

# CONSTITUTION

## MID-CAN MASTERS SWIM CLUB

October 13, 2006

**DRAFT; 1611 words**

## **BY-LAWS**

### **The Corporation**

1. The name of the Corporation shall be:

Mid-Can Masters Swim Club Inc.  
(hereinafter referred to as "Mid-Can").

Masters swimming is a fitness program for adults, emphasizing participation, fellowship, and recognizing competition as one means of self-evaluation.

### **The Objectives**

2. The objectives of Mid-Can are:
  - a. To promote swimming as a healthy, enjoyable, and stimulating exercise for adults;
  - b. To provide a regular swimming program for general fitness, well-being, and skill enhancement; and
  - c. To support swimming competitions for self-evaluation and improvement.
3. Mid-Can shall be associated with the Masters Swim Manitoba section of the Swim/Natation Canada.
4. Mid-Can is a non-profit organization and shall be operated with no monetary gain to any of its members.
5. Upon dissolution of the corporation of Mid-Can, any remaining property, cash, and assets are to be given to Masters Swim Manitoba.

### **Membership**

6. Members must be 18 years of age and older and may apply to become members of Mid-Can.
7. Mid-Can membership applications will be accepted when the fee set by the Board of Directors is paid and when the Physical Activity Readiness Questionnaire (PAR-Q) is completed to the satisfaction of the Board of Directors.
8. The fee for members shall be set by the Board of Directors and may be changed at any time by a majority vote of the Board.

9. Memberships must be renewed every year by paying the required fee and completing the PAR-Q. to the satisfaction of the Board of Directors.
10. All paid up Mid-Can members will be registered with Swim/Natation Canada and Master Swim Manitoba, and therefore will be eligible to compete in Provincial, National, and International Masters Swim competitions.
11. Each member in good standing is entitled to one vote at the Annual General Meeting.
12. Each member is entitled to run for vacant positions on the Board of Directors at the Annual General Meeting.

### **Types of membership**

13. Members may choose any of the following types of membership:
  - a. 3 swims times per week;
  - b. 2 swims times per week;
  - c. 1 swim time per week.
14. The Board of Directors will determine the cost and length of the various types of membership.

### **Practices**

15. Normally, there shall be three scheduled practices per week at the Joyce Fromson Pool at the University of Manitoba. In the event that special events are scheduled by the University of Manitoba pool manager during the same time as Mid-Can's regular practice, attempts will be made by the Board of Directors for an alternative training pool or time. If an alternative pool or time is not possible, Mid-Can's practice will be cancelled by the Board of Directors.
16. Mid-Can shall not have regular practices during the pool close down over Christmas and New Year's holidays.
17. Mid-Can shall not hold regular practices during the annual pool close down (which is usually at the end of August).
18. If the University of Manitoba pool is closed for repairs/emergencies at other times, the Board may attempt to rent alternate pool space in the City of Winnipeg providing there is sufficient demand from the membership and if the Board of

Directors decides, at its discretion, that Mid-Can can financially afford to rent pool space.

19. Normally, there will be a minimum of one coach on the pool deck during each practice. In the event of no coach on deck, the Board of directors will provide the workout for members of the club. If a coach is not on the deck, members will be able to swim when there are 2 lifeguards on the pool deck, as per University of Manitoba regulations

## **Directors**

20. The Board shall consist of at least seven (7) Directors who will manage the affairs of Mid-Can.
21. Directors shall be elected to the Board of Directors by members at an Annual General Meeting of Mid-Can.
22. The officers of the corporation shall be a President, Vice President, Past President, Secretary, Treasurer, 2 Directors at Large and any other officers as the Board of Directors may determine as necessary.
23. The term of office of the directors shall ordinarily be two (2) years. However Directors may not serve more than two consecutive terms in one position.
24. The Vice President will become the incoming President and the outgoing President will become the Past President. A new Vice President will be elected.
25. Employees of Mid-Can, (i.e. the coaches) shall not be eligible to serve on the Board of Directors.
26. A majority of the Board (4 members) shall constitute a quorum.
27. So long as there is a quorum of directors in office, vacancies shall be filled by appointment by the remaining Directors to hold office until the next annual meeting of Mid-Can Masters Swim Club.
28. When a quorum of Directors is not in office, the current Director or Directors shall call a general meeting of the members to fill the vacancies by the vote of a majority of those present, or if there are no Directors in office, the meeting may be called by any member of Mid-Can Masters Swim Club.
29. When a member of the Board of Directors fails to attend any three (3) meetings in a twelve (12) month period without cause, or fails to perform any of the duties assigned to him/her as a member of the Board, he/she may be removed from the board by a vote of 2/3 of the members present at a general meeting called for that purpose, and the vacancy shall be filled as provided for in these by-laws.

### **Duties of the Board of Directors**

30. All Directors shall be members in good standing of Mid-Can Masters Swim Club.
31. It is the President's duty to preside at meetings of the Board of Directors and the Annual General Meeting of Mid-Can. The President of Mid-Can or his/her designate shall represent Mid-Can at the meetings of Masters Swim Manitoba.
32. The President shall perform such other duties as are necessary for the proper conduct of his/her office.
33. It shall be the duty of the Secretary to:
  - a. have custody of the minutes and records of Mid-Can;
  - b. keep a correct record of the meetings of members of Mid-Can and Board of Directors;
  - c. give proper notice of all meetings of members in the manner prescribed in these by-laws; and
  - d. perform such other duties as the Board of Directors may designate.
34. It shall be the duty of the Treasurer to:
  - a. monitor the financial affairs for Mid-Can;
  - b. prepare a budget for the next operating year as directed by the Board of Directors;
  - c. deposit all funds received within 14 days in the depositories prescribed by the Board of Directors, and initiates all payments and withdrawals in the manner prescribed by the Board; and
  - d. perform such other duties as the Board of Directors may designate.
35. During the absence or disability of any officer, the Board of Directors may appoint another member of Mid-Can or another Director to act temporarily in his/her stead.
36. The Board of Directors shall normally meet once a month from September to June of each year. Generally, no meetings will be held in July and August.
37. The Board of Directors shall maintain a chequing account in the name of Mid-Can Masters Swim Club Inc. The signatures of any two of the Treasurer, President, Vice-President, and Secretary or other Board member so designated, shall be required on all cheques written on the said account.

38. The Board of Directors may approve the opening of a savings account or the purchase of investments as deemed necessary.
39. The Board of Directors shall not borrow money on behalf of Mid-Can nor operate a line of credit.
40. The Board of Directors may establish, from time to time, ad-hoc committees to carry out special assignments outlined by the Board to assist in carrying out Mid-Can business

### **Annual General Meeting**

41. There shall be an Annual General Meeting held in September or October of each year.
42. A majority of the Board of Directors shall fix the date, hour, and place of the Annual General Meeting.
43. Notice of the Annual General Meeting shall be given to the Mid-Can members at least 14 days prior to the meeting.
44. At least one week prior to the Annual General Meeting, the agenda, annual report, and notices of motions shall be made available to members.
45. Members not present at the Annual General Meeting cannot vote by proxy.
46. Members present at the Annual General Meeting shall elect Directors to the vacant positions on the Board.

### **Harassment and Abuse Policy**

47. Mid-Can practices, activities, and swim meets shall be governed by the Swim/Natation Manitoba Harassment and Abuse Policy.
48. The membership of any member may be revoked for incidents that are deemed to cause harm or show a lack of respect to any other individual and which are contrary to the spirit and the intent of the corporation by a vote of three quarters (3/4) of the Board of Directors or by a vote of three quarters (3/4) of the members at an annual meeting.