

Newmarket Eagles Cycling Club

Constitution and By-laws

1. NAME

1.1 The name of the club shall be:

NEWMARKET EAGLES CYCLE CLUB

1.2 This name shall be registered with the Government of Ontario under the requirements of the Corporations Act.

1.3 This name shall also be registered with the appropriate governing bodies of cycling sport.

1.4 Where necessary, such as on racing jerseys, the name may be abbreviated to

NEWMARKET EAGLES C.C.

1.5 In the following items 'the club' means NEWMARKET EAGLES CYCLING CLUB.

2. AFFILIATIONS

2.1 The club shall be registered with limited liability with the Government of Ontario.

2.2 The club shall be registered with the Ontario Cycling Association, and through this affiliation with the Canadian Cycling Association.

2.3 The club may affiliate with any other cycling organizations if this is proposed by the club executive, provided that it is beneficial to all members, or a significant number of members, or becomes a requirement of either of the Government or the O.C.A. or if it is approved by a simple majority at the Annual General Meeting.

2.4 Club members may join other bodies without restriction provided that this is not precluded by either of the two affiliate organizations noted above.

2.5 Members joining other clubs must clearly inform all concerned clubs and must designate one as their 'first claim' club, for whom they will participate in O.C.A. events.

3. OBJECTIVES

3.1 The primary objective of the club shall be to foster and promote the sport and pastime of cycling in all its forms.

3.2 The club shall organize various categories of events to promote racing, and shall organize training and pleasure rides.

4. OFFICERS

4.1 Officers of the club shall be elected for a term of one year commencing at the annual general Meeting at which they are elected and running until the Next Annual General Meeting when the following executive is elected.

4.2 Officers of the club shall be paid-up members in good standing, or life members.

4.3 The President shall direct the activities of the club and shall act as chairman at all meetings.

4.4 The Club Secretary shall keep minutes of all meetings, shall receive and send all correspondence for the club, shall fill in all forms, shall prepare agendas for meetings after discussions with the other officers and shall collect all matters relating to the club and retain it in such a manner that a complete records of the club activities can be maintained.

4.5 The Club Treasurer shall attend to all financial matters of the club and shall keep complete records of all moneys in and out of the club account. He shall further take charge of any cash amounts received for the club and shall account for these and enter them into the accounts.

4.6 Until such time as the size of the club precludes it, the positions of Club Secretary and Club Treasurer shall be combined into one office.

4.7 The Racing Secretary shall attend to all matters regarding competitive events. He shall allocate dates and courses for races, attend date fixing meetings, organize race officials and advise the membership through the newsletter of relevant events.

5. MANAGEMENT

5.1 The management of the club shall be vested in the elected officials.

5.2 The term of the elected officials in one year, as noted in Section 4. If however any official becomes unable or unavailable to perform the requisite duties the remaining officials shall co-opt an additional club member to fulfill the duties of the replaced official.

5.3 Remedies exist in the constitution for the replacement of any or all of the club officials by means of a special general meeting and an appropriate vote.

5.4 The elected officials may co-opt or appoint any other members of the club to any other offices and functions which will enhance the club and its operations.

5.5 The appointment of such members and their terms of reference will be published in the club newsletter after their appointment.

5.6 All such co-opted officials shall be responsible to the executive and for any matters affecting the image or the financial affairs of the club shall refer to the executive for confirmation.

5.7 In the event that any co-opted official is unable to perform the duties, or if their methods are not in conformation with the approach fo the management, then the duties of such official shall be terminated by mutual agreement with the committee, or, in the event of serious disagreement, by the elected officials alone.

5.8 In the event that the membership is in substantial disagreement with any of the elected officials, the membership has the option of calling a Special General meeting and offering a vote of confidence in regards to the official(s). In the event that the vote of confidence is not passed the official(s) concerned shall resign and a replacement shall be voted into office.

5.9 All club members are welcome at any club executive meeting. Your cooperation is requested in prior warning so that suitable space provisions can be made.

6. ANNUAL GENERAL MEETING

6.1 An Annual General Meeting shall be held after the end of the normal racing season and before the Club=s Annual Dinner. The meeting will generally be held in early November.

6.2 The A.G.M. will be held at a convenient location and will be advised to all members in the club newsletter postmarked or sent at least two weeks before the club date of the meeting.

6.3 The first purpose of the A.G.M. will be to receive reports from all elected officials and all others having conducted club business since the last Annual General Meeting.

6.4 The second purpose of the A.G.M. will be to consider amendments to the constitution and bylaws.

6.5 The A.G.M. will consider general business as well as any business raised those present.

7. OTHER MEETINGS

7.1 A Special General Meeting may be called by the secretary if so required by a petition from 20 or more paid-up members provided that the petition lists the business to be discussed at the special general meeting.

7.2 The secretary is to give written notice of the meeting to all members as noted in 6.2 above. Provided also there be not more than one Special General Meeting in one operating year.

7.3 The business at a Special General Meeting will be conducted in a similar manner to the Annual General Meeting.

8. ELIGIBILITY

8.1 Each paid up member in good standing shall be entitled to attend and shall have one vote.

8.2 Each person listed on a family membership application form shall be entitled to a vote.

8.3 Life members shall be entitled to a vote.

8.4 Proxy voting will be allowed at A.G.M.s and S.G.M.s provided that no member shall vote more than 10 proxies. Proxies shall generally be vested in the executive unless solicited by others. In this eventuality the person soliciting shall clearly indicate to the vote holder his position at the intended meeting.

9. CONDUCT OF MEETINGS

9.1 The Club President shall chair the meetings, or in his absence some other member of the executive.

9.2 The meeting shall be generally run in accordance with Roberts Rules of Order.

9.3 Motions shall be proposed and seconded and sufficient discussion shall be voted on by the body of the meeting.

9.4 Voting shall be by a show of hands and shall be carried or defeated by a simple majority.

9.5 The president, chairman need not vote, except in the event of a tie in which case his shall be the deciding vote.

9.6 A quorum consists of 20 members.

9.7 A quorum of the racing committee consists of 3 members of the committee.

10. FEES

10.1 Membership fees shall be as determined annually by the executive committee.

10.2 Fees shall be set for the following categories of members:

- Full Membership
- Junior Membership
- Family Membership

10.3 There shall be no annual fee for Life membership.

11. FINANCE

11.1 The treasurer is to keep account of the club funds and is to maintain a bank account with chequing privileges. In the event that the funds may be more than required in the short term he may also open a higher interest account.

11.2 Cheques may be issued by any two of the executive, subject to checking with the treasurer as to the balance available and the correctness of the proposed transaction.

12. RACING RULES

12.1 All rules of the C.C.A. and the O.C.A. regarding conduct in races shall apply to club events except where specifically amended by the racing committee.

12.2 When the racing committee modifies or makes a ruling this shall be listed in a subsequent newsletter for the information of all riders. Any ruling shall come into force when made and agreed upon by a majority of a quorum of the racing committee.

12.3 For handicap trophy races riders must have ridden at least three time trials in the current season prior to the event, or they may be handicapped on the basis of he previous years net fastest time.

13. RACE ORGANIZATION

13.1 The racing secretary will organize and coordinate all club and open events. However he may appoint other club members to do the specific organization or parts of it for any particular event or series of events.

13.2 The organizer shall ensure that all competitors have signed a disclaimer before riding.

14. NEWSLETTER

14.1 A newsletter shall be issued to keep members advised of forthcoming events, news, changes, etc.

15. DISCIPLINE

15.1 Discipline shall be the responsibility of the racing committee for all matters pertaining to conduct in races.

15.2 The racing committee shall consist of the club president, secretary and racing secretary plus two other racing members appointed by the executive.

15.3 A list of alternates will be maintained such that if any member of the committee is not available at a time when a discipline or racing matter is to be discussed the first available person on that list shall become part of the committee for the matters in hand.

15.4 The racing committee shall have the power to admonish, warn, suspend from club competition or otherwise penalise any member or guest rider found to be in default.

15.5 For disciplinary infractions incurred in O.C.A. or similar events the committee MAY add club penalties to any penalty imposed by the O.C.A.

15.6 The racing committee shall not have the power to suspend a club rider for more than one month or a guest rider for more than 6 months.

15.7 Any serious infraction may be referred to the committee of the whole club at the A.G.M. or a S.G.M. This committee shall have the power to suspend up to Asine die@ any may even suspend from all club privileges and membership.

16. TROPHIES

16.1 Club trophies are for paid up first claim club members in good standing. Points are only awarded for events ridden after club dues have been paid. AIn good standing@ means not under suspension, etc., from any of the various cycling bodies at the time the points are awarded, or the time when the trophies are presented.

16.2 In trophy events riders may only win one trophy per event, and that is in their age classification. Except if the rider declares to the organizer in writing before the event that he wishes to contend a higher category and agrees to opt out of his normal category.

16.3 Age limits are the same as O.C.A. requirements, (i.e.) Based on December 31 of the previous year.

16.4 All trophies shall be won in fair competition, and any alleged infractions or protests from participants or others shall be adjudicated by the Club=s racing committee prior to confirming the winner of the particular event or trophy. Any protest in this regard shall be lodged in accordance with the Club in accordance with O.C.A. regulations.

16.5 All trophies shall remain the property of the Newmarket Eagles Cycling Club, no matter how many times any particular individual might win their annual competition.

16.6 Any individual winning a trophy shall have the right to hold that trophy at his or her residence or business location until one week before the next scheduled awarding of the trophy provided that such trophy is cared for and insured or indemnified by the holder to the replacement value listed by the Club. The cost of the trophy shall be calculated on replacement cost and shall include all plinths, mounts and engravings.

16.7 The Club shall be responsible for engraving of the winners name on all trophies prior to awarding, or if this is not possible for any reason, then as soon as possible after the awarding.

16.8 Replica trophies shall be awarded to all trophy winners for the winners to hold permanently. The Club shall pay for these replicas, including suitable engraving. The 'replica' need not be a visual replica but will be as selected by the current executive of the club.

16.9 Prior to the function at which the trophies are awarded the anticipated recipient shall sign a standard agreement form with the Club Secretary agreeing to the conditions in this schedule.

16.10 Any individual leaving Ontario before the next awarding of the trophy shall return the trophy to the Club Secretary before moving.

16.11 In the event that the Club does not hold a particular race in any given year the trophy for that event shall be returned to the Club Secretary before the annual function at which the other trophies are awarded and shall be held by the Club Secretary until next awarded. In the event that an annual function is not held or scheduled then the trophies shall be returned to the Club Secretary before 31 December of the year following the year of their last awarding.

16.12 In the event that the Club shall be incorporated into any other organization by merger or otherwise, the Club Executive at the time prior to the merger shall ensure that the trophies shall continue to be awarded in perpetuity in accordance with this schedule. If this is not possible then the Club Executive shall confirm with the original donors of the trophies regarding their preferred disposition of their trophies. In the event that the donors are no longer available then the Club Executive shall have full control over such disposition.

16.13 In the event that the Club should cease to function, for whatever reason, then all trophies shall be returned to the Club Secretary prior to such termination and a disposition of the trophies shall be made as follows:

1. All trophies donated to the Club by a party or entity still extant in Ontario shall have the option of regaining the trophy for a price of One Dollar.
2. all trophies donated by the Club or by a party or entity no longer extant in Ontario shall be deemed an asset of the club and shall be disposed of as decided by the executive.