

# 2014

## Constitution & By-Laws



Fort Wayne Obedience Training Club, Inc.

Revised, Voted/Approved

8/6/2014

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# CONSTITUTION AND BY-LAWS

## ARTICLE I NAME

- Section 1. The name of this organization shall be the Fort Wayne Obedience Training Club, Incorporated, 35-6032853, and is referred to hereinafter as Club.
- Section 2. The Club shall be incorporated under the Not-For-Profit Corporation of the State of Indiana.
- Section 3. The current official address of the Club shall be: P.O. Box 5076, Fort Wayne, IN 46895.

## ARTICLE II PURPOSE

- Section 1. Object
- A. The object of the Club shall be to create, promote and maintain interest, ownership and appreciation of dogs.
  - B. To sponsor and conduct dog training classes in or near the City of Fort Wayne, Indiana.
  - C. To cooperate in all matters pertaining to tests and trials as set forth and approved by the American Kennel Club (AKC).
  - D. Offer and lend aid and encouragement to the novice and inexperienced dog owners.
  - E. Foster and maintain a close and friendly relationship among owners, trainers and exhibitors of dogs.
  - F. Sponsor and support legislation for the betterment of dogs' welfare, and sponsor and support legislation for relief from unnecessary and exorbitant taxes, assessments and license fees which pertain to dogs.
- Section 2. Activities
- A. Conduct licensed events under the rules of the American Kennel Club (AKC).
  - B. Conduct dog training classes for members of the Club. Training of dogs by Club members will be limited to those dogs owned by members of the Club.
  - C. Conduct classes, when possible, in basic obedience training for non-member owners.
  - D. Conduct Practice Matches.
  - E. Conduct Educational events, i.e. dog-related workshops and seminars, using either Club members or guest presenters, as voted by Club majority or Committee recommendation.

## ARTICLE III MEMBERSHIP

- Section 1. There shall be three (3) types of memberships which shall be named and known as Voting, Associate and Honorary.
- Section 2. Voting membership shall be limited to persons at least eighteen (18) years of age and their spouse or significant other, either of whom have completed the Club's obedience training course as required. All such persons must be in good standing with the American Kennel Club (AKC) and willing to abide by all rules and regulations of the Club. Each eligible member equals one (1) voting member.
- A. Applicants will be accepted into membership by majority vote of the Executive Committee.
  - B. Application for membership must be endorsed in writing by at least one (1) voting Club member in good standing.
  - C. Application for membership must be made on the form provided by the Club for this purpose.
  - D. No member shall recommend, endorse, degrade, or renounce any specific breed of dog, nor any specific person, product or service in the name of the Club.
  - E. All members are required to sign a waiver of liability.
- Section 3. Associate Membership shall automatically extend, but shall be limited to, child or children, unmarried and under eighteen (18) years of age of any voting Club member in good standing. Such membership shall continue only for the duration of such voting member, or as otherwise provided herein. Associate members between the ages of twelve (12) and eighteen (18) shall

have Club training privileges. Associate Members shall be non-voting members; neither shall such members be eligible for any elective office or committee chairperson. Refer to Article IV, Section 6, regarding dues.

Section 4. Honorary Membership may be extended by the Club to any person at any time by an eighty (80) percent majority vote at any regular meeting. However, the Club may not vote more than two (2) Honorary memberships in any one (1) year.

Section 5. Membership Ineligibility

- A. Any applicant not in good standing with the American Kennel Club (AKC), or other nationally recognized dog club, shall not be eligible for membership in the Club and the denial of the privileges of the American Kennel Club (AKC) to any member shall be cause for immediate suspension from the Club for a like period.
- B. Any member who voluntarily withdraws from membership in the Club may apply again for membership.
- C. Any member who becomes ineligible for continued membership because of dues delinquency, as defined in Section 2 of Article IV, or other indebtedness to the Club, shall automatically forfeit membership until all delinquencies and/or indebtedness have been paid. This person must reapply again for membership.
- D. Any member(s) or officer(s) may be expelled for conduct contrary to the Club's Constitution and By-Laws, or action of any kind considered injurious to Club activities, objectives, or to dogs. Any member so charged shall be either exonerated or expelled from membership as provided in Article X.

**ARTICLE IV DUES**

Section 1. The annual dues and associated membership classification shall be set by the Club and can be adjusted as deemed necessary. Dues increases shall be reviewed and voted on at an open meeting. Written notice (mail, email) of any proposed increases shall precede the actual vote.

Section 2. Dues shall be due and payable on February 1 of each year. Dues not paid thirty (30) days after February 1 due date will be delinquent and members will be dropped from the membership roster.

Section 3. No provision is made, nor shall apply for a reduction of annual dues for a membership period of less than one (1) year except: any membership, effective on or after October 1 of any year, shall be extended to the end of the following calendar year.

Section 4. No refund of dues shall be made to any member whose membership should terminate, for any reason, prior to the end of the current dues paying period.

Section 5. Dues submitted by rejected applicants shall be returned or refunded within sixty (60) days.

Section 6. Associated and Honorary members shall be non-paying and non-voting members.

**ARTICLE V MEETINGS AND QUORUM**

Section 1. Whenever possible, regular meetings for the transaction of Club business shall be held the first Wednesday following the close of each series of training classes, except when such Wednesday occurs on the eve or day of a generally recognized and legal holiday. In these cases the Executive Committee will determine the date of the next regular meeting. Additional special Club meetings may be called by the President at any time, however, each member must be notified at least three (3) days prior to the date of that meeting. Notice shall specify date, time and place of such meeting, and the object of the meeting.

- Section 2. At least twenty-five (25) voting members in good standing shall be present at any regular Club meeting to constitute a quorum for transaction of and Club business.
- Section 3. At least two-thirds (2/3) of the Executive Committee shall be present at any Executive meeting to constitute a quorum.
- Section 4. The Annual Meeting of the Club shall be held in the month of June.

## **ARTICLE VI FISCAL YEAR**

- Section 1. The fiscal year of the Club shall run from January 1 to the ensuing December 31<sup>st</sup>.

## **ARTICLE VII FINANCIAL LIMITATIONS**

- Section 1. No member or committee may obligate the Club for any amount of money without prior approval of the Club, except that:
- a. The President may authorize any single expenditure of not to exceed an amount in the aggregate of two hundred fifty dollars (\$250).
  - b. The Executive Committee may authorize an expenditure for any single expenditure not to exceed five hundred dollars (\$500).
  - c. Scheduled Events, which have submitted a budget and obtained approval by membership vote, may spend within that budget without requesting funds.
    - i. Any amounts over the approved budget per event needs to go through the approval process (President, Executive Committee, or Membership, depending on the amount. See above).
- Section 2. An outline detailing the Club's annual operating expenses shall be voted on and approved in December of each year.
- a. Any expenditures outside the approved budget must be approved by a majority vote at a regular meeting.
- Section 3. All monies received by any member from any source in behalf of, or belonging to the Club, shall be immediately transmitted to the Club treasurer and shall be deposited to the Club account within 60 days of receipt.
- Section 4. Any officer or member authorized to receive or disburse Club funds may be considered for bonding at the expense, if any, of the Club.
- Section 5. The Bank shall be notified that no transaction in excess of \$2500.00 may be made without the signatures of the President and the Treasurer.

## **ARTICLE VIII ELECTIONS AND VOTING**

- Section 1. Election of officers shall be held at the Annual Meeting and all officers shall assume their duties immediately upon conclusion of the current training session, and shall serve until their successors have been duly elected. All voting members in good standing are eligible for nomination to office.
- Section 2. Any member elected to fill a vacancy in any office occurring during the term of such office shall assume the duties immediately upon election and shall serve for the period of the unexpired term of such office. The Election shall be held as soon as practical at an Open Meeting or Special Meeting called for that purpose.

- Section 3. Election of each officer shall be by an appropriate means and all officers shall be elected for one (1) term. A term of office is defined as being that time between the Club's Annual Meetings. Election of each officer shall be by majority vote.
- Section 4. Any officer may be elected to succeed themselves in the same office or be elected to a different office immediately succeeding their present term of office.
- Section 5. Permission of the member to be a candidate must be obtained prior to voting.
- Section 6. No person may be a candidate in a Club election who has not been nominated.
- Section 7. The Nominating Committee shall submit a list of nominees by May 1<sup>st</sup> to the Executive Committee, which shall consist of one (1) or more nominees for each office. Additional nominations may be made from the floor.
- Section 8. Absentee Voting: Election of Officers and Board Members shall occur by an appropriate means at the annual meeting, by those members present in person or linked by any communications equipment that provides a transmission by, including but not limited to telephone, fax, or any electronic means such as the Internet, from which it can be determined that the transmission was authorized by, and accurately reflects the intention of the Voting Member. Participation through telephonic or other electronic means that allows all persons participating in the meeting to contemporaneously communicate with each other shall be treated as physical attendance at any meeting.
- a. If voting via fax or email, it must be received by the Nominating committee chairperson, or designated committee member, at least 24 hours prior to the start of the Annual meeting.
- Section 9. Voting by proxy shall not be permitted.
- Section 10. When a Show Superintendent, Trial Secretary, Judges, Entry Fees, or show site is selected, it shall be by a majority vote, provided a quorum of 20% of the members in good standing are present. The appropriate trial committee (Obedience, Agility, Tracking) shall make the recommendation to the membership prior to submitting the application for the trial.
- Section 11. Before any election or transaction of any Club business takes place which requires member voting, and upon motion of any member present and in good standing at any meeting, the Recording Secretary shall confirm a quorum exists of at least 20% of the members in good standing are present. A majority vote, as determined under Article VIII, Section 10, shall be required for the transaction of business.
- Section 12. Should a tie vote exist in any election, or in any Club voting matter, the decision of the President shall prevail.
- Section 13. The presiding officer may, at their discretion, require any voting to be conducted by secret ballot.

## **ARTICLE IX ASSETS AND PROPERTY**

- Section 1. Any and all assets of tangible properties, equipment, etc., properly belonging to the Club shall be listed and recorded in the permanent Club records.
- Section 2. Jurisdiction over and accountability for all such assets shall rest with the Executive Committee, or members so designated by this Committee. No Club property may be loaned except by a majority vote of the Executive Committee.

## **ARTICLE X                    DISCIPLINE**

- Section 1. American Kennel Club Suspension. Any member who is suspended from **all** the privileges of the American Kennel Club automatically shall be suspended from the privileges of this Club for a like period.
- Section 2. Charges. An individual member may prefer charges against another individual member for alleged misconduct prejudicial to the best interests of the Club. Written charges with specifications must be filed in duplicate with the Recording Secretary together with a deposit of \$25.00, which shall be forfeited if such charges are not sustained by the executive board following a hearing. The Recording Secretary shall promptly send a copy of the charges to each member of the board or present them at a board meeting, and the board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the club. If the executive board considers that the charges do not allege conduct which would be prejudicial to the Club, it may refuse to entertain jurisdiction. If the executive board entertains jurisdiction of the charges, it shall fix a date for a hearing by the executive board not less than three weeks nor more than six weeks thereafter. The Secretary shall promptly send one copy of the charges and the specifications to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his own defense and bring witnesses if he wishes.
- Section 3. Executive Board Hearing. The executive board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained after hearing all the evidence and testimony presented by complainant and defendant, the board may by a majority vote of those present reprimand or suspend the defendant from all privileges of the Club for not more than six (6) months from the date of the hearing. And, if it deems that punishment insufficient, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant's right to appear before his fellow members at the ensuing Club meeting which considers the board's recommendation. Immediately after the Executive Board has reached a decision, its finding shall be put in written form and filed with the Recording Secretary. The Recording Secretary, in turn, shall notify each of the parties of the board's decision and penalty, if any.
- Section 4. Expulsion. Expulsion of a member from the club may be accomplished only at a meeting of the Club following a board hearing and upon the board's recommendation as provided in Section 3 in this Article. Such proceedings may occur at a regular or special meeting of the Club to be held within sixty (60) days but not earlier than thirty (30) days after the date of the board's recommendation of expulsion. The defendant shall have the privilege of appearing in his own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the board's finding and recommendation, and shall invite the defendant, if present, to speak in his/her own behalf if he/she wishes. The members shall then vote by secret ballot on the proposed expulsion. If expulsion is not so voted, the board's suspension shall stand.

## **ARTICLE XI                    OFFICERS AND BOARD OF DIRECTORS**

- Section 1. Officers of the Club shall be President, First Vice President, Second Vice President, Director and/or Directors of Training, Recording Secretary, Corresponding Secretary, and Treasurer.
- Section 2. The Executive Committee shall consist of all the officers of the Club, the first immediate preceding past President who is a voting member in good standing in the Club, for the one (1) year immediately following their term, and four (4) elected Board Members at Large. The elected Board Members at Large shall serve for a period of two (2) years.

Section 3. VACANCIES: Any vacancies occurring among the Board of Directors or in the offices of First Vice President, Second Vice President, Recording Secretary, Corresponding Secretary, Treasurer, or Directors of Training shall be filled until the next annual election by a majority vote of all the then remaining members of the Executive Committee; except that a vacancy in the office of President shall be filled automatically by the First Vice President or Second Vice President (in that order), and the resulting vacancy in the office of Vice President shall be filled by one of the Board Members at Large.

## **ARTICLE XII DUTIES OF OFFICERS AND EXECUTIVE COMMITTEE**

- A. The President shall:
  - a. Be the principal officer of the Club;
  - b. Preside at all meetings of the Club, the Board of Directors, and the Executive Committee;
  - c. Lead the Board of Directors in setting direction and overseeing the management and affairs of the Club;
  - d. Appoint any other special committees as the occasion demands;
  - e. Serve as an ex-officio member of all committees except Nominating and Auditing Committees;
  - f. Represent the Club where representation is requested and/or desired or appoint a member in good standing to attend in the President's absence.
- B. The First Vice President shall:
  - a. Assist the Chair of the Board as assigned;
  - b. Serve as the Club's Obedience Trial Chair and appoint all special committees connected with the obedience trials (refer to Article XIII);
  - c. Act in the capacity of President in case of death, resignation, or expulsion of the President, until the successor has been duly qualified and elected.
- C. The Second Vice President shall:
  - a. Have the responsibility and care of the Club's training equipment; appoint other members to help maintain equipment. (Refer to Article IX – Section 2 regarding loaning of Club property.)
  - b. Maintain an inventory of all equipment, updated annually.
  - c. Act in the capacity of President if the President or 1<sup>st</sup> Vice President is unable to fulfill those duties.
- D. The Club Member Directors of Training shall:
  - a. Have supervision over training classes for Club members, and shall appoint assistant instructors as deemed necessary;
  - b. Supervise and conduct interesting and helpful classes, to aid the dog/handler team in achieving their goals and to further their skills.
- E. The Non-Member Class Director(s) of Training (Obedience) shall:
  - a. Supervise and conduct training classes for non-Club members upon their application and payment of the established training fee.
- F. The Recording Secretary shall:
  - a. Make and maintain a true and accurate permanent record of each meeting of the Club and of all Executive Committee Meetings. A duplicate copy of such records shall be supplied to the President of the Club;
  - b. Maintain an up-to-date mailing list of all current and new members as voted into Club membership, including address, telephone number, email address, and dog breed;
  - c. Have a current roster available for distribution upon request;
  - d. Collect Club members' annual dues. Receive, record and transmit to the Treasurer within 30 days of receipt;
  - e. Inform all members, keeping a copy for Club records, of Annual Dues thirty (30) days before due, and all members becoming delinquent in their dues, as provided in Section 2 of Article IV.
  - f. Inform members, keeping a copy for Club records, of all other delinquencies as directed by the President of the Club.
- G. The Corresponding Secretary shall:
  - a. Receive all non-member training applications and monies received and due to the Club as training fees;



- b. Advise all training applicants of their acceptance, date, time, and location of training sessions and/or any change in such schedule, as directed by the Non-Member Director(s) of Training or President of the Club;
  - c. Transmit to the Treasurer all monies received and due the Club as training fees within 30 days of receipt.
  - d. Take care of all Club correspondence with the exception of those listed under the Recording Secretary's duties;
  - e. Report on all received correspondence at Club meetings and maintain a permanent record of all copies of pertinent correspondence of the Club. Normal correspondence may be destroyed thirty (30) days after being read at a Club meeting.
- H. The Treasurer shall:
- a. Establish and maintain a true record of all Club monies received and disbursed from or to any person or source whatsoever;
  - b. Make all such payments as are properly authorized and approved and limited by these Constitution and By-Laws;
  - c. Report all transactions not previously reported and current treasury balance at each meeting;
  - d. Prepare and report an annual summary of all receipts and disbursements at the Annual Meeting;
  - e. Be responsible for the completion of any and all financial, tax-exemption, etc. reports as are required by legal statute relating to non-profit organizations. All records shall be open to inspection of the Executive Committee, and subject to audit annually, or otherwise as provided in these Constitution and By-Laws.
- I. The Executive Committee shall:
- a. Be entrusted with the general management of the Club's affairs except as expressly provided otherwise in these Constitution and By-Laws, and they may be responsible for the proper bonding of any officer or member as provided in Section 6, Article VII.
- J. All officers and elected Board Members at Large shall attend all Executive Board meetings and regular and special meetings, unless excused by just cause by the President. Failure to attend such meetings may be cause for dismissal from the Executive Board, subject to the approval of the voting members.
- a. In addition, all elected officers and Board Members at Large should attempt to attend club activities.

## **ARTICLE XIII COMMITTEES**

Section 1. Committees shall be as follows:

- 1. Auditing
- 2. Nominating
- 3. Marketing
- 4. Obedience Trial
  - a. Ribbons/Trophy
  - b. Marketing
  - c. Food
  - d. Chief Ring Steward
- 5. Agility Trial
  - a. Ribbons/Trophy
  - b. Marketing
  - c. Food
  - d. Worker Coordinator
- 6. Tracking Test
  - a. Ribbons/Trophy
  - b. Marketing
  - c. Food
  - d. Chief Tracklayer(s)

Section 2. Special Committees, as the occasion demands

- Section 3. Each Committee shall consist of three (3) or more members if deemed necessary.
- Section 4. Each Committee shall hold whatever meetings necessary, and all except the Auditing and Nominating Committees shall advise and/or invite the President to these meetings.
- Section 5. Any financial obligation or expenditure of any committee shall have prior approval, as provided in Article VII.

#### **ARTICLE XIV DUTIES OF COMMITTEES**

- A. The Auditing Committee shall make a full and complete audit of the Treasurer's records at the close of the fiscal year, or at such other times as directed by the Executive Committee, or by decision of a majority vote at any meeting, and shall make a report of the audit at the next regular meeting.
- B. The Nominating Committee shall prepare a list of candidates for selection at the Annual Meeting, as provided in Section 7, of Article VIII. A list of candidates shall be provided to all members at least one week preceding the Annual Meeting. The manner of choosing the candidates shall be discretionary with the committee. They shall also act in determining the candidate so elected in the voting at the Annual Meeting in accordance with these Constitution and By-Laws, Article VIII.
- C. The Marketing Committee shall prepare and release all news, advertising and in general all information regarding Club business or activities.
- D. The Trial Committees shall arrange and conduct the Club's annual Obedience trial(s) Agility trial(s), and Tracking Test(s) in accordance with the Constitution and By-Laws, and shall be responsible for the strict observance of the rules of the American Kennel Club (AKC). The Trial Committees shall have full authority to make such changes in judges and/or their assignments as become necessary through inability of judges to fulfill their judging assignment, and to be approved by the American Kennel Club (AKC). Have supervisory jurisdiction over all special trial committees when their duties pertain strictly to the conduct of trial.
- a. The Trophy Committee/Person ensures the proper ribbons, trophies, monies, etc. are secured and present at the Trial/Test.
  - b. Marketing Committee shall promote the Club and/or Club Activities.
  - c. Food Committee shall be responsible for all food and drink arrangements at the trial.
  - d. Chief Ring Steward/Chief Tracklayer/Worker Coordinator shall be responsible for obtaining and instructing stewards/tracklayers to assist the Trial/Test judges.

#### **ARTICLE XV AMENDMENTS**

- Section 1. Amendments to these Constitution and By-Laws may be made by a majority vote at any regular or special meeting called for the purpose; but the proposed amendment(s) must be embodied in the notice for any such meeting, and distributed to each voting member at least two (2) weeks prior to the date of such meeting.
- Section 2. Upon membership approval of the Amendment(s), the revised Constitution and By-Laws will be submitted to the AKC for their records.

#### **ARTICLE XVI DISSOLUTION**

The Club may be dissolved at any time by the written consent of not less than two-thirds (2/3) of all the voting members in good standing. After payment of all debts and obligations of the Club, its properties and assets shall be donated to any dog-related charity and/or cause(s) selected by the voting members in good standing.

#### **ARTICLE XVII ORDER OF BUSINESS**

Section 1. At any meeting of the Club held for the purpose of conducting Club business, the order of business, so far as the character and nature of the meeting may permit, will be as follows:

**GENERAL/OPEN MEETING:**

- Minutes of last General Membership Meeting
- Report of the Corresponding Secretary
- Report of the Treasurer
- Report(s) from the Director(s) of Training
- Report of the President
- Report of Committees
- Election of Officers (Annual meetings, or as required.)
- Unfinished Business
- New Business
- Introduction of new members
- Adjournment

**BOARD MEETING:**

- Minutes of last Executive Board Meeting
- Report of the Corresponding Secretary
- Report of the Treasurer
- Report(s) from the Director(s) of Training
- Report of the President
- Report of Committees
- Unfinished Business
- New Business
- Election of new members
- Adjournment

Section 2. All matters of parliamentary procedure, except as otherwise specifically stated in these Constitution and By-Laws, shall be governed by Robert's Rules of Order.