

**Ponoka  
Minor Hockey Association**

**ASSOCIATION BYLAWS**

**April 2012**

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# **THE PONOKA MINOR HOCKEY ASSOCIATION ASSOCIATION BYLAWS**

## **BY-LAW I – INTERPRETATION**

- 1.1 In these By-laws and Regulations, unless the context otherwise requires, words importing the singular number or the masculine gender shall include the plural number or the feminine gender, as the case may be, and vice versa, and references to persons shall include firms and corporations.
- 1.2 When constructing these By-laws and Regulations, reference shall be made to the Societies Act, and the By-laws, Rules and Regulations of the Alberta Amateur Hockey Association (A.A.H.A.) known as Hockey Alberta, and Hockey Canada. Words and expressions used in these By-laws and Regulations shall, so far as the context does not otherwise require, have the same meaning, as would be the case when used under the Act, By-laws, Rules and Regulations.
- 1.3 References to the “Association” in these By-laws refer to the Ponoka Minor Hockey Association (PMHA).
- 1.4 The Association, as a member of Hockey Alberta and affiliated with Hockey Canada, shall conform and comply with the By-laws, Rules and Regulations as set forth by the Alberta Amateur Hockey Association (A.A.H.A.) Hockey Alberta and Hockey Canada respectively.
- 1.5 A potential or actual conflict of interest exists when commitments and obligations to the association are likely to be compromised by that person's other interests or commitments. A conflict arises when a board member is or may be in a position to influence a specific hockey team by taking on a head coaching or managing position; or lead to any form of personal gain for themselves or a family member, or give improper advantage to others to the association's detriment.

When a Board member of the Association is in or believes they are in a conflict of interest position, they must declare so and remove themselves from all discussion and voting on the item.

Situations may include but are not limited to:

- Discussions regarding a spouse or child, and
- Discussions regarding suspendable offences.

## **BY-LAW II - NAME OF ASSOCIATION**

- 2.1 The name of the organization will be “THE PONOKA MINOR HOCKEY ASSOCIATION”, hereafter referred to as PMHA.

## **BY-LAW III – Reserved**

## **BY-LAW IV - MEMBERSHIP**

- 4.1 The members of the Association shall be the subscribers to the Application, the By-laws and Regulations and such other persons as subsequently become members of the Association in accordance with these By-laws.
- 4.2 A person may become a member of the Association who has paid or has had paid for him the annual membership fee and/or:
  - 4.2.1 Has reached the age of eighteen years, and is a resident of Ponoka as defined by 4.5 & 4.6,
  - 4.2.2 Has been approved as a member by the Board of Directors, or
  - 4.2.3 Is a member of coaching staff, manager, referee, any other volunteer position, or parent/ legal guardians, in good standing of a player currently registered with the PMHA.
- 4.3 The annual membership fee shall be an amount as may be determined from time to time by resolution of the Board of Directors.
- 4.4 A person shall cease to be a member of the Association:
  - 4.4.1 Upon failure or refusal to pay the annual membership fee, or
  - 4.4.2 Upon notification in writing to the Board of Directors of his withdrawal from membership, or
  - 4.4.3 When he is expelled from membership in accordance with these By-laws.
- 4.5 A RESIDENT shall:
  - 4.5.1 reside within the Town of Ponoka, or
  - 4.5.2 reside in the geographic area, which has been identified as the boundaries of PMHA and recognized by Hockey Alberta.
- 4.6 A Non-Resident:
  - 4.6.1 Is not a member of PMHA, and does not reside in the Town of Ponoka or geographical area.
  - 4.6.2 Any player, who wishes to play within the PMHA, must comply with Hockey Alberta By-laws and Regulations.
  - 4.6.3 May be subject to a Non-Resident fee, which will be determined on an annual basis by the PMHA Board of Directors.
- 4.7 Any member may resign from the Association at any time by notifying the Secretary in writing; however an administration fee may be charged.
- 4.8 Any member who, in the opinion of the Discipline Committee, fails to maintain an acceptable standard of conduct may be asked to resign in written form after at least one previous written warning. That decision will result in the loss of voting privileges, unless the member wins a successful appeal. An administration fee may be charged.
- 4.9 Any member who has been requested to resign may exercise the right to appeal the decision provided the written request is received by the Secretary within seven (7) days of the request to resign. Any member that refuses to resign on written request will be considered expelled from the Association.
- 4.10 The Executive claims the rights and interests as the Rental Contract Carrier to bar any suspended, expelled or resigned member from any or all facilities where Association functions occur including meetings, games and practices, are taking place for a specified period of time.
- 4.11 A member who ceases to be a member, or is expelled or suspended from the Association shall forthwith forfeit all rights and interests arising from, or association with, membership in the Association. This means the suspended or expelled member cannot coach or manage a team, hold an elected or appointed position until the suspension is served or waived upon successful appeal.
- 4.12 The member can be suspended or expelled for a time frame deemed appropriate by the President or Discipline Committee and ratified by the Board of Directors.

## **BY-LAW V - MEETINGS**

### **GENERAL MEETINGS**

- 5.1 The Annual General Meeting (AGM) of the Association membership shall be held in the Town of Ponoka, during the period April 1 and September 30, inclusive, in each year.
- 5.2 Meetings of the Association membership:
  - 5.2.1 Shall be at the call of the President;
  - 5.2.2 When required or desired the Board of Directors may call a meeting of the Association membership; or
  - 5.2.3 At the written request from one third of the Association membership in good standing, a special meeting shall be convened. The proceedings of such a meeting shall be confined to the matters specified in the request.
- 5.3 Notice of PMHA Annual Meeting or any Special General Meeting will be given in writing at least 14 days in advance of the meeting.
- 5.4 Upon instruction from the President, the Secretary shall notify the appropriate members of the time and place of each meeting. Notification may be by phone or posting of notices on public notice boards, or in the local newspaper, or by other methods deemed appropriate by the Board of Directors.
- 5.5 A Quorum for the Annual General Meeting or Special Meeting shall consist of not less than twenty (20) members in good standing.
- 5.6 The President shall chair all meetings. In the event the President is unable to fulfill this responsibility, the Vice-President will fill in.
- 5.7 At any annual or special meeting of the PMHA, the following, as appropriate, will be the order of business:
  - Roll call of delegates;
  - Reading of the minutes;
  - Report of the President;
  - Report of the Treasurer;
  - Report of the Committees;
  - New Business;
  - Elections;
  - Adjournment.
- 5.8 Business will be conducted by following Roberts Rules of Order
- 5.9 The President may, when deemed necessary, invite any member, or non-member to any meeting of the Association, to address a particular subject on the agenda
- 5.10 Voting on any issue arising at Meetings of the Members shall be decided by a simple majority of the members present in person. Each eligible member in attendance is entitled to only one vote per family and issue, regardless of the number of positions they may occupy on the Board of Directors or other committees. There shall be no proxy votes. The Chairman of any meeting is not entitled to vote on an issue, unless it is to break a tie.

## **MEETINGS OF THE BOARD OF DIRECTORS**

- 5.11 Meetings of the Board of Directors:
  - 5.11.1 Shall be at the call of the President
  - 5.11.2 Shall be held and at least once every month. The Board may decide to meet more than once every month and may decide not to meet in a particular month.

- 5.11.3 At the request of three members of the Board of Directors, the President shall convene a special meeting of the Board of Directors. The proceedings at such a meeting shall be confined to the matters specified in the request.
- 5.11.4 Association members may submit, in writing, items for inclusion on the agenda of a Board of Directors meeting. These members shall be entitled to attend that portion of the meeting devoted to those agenda items but have no vote.
- 5.11.5 A quorum for the transaction of business shall consist of not less than eight (8) members of the Board of Directors. Only members of the Board of Directors, present in person, are eligible to vote.
- 5.11.6 The President is entitled to invite any member to be present or to make presentation to the Board when deemed necessary.

## **BY-LAW VI - THE EXECUTIVE & BOARD OF DIRECTORS**

6.1 The Board of Directors shall consist of the following positions:

- President
- Vice President
- Past President
- Secretary
- Treasurer
- Registrar
- Equipment Director
- Ice Scheduler
- Referee Director
- Initiation/Novice/Atom Director
- Pee Wee Director
- Bantam Director
- Midget Director
- Evaluation Director
- Public Relations Director
- Discipline/Tournament Director

## **BYLAW VII – DUTIES & POWERS OF THE BOARD OF DIRECTORS**

- 7.1 The Board of Directors shall have the power to appoint to any vacant Director position. That appointee will hold that office until the next AGM unless deemed otherwise by the Committee. The appointment must have a 3/4 support of all Board members in attendance, before the appointment can be ratified.
- 7.2 The Board of Directors shall have control of the affairs of the Association, and shall govern in the best interests of the association.
- 7.3 The Board of Directors will have the power to impose and enforce penalties for violation of the Bylaws or Regulation & Rules of the PMHA.
- 7.4 The Directors shall be elected at the election meeting of the Association membership.
- 7.5 All Directors are elected for terms of two years.
- 7.6 One half of the Board of Directors will be elected each year.
- 7.7 The President and Vice-President shall be elected to a two-year term with the President serving no more than two consecutive terms.
- 7.8 Each member of the Board of Directors shall be elected or appointed to hold office until the conclusion of his/her term. If any member of the Board of Directors resigns his office, or ceases to be a member of the Association or without reasonable excuse absents himself from three consecutive meetings of the Board of Directors, or be suspended or expelled from the Association, the Board of Directors shall declare his office vacated. The Executive Committee shall then be charged with filling the vacant position subject to By-Law 8.1

- 7.9 Unless authorized by any meeting of the Board of Directors, no officer or member of the Association shall receive any remuneration for his services.
- 7.10 The Board of Directors shall have the authority to appoint any committee as deemed necessary.
- 7.11 There shall be no remuneration for Directors of the Association, but a Director may be reimbursed for reasonable out of pocket expenses incurred on behalf of the Association, providing a majority vote of the Board is made prior to their being incurred, approves such expenses.
- 7.12 The Board of Directors may, by a two-thirds (2/3) vote, forthwith remove from office any member of the Board for neglect of duty, or for conduct tending to impair such member's usefulness; for example "not meeting the responsibilities" of the Position.
- 7.13 The Board of Directors will supervise the collection and authorize the expenditure of funds of the PMHA provided always that funds coming into the PMHA will be allocated in accordance with the purpose so intended.
- 7.14 The Board of Directors shall develop policies and procedures for the management and operations of the Association.
- 7.15 The Board of Directors will interpret, define and explain all provisions of the Bylaws and Regulations of the Association.
- 7.16 The Board of Directors will adjudicate all disputes between members, which may arise between Annual Meetings.
- 7.17 The Board of Directors will appoint all delegates to attend all meetings of the members of Hockey Alberta, Zone Meetings and League meetings.
- 7.18 Where the President or Vice President is unavailable to Chair a meeting, the members present can nominate a Chairperson for the purposes of a meeting. This can only be done after fifteen minutes has passed from the "call of the meeting".

#### **BYLAW VIII – DUTIES AND POWERS OF THE PRESIDENT**

- 8.1 The President will have the power to suspend summarily, any player, coach, trainer, or manager of any team under the auspices of a member of the PMHA for ungentlemanly conduct, on or off the ice, for abusive language to any official, or for any other infraction, in the sole discretion of the President, deemed to be detrimental. Such suspension is to be effective until dealt with by the Discipline Committee within a reasonable period of time, as determined by the Chairman of the Discipline Committee.
- 8.2 The President shall also have the power to prevent summarily any spectator from viewing any game or other activity, or to enter a facility to view such games or activity falling under the auspices of Ponoka Minor Hockey Association for any conduct, which in the sole discretion of the President is deemed to be unbecoming or detrimental to the game.
- 8.3 Further the President shall have the power to suspend summarily the player, coach, team official or the team to which the spectator is affiliated. Such suspension to be effective until dealt with by the Discipline Committee within a reasonable period of time, as determined by the Chairman of the Discipline Committee.
- 8.4 The President may delegate this authority to such Association Directors, officials or Committees as he designates.
- 8.5 No person may be elected President unless that person has served as a member of the Board of Directors for a period of not less than two years, with the exception made when there is no present board member able to make that commitment.
- 8.6 The President, within the jurisdiction of the Association, shall:

- 8.6.1 Be a signing officer for the Association,
- 8.6.2 Shall be elected for a term of two years,
- 8.6.3 Exercise the powers of the Executive, in case of emergency,
- 8.6.4 Discipline up to and including suspension of any member, coach, manager, player, trainer, or other official connected within the Association, subject to ratification at the next meeting of the Executive,
- 8.6.5 Sit on committees as an ex-officio voting member,
- 8.6.6 Generally manage and supervise the affairs and operations of the Association, and
- 8.6.7 Together with the Registrar, or other officer appointed by the Board of Directors for that purpose, shall sign all resolutions, transfers, and releases.

#### **BY-LAW IX - DUTIES OF THE VICE PRESIDENT**

- 9.1 No person may be elected a Vice-President unless that person has served as a member of the Board of Directors for a period of not less than one year, with the exception made when there is no present board member able to make that commitment. In the absence of the President, or in the event of his inability to act, the Vice-President shall first have and exercise all the powers, authority and restrictions of the President. The Vice-President will be appointed by the executive committee to be ratified at the next Board of Directors meeting.
- 9.2 The Vice President is the Chairperson of the Discipline Committee.

#### **BY-LAW X - BORROWING**

- 10.1 For the purpose of carrying out its objectives, the Association may borrow, or raise or secure the payment of money in such a manner, as it deems appropriate, and in particular, by the issue of debentures. If the Board of Directors wishes to raise monies through a debenture, the decision must be ratified through Special Resolution of the members

#### **BY-LAW XI - BANKING**

- 11.1 The Signing Officers of the Association for the purpose of drawing cheques on the account or accounts of the Association shall be any two; the President, Secretary or Treasurer.

#### **BY-LAW XII - SEAL**

- 12.1 The Board of directors may adopt a seal, which shall be the common seal of the Association.
- 12.2 The common seal of the Association shall be under the control of the Board of Directors, and the Board of Directors shall determine the responsibility for its custody and use from time to time.

#### **BY-LAW XIII - AUDIT**

- 13.1 The books and accounts of the Association shall be audited at least once per year by a duly qualified accountant, or by two members of the Association chosen for that purpose at the Annual Meeting. A complete and proper statement of the standing of the books for the previous year shall be submitted by such auditor at the Annual Meeting of the Association.

#### **BY-LAW XIV – AMENDMENTS**

- 14.1 No amendments to the By-laws of the Association, whether by way of new provision, amended provisions, or to rescind any of the provisions in these by-laws, shall be made except at the Annual Meeting, or other general meeting of the Association membership, and



then only by "Special Resolution." Notice of any proposed amendment or amendments must be filed with the Secretary in writing at least ten (10) days prior to the meeting. The Secretary shall cause the contents of the resolution, or a summary thereof to be posted on the PMHA Bulletin Board with the notice of the Annual Meeting, or any other general meeting at which it is proposed to consider the resolution.

- 14.2 The Board of Directors is empowered to amend or alter Rules & Regulations, Policy and Procedures, as required to conduct the affairs of the Association. Amendments to Bylaws can only be made at an Annual General or Special Meeting of the members.

#### **BY-LAW XV - MINUTES OF MEETING AND OTHER BOOKS AND RECORDS**

- 15.1 The minutes of the meetings of the Association and of the Board of Directors shall be taken and prepared by the Secretary. After approval of the minutes the President and Secretary shall first sign them. The Secretary shall keep a record of all minutes arising out of meetings of the Association and the Board of Directors and shall have custody of all such minutes, as well as of other books, records, and documents of the Association. The Secretary shall maintain the long-term records of the Association. Upon a change of Secretary position, all records shall be transferred to the new Secretary. The Treasurer shall keep the financial records of the association. On a change of the Treasurer, all records shall be transferred to the new Treasurer.

#### **BY-LAW XVI - INSPECTION OF BOOKS AND RECORDS**

- 16.1 The President shall make available for inspection, the books and records of the Association to a member of the Board of Directors at any time and to all other members of the Association in good standing at the Annual Meeting of the Association.

#### **BY-LAW XVII - DISCIPLINE PROCEDURE & DISPUTE RESOLUTION PROCESS**

1. **General Policy** - The Ponoka Minor Hockey Association expects all team officials to exhibit leadership qualities that promote player sportsmanship and decorum, as well as acceptable levels of propriety, towards opponents, game officials, and spectators.
2. The Board of Directors may adopt policies and procedures for discipline and dispute resolution processes.

#### **BY-LAW XVIII - COURT AND LEGAL ACTION**

- 18.1 13:03 & 13.20 from Hockey Alberta Bylaws & Regulations shall apply.
- 18.2 All decisions shall be subject to appeal to Hockey Alberta as provided for in By-Law XIII of Hockey Alberta.
- 18.3 Pursuant to By-Law 13.20 – Court Actions of Hockey Alberta.

(All People) by virtue and because of their status as such, agree that any recourse to the law court of any jurisdiction before all right and remedies as provided for by the Bylaws of the Association, Hockey Alberta and Hockey Canada have been availed of and utilized, shall be deemed by the PMHA to be unsportsmanlike conduct enabling the President to suspend and/or disqualify the said persons.

#### **BY-LAW XIX - FISCAL YEAR**

- 19.1 The fiscal year of the PMHA shall commence the 1<sup>st</sup> day of June of every year to and including the 31<sup>st</sup> day of May of the following year.

**BY-LAW XX – LIQUIDATION OR WINDING-UP**

20.1 Upon dissolution of the PMHA, any assets remaining after paying debts and liabilities are to be:

- Distributed to eligible charitable or religious groups or purposes; or
- Transferred in trust to the Town of Ponoka until such time as the assets can be transferred from the Town of Ponoka to a charitable or religious group or purpose approved by the Board of Directors.

**ACCEPTANCE OF BYLAWS**

These Bylaws having been adopted by the Board of Directors of Ponoka Minor Hockey Association on the \_\_\_\_\_ day of \_\_\_\_\_, in the Year \_\_\_\_\_, are the official recognized Bylaws for the Association.

Signature Date: \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address & Phone Number

\_\_\_\_\_

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address & Phone Number

\_\_\_\_\_

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Signature

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Address & Phone Number

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