



**THOROLD MINOR BASEBALL CONSTITUTION & BY-LAWS**

**Revised and Approved: October 18, 2023**

# **THOROLD MINOR BASEBALL: CONSTITUTION & BY-LAWS**

## **ARTICLE 1: NAME**

The official name of the Organization shall be "Thorold Minor Baseball" (TMB). The organization shall also be referred to as "Thorold Baseball" or "Thorold Legion Minor Baseball".

## **ARTICLE 2: OBJECTIVE & PURPOSE**

The objective and purpose of the Organization shall be:

- (a) To foster and improve the game of baseball for minor age groups in the City of Thorold.
- (b) To build and provide an inclusive youth baseball experience for players of all abilities.
- (c) To organize and operate an effective and efficient baseball program in the municipality.
- (d) To improve playing ability and provide recreation through the operation of its baseball program.
- (e) Thorold Minor Baseball "fiscal year" shall be November 1 to October 31 each year.

## **ARTICLE 3: MEMBERSHIP**

Membership in the TMB shall be composed of all residents and non-residents of the City of Thorold who meet one of the following criteria:

- (a) a coach in good standing for the previous or current season;
- (b) a parent or guardian of any registered player in TMB in the previous or current season;
- (c) a board member of the current season;
- (d) any player who played in the current season who has attained the age of 18 years;
- (e) Any individual who has met the above criteria and is NOT in poor standing or currently suspended indefinitely by Baseball Ontario, Niagara District Baseball Association (NDBA) or Thorold Minor Baseball.

Provided, the individual agrees to abide and comply with the by-laws, rules and regulations of TMB. Each member shall have full voting rights at any general and annual meeting.

## **ARTICLE 4: BOARD OF DIRECTORS**

The Board of Directors of TMB shall consist of 13 (13 ) voting positions: President, Vice-President, Registrar/Secretary, Treasurer; Umpire in Chief; Fundraising/Sponsorship; 5U/7U convener, 9U convener, 11U/13U convener, 15U/18U convener, Tournaments, Scheduler and Past President.

The outgoing President shall stay on with the incoming Executive in the ex-officio, non-voting role of Past President. They shall serve in a consultative role. The Past President may remain at the approval of the Executive, until replaced by the next outgoing

President.

The President, Vice-President, Treasurer and Secretary/Registrar shall comprise the TMB Executive and shall be tasked with the day-to-day management of TMB.

The Executive and Board of Directors of Thorold Minor Baseball shall serve their terms starting November 1st until October 31st.

The President and Registrar/Secretary shall be elected to two-year terms starting in 2020.

The Vice-President and Treasure shall be elected to two-year terms starting in 2021.

The Scheduler shall be elected to a two-year term starting in 2023.

The Board of Directors may from time to time create committees which will be tasked with operations, duties or to make recommendations for board adoption. In some cases the committees may seek advice or non-voting members from the membership of TMB.

All other offices will be held for a period of one (1) year. The election of the Board of Directors shall be held at the Annual Meeting to be scheduled between Labour Day and the 31<sup>st</sup> day of October.

The President shall have the authority to fill any vacancies that may occur or are not filled at the Annual Meeting so long as they have been vetted, approved by the Board of Directors and has cleared a background check in accordance with Baseball Ontario

A member may hold two or more positions concurrently, however, there must be a minimum of four (4) members comprising the Board of Directors.

In the event that one member holds two or more positions that member has only one vote on any association business.

It is not recommended that the President or Vice-President concurrently fill the Treasurer role. When this is the case, the President and Executive should exhaust all options to avoid this scenario.

## **ARTICLE 5: DUTIES OF THE EXECUTIVE**

### **President**

Shall preside at all meetings of the organization. The President is the Chief Executive Officer and as such shall exercise supervision over the activities of the TMB. They shall have the authority to rule on any situation which is not specifically dealt with in the constitution, by-laws or rules and regulations of the TMB. When this situation arises, the President shall endeavor to create a standing order, by-law or amendment to this legislation in the aim to create a standing operating procedure moving forward. The standing order shall remain in place for the remainder of that fiscal year and shall be added to TMB legislation at the next Special or regular AGM held.

Shall bring any non day-to-day issues requiring decision to the Board or Executive for

discussion and vote. The President shall not bind the Organization on any ongoing (multi-year) financial commitment, organization membership, discipline matters or contractual obligations without informing the Executive and seeking approval. The President and Vice-President are charged with the day-to-day operation duties and decisions of the organization.

Shall represent TMB as its representative at any meeting or event of an association to which TMB is a member. The President is able to delegate this responsibility to a relevant Executive member.

Shall be the primary contact with the municipality, district baseball associations and provincial baseball associations.

Shall serve as the coordinator of the TMB Rep Baseball program.

### **Vice-President**

Shall perform the duties of the President in their absence.

Shall have responsibility for coach (in conjunction with the President or their delegate) and umpire (in conjunction with the Umpire-in-Chief) recruitment, vetting and training.

Shall be responsible for managing the background check procedures for TMB in accordance with Baseball Ontario requirements.

Shall serve as the coordinator of the TMB Select Baseball program.

### **Secretary/Registrar**

Shall perform the duties of the President in the absence of the President and the Vice-President

Shall be responsible for the planning, advertisement, and execution of all registration activities including collection of registration fees from all players registered in the TMB. The Secretary/Registrar shall be responsible for ordering and organizing medals, awards and trophies.

Shall be responsible for managing and maintaining the online registration system.

Shall keep an accurate record of all organization meetings. Receive and send out all correspondence for the organization; retaining a file(s) on all correspondence. Maintain and update organization website with governance documents, meeting minutes, and similar. Record all minutes of TMB meetings and circulate to relevant parties.

### **Treasurer**

Shall receive all monies and deposit same in the organization's account with a financial institution, receive and pay all invoices, sign all cheques along with the signature of the Vice-President or President; keep accurate account of all incomes and expenses;

present a prepared financial report at each Executive meeting; prepare the annual financial report and liaise with the organizations financial institutions as needed.

### **5U/7U Convener**

Shall organize and plan the 5U/7U season including coach assignments, player requests, schedule, end of season events and equipment needs for the division.

Shall work with the Executive in coordinating evaluations and equitable assigned of players to teams when there are more than one Thorold team in a division.

### **9U Convener**

Work with Niagara Interlock to schedules the games for regular season and playoff structure for the 9U division. To assign coaches for each team, produce schedule and distribute them to coaches before the first game is played. Ensure coaches have equipment and baseballs. Schedule and allocate park practice time. Monitor and report to the executive on progress of teams, and any issues and concerns.

Shall work with the Executive in coordinating evaluations and equitable assigned of players to teams when there are more than one Thorold team in a division.

### **11U/13U Convener**

Work with Niagara Interlock to schedules the games for regular season and playoff structure for divisions 11U & 13U. To assign coaches for each team, produce schedule and distribute them to coaches before the first game is played. Ensure coaches have equipment and baseballs. Schedule and allocate park practice time. Monitor and report to the executive on progress of teams, and any issues and concerns.

Shall work with the Executive in coordinating evaluations and equitable assigned of players to teams when there are more than one Thorold team in a division.

### **15U/18U Convener**

Work with Niagara Interlock to schedules the games for regular season and playoff structure for divisions 15U & 18U. To assign coaches for each team, produce schedule and distribute them to coaches before the first game is played. Ensure coaches have equipment and baseballs. Schedule and allocate park practice time. Monitor and report to the executive on progress of teams, and any issues and concerns.

Ensure that any overage players are recorded and vetted with Niagara Interlock

Shall work with the Executive in coordinating evaluations and equitable assigned of players to teams when there are more than one Thorold team in a division.

## **Umpire-in-Chief**

To assist the TMB in Umpire training, certification and recruitment. To schedule all umpires for home league games and TMB hosted tournaments, where applicable. To be responsible for all umpires and umpiring equipment in the organization. Maintain a list of Umpires for assignment to games. Establish a fee schedule for each year, subject to approval of the Executive. Authorize and coordinate payment of Umpires through the Treasurer.

To liaise with Niagara Baseball Umpires Association for all NBUA umpire needs.

To liaise with external associations when needing to fill umpire vacancies on a short-term or long-term basis.

Will be a carded Baseball Ontario umpire during their time as Umpire-in-Chief.

## **Fundraising/Sponsorship**

Responsible to support all fundraising activities and events.

Coordinates sponsorship development, acquisition and recognition in conjunction with President and Vice-President. Supports groups running canteens during tournaments or games. Ensures that sponsorship fulfillment items are ordered, logos are collected, displayed appropriately. Ensure that all sponsorship agreements are tracked and funds are collected/reported.

## **Scheduler**

Shall coordinate and manage all game and practice schedules for TMB teams. Shall liaise and communicate with the City of Thorold for all field scheduling needs and be in constant contact with the City team.

Shall coordinate umpire schedules with the Umpire-in-Chief and external umpire association to ensure that all umpire needs are covered.

Shall convey schedule changes, delays, cancellations, and field updates to all affected parties including coaches, Executive and officials.

Shall maintain a detailed and up-to-date schedule of all TMB field usage for practices, games, tournaments and similar.

Shall be regularly in contact with the President and Vice-President.

Shall be regularly in contact with coaches for schedule items including reschedules and cancelations.

## **Tournaments**

Shall coordinate and organize all tournaments hosted by Thorold Minor Baseball.

Shall be the direct liaison with Baseball Ontario and teams that have registered for

tournaments.

Work with the Executive to ensure volunteers and support are provided for all tournaments.

Order all medals and awards.

Create the schedules, pools, and brackets and arrange with the scheduler the umpires and parks for the tournaments.

Shall serve with the President and Vice-President as the protest committee for all tournaments. Can assign other members to the protest committee when President and Vice-President are unavailable.

## **ARTICLE 6: ELECTIONS**

The election of Executive and Directors of the Organization shall be conducted at the Annual Meeting held between Labour Day and October 31<sup>st</sup> of each year. Nominations for Executive and Directors will be welcome from the floor at the Annual Meeting but are encouraged and requested to be submitted prior to the meeting.

To be nominated for the Executive positions of President, Vice-President or Treasurer, one must have served on the previous season's Executive/Board in any capacity.

In the event that there are no nominations that fulfill the requirement of having served on the previous Executive/Board in any capacity, nominations may come from the floor of the AGM.

If more than one (1) person is nominated for any office, a vote by ballot will be taken and the nominee receiving the greatest number of votes will be elected. If a tie occurs for any Executive or Director position, the run-off vote by ballot will be taken amongst the "tied" positions only. If the voting still remains tied after the run off and neither candidate is willing to withdraw, the President shall cast an additional tie-breaking vote.

"Families" will be entitled to one vote per registered family. This means one member of a family/guardian over the age of 18 years old shall be allowed to vote in any elections during the AGM. (Example: Johnny plays 9U. His sister Jenny plays 5U. The family of Johnny and Jenny are entitled to one vote at the AGM.)

In the event that election of President does not take place during the AGM due to a lack of nominations, the position of President will be assigned to or by the outgoing President. The assigned President shall take on full Presidential duties. The new President will endeavor to host an special general meeting where elections can take place no earlier than 14 days after the AGM and no later than January 31<sup>st</sup>.

## **ARTICLE 7: ANNUAL MEETING**

The Annual Meeting of the TMB shall be held between Labour Day and October 31st each year. Exact date and location will be determined by the President. The meeting can be held virtually. The order of business for the Annual Meeting will be:

- 1) President's welcome and address - summary of the year.
- 2) Secretary's report - summary of the last executive meeting.
- 3) Treasurer's report - treasurer's report for the year.
- 4) Amendments to the Constitution.
- 5) General Business
- 6) Election of Executive by position.
- 7) New/Sitting President's remarks.
- 8) Open forum for questions from the floor

## **ARTICLE 8: AMENDMENTS**

Amendments or any alterations shall be made to any part of the Constitution at the Annual Meeting. Notice of any proposed amendment or alteration must be given in writing to the Secretary at least fourteen (14) days prior to the Annual Meeting. Amendments or alterations to the Constitution will be adopted by a majority vote of the TMB membership at the Annual Meeting or a special general meeting of the membership. In certain cases, amendments may need to be made during a season or between AGM's. In these cases these amendments shall require a 2/3 majority of the Board to approve. If approved, the amendments will only serve for that season's term. To become permanently adopted, they must be brought to the next AGM or Special AGM of the membership.

The By-laws or operating procedures of the organization can be amended during a meeting of the Board of Directors. By-laws will require 2/3 majority vote and do not require a notice period before being discussed, however notice is encouraged.

The constitution, by-laws or similar may be forced to change based on federal, provincial or municipal laws. In this event, the changes will be made at a Board of Director meeting and will take effect immediately upon ratification.

## **ARTICLE 9: VOTING PROCEDURES**

Five (5) Board Members in good standing constitute a quorum. A vote by majority at Executive/Board meetings shall constitute passing of a motion. The President shall not vote except in the case of a tie. Voting shall be by a show of hands or by ballot if required.. Where required in the discretion of the President, a vote may be conducted by email. In the case of an email vote, the President shall circulate a vote summary to all executive members indicating each member's vote.

Meetings can take place virtually if needed.

## **ARTICLE 10: MEETINGS**

The President may call a special, emergency or general meeting of the Membership or Executive Board at any time. A minimum of forty-eight (48) hours notice must be given except for emergency meetings. Executive meetings shall be held at least once every month from February to October inclusive. Scheduling of Executive meetings is at the discretion of the President. Any member in good standing (see Article 3) can attend an Executive meeting whenever he/she wishes. The President may declare a meeting goes into closed session, at



which time any person who is not a member of the Board may be excluded. A Board member that has a conflict of interest in the matter may be excluded upon based on discussion and decision of the Board.

#### **ARTICLE 11: AFFILIATIONS**

Thorold Minor Baseball shall be affiliated with the Ontario Baseball Association (O.B.A.) through the Niagara District Baseball Association (N.D.B.A.). TMB shall maintain membership in the Niagara District Baseball Association (N.D.B.A.) , Niagara Interlock Baseball (N.I.B.) and Select Ontario Baseball Association (S.O.B.A) and protect its rights as a member of those Associations. TMB may from time to time become members of relevant organizations, associations, committees or groups.

#### **ARTICLE 12: ATTENDANCE**

All TMB Executive and Directors are required to have a sixty percent attendance record throughout the upcoming years meetings. The attendance record will begin with the Annual General Meeting. The President shall have the power to dismiss any Executive from the TMB because of their attendance record.

#### **ARTICLE 13: EXECUTIVE AUTHORITY**

The TMB Executive reserves the right to set, appeal or amend the Bylaws, Rules, Regulations and Guidelines as deemed necessary to facilitate and conduct the business of the TMB in a manner consistent with the intent of the TMB Constitution and Regulations. These changes will be published in the minutes of the meeting at which it occurred and must be ratified at the next AGM. The TMB Executive must approve all coaches prior to the season.

## **BY-LAWS**

### **BY-LAW 1: CONCURRENT APPOINTMENTS TMB AND OTHER ASSOCIATIONS**

No executive member may also serve as a voting member of any other local association within NDBA, not including the NDBA board.

If an executive member outside of the President serves on the executive of NDBA, OBA, SOBA, or Niagara Interlock Baseball this member shall gain approval from the TMB Board/Executive prior to running for the position and shall provide a synopsis of current business of said association at each TMB executive meeting or upon request of the organization.

### **BY-LAW 2: SUSPENSIONS AND EXPULSIONS**

Any team, player, coach, manager, parent/guardian, guest or member of the Organization that fails to abide by the constitution, by-laws, Baseball Canada, Ontario Baseball, NDBA, Niagara Interlock Baseball or other association rules and regulations (including coaching certification violations), or places TMB in poor internal/external reputation or does not comply with requests of the TMB executive and directors may be suspended or expelled

If the President feels justified due to a breach of the above, he may suspend any person or team. The suspended individual or team has the right to ask for a hearing before a Disciplinary Committee.

The hearing is to be held within 15 days from the requested appeal date. The Board or Executive will appoint at least 3 members from the present executive to the Disciplinary Committee. When three members are not available the Board or Executive may request a member from the NDBA Executive or a head coach of TMB that is not affiliated with the incident in question. No member appointed should be directly involved with the disciplined individual or team. The committee should have a recommendation to the TMB executive at their next scheduled meeting. The executive has the final say on all discipline. For an individual or team to be suspended or expelled and it must be approved by majority of all TMB executive and directors.

### **BY-LAW 3: OBA TEAM IMPORT PLAYERS:**

Players from other local associations may play for TMB OBA registered teams; however, there shall be no more than five (5) players who reside outside of the geographical limits of the City of Thorold on any team. Residency for the purpose of this By-Law shall be determined as of June 1st of the current season. Import players will be required to obtain a release from their local association where applicable.

When a non-Thorold player has played for two (2) consecutive years on a TMB OBA registered team, they will be considered grandfathered as a Thorold resident and not count as a non-Thorold player towards the non-Thorold residency rule above.

### **BY-LAW 4: OPERATING PROCEDURES:**

The TMB Executive will establish operating procedures for the organization and will endeavor to document and refine procedures in an operations document.

### **BY-LAW 5: BACKGROUND CHECKS & NCCP:**

All coaches, assistant coaches, trainers and any other adults that will have regular contact with players under the age of 18 must obtain background checks as outlined by Baseball Ontario. All coaches are encouraged to obtain NCCP coaching numbers and certification clinics for their respective coaching level as outlined by Baseball Ontario.

TMB will reimburse Rep and Select coaches for their respective required coaching certifications. TMB will reimburse up to two coaching certifications annually for house-league coaches so long as they are relevant to their respective level of coaching.

**BY-LAW 6: UNPAID REGISTRATIONS OR SPONSORSHIPS**

All players/families with unpaid balances at the end of a season will not be eligible to register for the following season until they have made payment of the outstanding balance. Players that have unpaid balances prior to team assignments may be removed from teams until the balances are settled or a payment plan is established.

Rep Players registrations must be paid in full on or before March 31st of each offseason.

All sponsors with unpaid balances by a mutually agreed to deadline with TMB will have their logos removed from all areas and will not be eligible to sponsor in coming years unless the unpaid balance is paid or an agreement has been reached and approved by the Board of Directors.

From time to time, the President in conjunction with the Registrar/Secretary may request to clear an unpaid balance due to extenuating circumstances. This must receive Board approval and be conducted during a closed session of a Board of Directors meeting.

**BY-LAW 7: FRED MATHESON "PLAY BALL" FUND**

The Fred Matheson "Play Ball Fund" is a bursary program designed to assist families in the Thorold community who need financial support to cover the costs of baseball registration, equipment and associated costs. The bursary program is named in honour of Fred Matheson, a long-time President and supporter of Thorold Minor Baseball. Thorold Minor Baseball will budget a minimum of \$500 each season to support the "Play Ball Fund" and seek external community funding to build, grow and sustain the fund.

Eligibility:

1. To be eligible for the bursary, the applicant must play Thorold Minor Baseball and be a resident of Thorold.
2. The applicant must be in financial need, and the cost of participating in baseball must present a significant financial hardship for the family.
3. Applicants/families can only receive one bursary per year. In the event that the bursary has more funds available, families may be able to submit an application for additional family members playing Thorold Minor Baseball; however, this is subject to Thorold Minor Baseball discretion.

Application Process:

1. Applications must be submitted by the end of April 1 each year.
2. Applications must be submitted on the official "Play Ball Fund" online application form, which can be obtained from the Thorold Minor Baseball website.

3. Applicants must provide an explanation of why they require financial assistance.
4. Applicants must indicate how much financial assistance they require (maximum \$300).
5. Applicants must provide what the financial assistance will be used for (partial registration, full registration, equipment and/or uniform.) Applicants are asked to request appropriate financial assistance based on what the funds will support.
6. Applicants must disclose if they are applying for or receiving any other local, provincial, federal, or other forms of subsidy/bursary.
7. Applicants must agree to allow the review committee to verify their income and eligibility for the bursary.

Review Committee:

1. The review committee for the Fred Matheson "Play Ball Fund" bursary program shall be the President, Vice-President and Treasurer of Thorold Minor Baseball.
2. The review committee will evaluate all applications based on financial need, the family's level of participation in Thorold Minor Baseball, the applicant's explanation of why they require financial assistance and the available funds in the bursary fund.
3. The review committee will make a decision on all applications by the end of April each year.

Bursary Award:

1. The maximum bursary award is \$300 per person.
2. Bursaries awarded for partial or full registration will be credited to the recipient's Thorold Minor Baseball registration fees.
3. Any remaining funds or funds approved for equipment will be provided to the recipient. The recipient will be required to provide proof of purchase dated no more than 45 days after receiving the funds of the equipment, uniform or other. Thorold Minor Baseball may award equipment-related bursaries as a gift card to a local sports retailer.
4. The bursary award will be non-transferable and non-refundable.

Confidentiality:

1. All information provided by applicants will be kept confidential.
2. The review committee will only share information with authorized Thorold Minor Baseball members who need to know the information to carry out their duties related to the "Play Ball Fund" bursary program.
3. Thorold Minor Baseball may be asked by other funding programs to verify if an

applicant in their program is receiving funding from Thorold Minor Baseball. In this event, Thorold Minor Baseball will provide this information.

