in consultation with the Treasurer.
- e) Prevent damage to Club facilities and equipment.
- f) Undertake to update these By-Laws as required to properly reflect duties of his or her office.

Each Director shall recruit an assistant to share the workload and as a possible successor.

The President shall:

- a) Preside at General and Executive meetings.
- b) Be an ex-officio member of all sub-committees of the Club except the nominating committee.
- c) Have one vote, only if necessary to break a tie. Refer to By-Law III (c).
- d) Generally ensure that all affairs, business, operation and general conduct of the Club are executed in accordance with this Constitution.
- e) Represent the Club in dealing with outside agencies.

The Vice-President shall:

- a) Assume the duties of the President in the event of the President's absence.

- b) After serving the balance of a term as a replacement President, become Past President if not elected President. If elected President, the Past President shall continue in that office.
- c) Recruit for the Club Professional Coaching Service, actual selection to be jointly made with the President and the Junior Development Director; actual appointment to be made by the Executive Committee. The Executive Committee shall screen applicants for the position and award a contract to the most suitable applicant. A Services Agreement detailing the responsibilities of both parties and stating fees for the services to be rendered, shall be signed by both the Club President and Vice-President, and the Club Professional.
- d) Supervise and manage the provider of Club Professional Coaching Service.
- e) Update and maintain Constitution and By-laws, the Club Rules and Regulations and make recommendations for approval by the Executive Committee.

The Secretary shall:

- a) Mail all notices of General Meetings.
- b) Keep and sign an accurate record of all meetings.
- c) Distribute a copy of meeting minutes to each member of the Executive.
- d) Prepare and distribute all written notices to the Executive Committee.
- e) Handle all incoming and outgoing correspondence.
- f) Coordinate and arrange for meeting facilities.

The Treasurer shall:

- a) Install, monitor and supervise a control system to ensure the security and accountability for all Club funds.
- b) Maintain proper records of all revenues and disbursements and deposit all monies on behalf of the Club.
- c) Pay all liabilities of the Club.

- d) Authorize no unbudgeted expenditure over \$100.00 without Executive Committee approval.
- e) Prepare all records and statements for the Annual General Meeting.
- f) Obtain an updated, audited statement no later than February 28 of the following calendar year.
- g) Prepare any other financial statements required by the Executive Committee.

The Membership Director shall:

- a) Send out applications for renewal of membership to each Club member no later than March 15 for renewal on a priority basis by April 30.
- b) After April 30, process applications on a first-come first-served basis.
- c) Maintain an up-to-date list of members, their addresses (home, office, E-mail as appropriate), and telephone numbers.
- d) Organize to the extent possible the tag board in the clubhouse before the start of the playing season.
- e) Lead the Executive Committee in initiatives to recruit new members.

The Social Director shall:

- a) Plan, promote, and manage all food and beverage requirements at the Club.
- b) Maintain kitchen supplies as directed by the Executive Committee.
- c) Co-ordinate the supply and donation of prizes.

The Grounds Director shall:

- a) Be responsible for the installation and removal of nets and windscreens before and after the season.
- b) Purchase any new equipment as directed by the Executive Committee.
- c) Arrange for clubhouse, grounds cleaning, and maintenance.

- d) Act as liaison with the Parks, Forestry and Recreation Department of the City of Toronto for property requirements.
- e) Ensure that physical facilities of the Club meet appropriate operating and safety standards.

The League and Tournament Director shall:

- a) Assist and advise the teams in the selection of team captains for all Inter-County and NYTA leagues.
- b) Arrange and schedule tryouts in coordination with the Club Professional
- c) Act as liaison between Inter-County and NYTA and team captains. Attend IC and NYTA meetings.
- d) Resolve any disputes that cannot be solved by team captains.
- e) Arrange, develop and co-ordinate all Club tournaments, ladders and round robins (except for social round robins).
- f) Encourage members to compete in club activities.

The Publicity Director shall:

- a) Publicize all Club Social events and assist all Directors in their publicity requirements.
- b) Maintain and update Club website.
- c) Prepare and post a monthly Club activity calendar.
- d) Publish at least two newsletters each year.

The Junior Development Director shall:

- a) Plan and implement an instruction program for junior members.
- b) Arrange for junior tournaments.
- c) Encourage and plan for all junior inter-club leagues.
- d) Act as a liaison with the Club Professional Services provider and the Executive Committee.

The Club House Director:

The Clubhouse Director shall manage the court supervisors – prepare and co-ordinate the schedules, approve hours for payment, provide non food items for the office, kitchen and washrooms and assist in any project and/or duties to keep the Club operating effectively.

The Members-At-Large:

The Member-At-Large shall support the Executive and assist in any project and/or duties assigned to keep the Club operating effectively.

The Past President shall:

- a) Serve as head of a nominating committee, consisting of three members, for the assembly of a nominations slate for the succeeding year. Assembly of the slate should start no later than June. Incumbent Executive Members should be secured if possible to repeat their terms consistent with By-Law III (d).
- b) Provide advice and counsel to the President if requested.
- c) Participate in special projects or sub-committees as requested by the President.

VII – LIABILITY

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

VIII – AMENDMENTS

By-Laws may be amended at the AGM or at a properly constituted general meeting.

References

Honorary Member Selection Criteria (under development) Rules and Regulations (re: Article I (c))

Robert’s Rules Of Order – re: meeting, motion, and quorums

REVISIONS:

Article 3 – Membership, paragraph (c) revised October 4, 2011

By-Laws, Section III – Executive Committee, paragraph (d) revised October 4, 2011

By-Laws, Section III – Executive Committee, paragraph (e) revised October 1, 2013

By-Laws, Section III – Executive Committee, paragraph (l) added October 1, 2013

By-Laws, Section V – Honoraria, paragraphs (c, d) revised October 7, 2014

By-Laws, Section V – Honoraria, paragraph (e) removed October 7, 2014

By-Laws, Section I – Membership, paragraph (f) revised October 7, 2014

By-Laws, Section I – Membership, paragraph (f) sections I, II, III, IV, V, VI added October 7, 2014

Article 5 – Executive Committee, paragraph (b) revised October 7, 2014

By-Laws, Section VI – Duties of the Executive Members/The Members-of-Large section, revised October 7, 2014