

THE CONSTITUTION OF THE NEWMARKET MINOR SOFTBALL ASSOCIATION

ARTICLE 1 - NAME & COLOURS

(a) The name of the Association shall be the NEWMARKET MINOR SOFTBALL ASSOCIATION; hereinafter called the Association.

(b) The official colours of the Association shall be Black, Gold and White. All other colours are subject to approval by the Board of Directors. In addition, the Logo of the Association shall be as shown below.



(c) The Association representative teams shall be called the Newmarket Stingers and the logo shall be as shown.



ARTICLE 2 - OBJECT

The Association is committed to creating and maintaining a sport environment which is free from discrimination and harassment on prohibited grounds; including race, ancestry, place of origin, ethnic origin, citizenship, political opinion, creed, sex, sexual orientation, age, marital, family status, language and any other discrimination or harassment prohibited by applicable law.

The object of this association shall be

- a. To improve, encourage and govern all levels and divisions of minor softball in the Town of Newmarket.
- b. To promote and protect the mutual interests of it's members.
- c. To institute and regulate competition in softball among it's members and arrange such games, as well as serve the best interest of it's members.

- d. To promote and foster REP teams and SELECT teams to play competitive ball for the Association.
- e. To carry out competition for championships in each classification, with the exception being due to changes in special operating policy, as deemed by the Executive.
- f. To promote NMSA by establishing and maintaining a high profile within Newmarket and the softball community

ARTICLE 3 - MEMBERSHIP

(a)

- i. Playing members of this Association shall be composed of residents of the Town of Newmarket.
- ii. Applicants from outside the Town of Newmarket may be reviewed by the NMSA Board of Directors before acceptance.
- iii. No player shall be allowed to play in the Association without prior registration and fees paid to date.
- iv. No player working out with any team shall be permitted access to any practice location after January 31st, unless all registration fees for the upcoming season are paid in full, or proof of PWSA or OASA insurance is provided.

(b) All coaches will be expected to honour the NMSA Coaching Code of Ethics. They will be required to sign the **Coaching Code of Ethics** immediately upon approval as a coach.

ARTICLE 4 - THE BOARD OF DIRECTORS AND EXECUTIVE

(a) The Board of Directors of the Association shall consist of the following: President, Past President, Vice President House League, Vice President Rep, Vice President Select, Secretary, Treasurer, Umpire in Chief House League, Umpire in Chief Rep, Director of Sponsorship, Director of Marketing, Director of Coaching, and Equipment Manager.

(b) The Executive shall consist of Board of Directors, registrar, Skills Development Co-ordinator, Purchasing and Sales Coordinator, and Conveners. Members shall report and be responsible to supervisors according to the attached Organizational Chart. All Executive members shall attend all Executive meetings.

The following guidelines are proposed for determining the number of conveners required for a division.

- i. Whenever possible, a convener should limit their responsibilities to a maximum of ten teams.

- ii. A division that exceeds ten teams may have, with the approval of the Executive, an additional convener with full voting rights.
- iii. A convener may recruit an assistant if he/she determines that one is required. The assistant does not attend any Executive meetings.

ARTICLE 5 - DUTIES OF THE EXECUTIVE

(a) The President will preside at all meetings of the Association and oversee the general running of the Association.

(b)

- i. The Board of Director members in the order specified in Article 4(a) shall perform the duties of the President in his/her absence.
- ii. In the absence of all members of the Board of Directors members, a member of the Executive may be appointed to the President's chair.
- iii. The Board of Directors shall approve policy rules and regulations governing the running of the Association for the current year They have the power to amend or alter policy rules and regulations
- iv. The Board of Directors shall have the power to suspend or discipline any coach, manager, umpire, player, Executive member, or any other official connected with the Association.

(c)

- i. The Executive may fill by appointment all vacancies in elected officers which occur during the term of such office.
- ii. Any Executive member missing three (3) consecutive meetings, without just cause, may be relieved of his/her duties at the discretion of the Executive.
- iii. The Executive shall be empowered to run the day to day affairs of the Association.
- iv. The Executive shall be empowered to enact Special Operating Rules for the current year only, on a majority vote of the Executive.
- v. The Executive shall carry out such duties as required by the Letters patent, the constitution, the By-Laws and Special Operating Rules.

(d) The Past President shall, as required, give the current Executive direction of policy, rules and regulations, and information so as to assure the smooth transition from the previous to the current Executive.

(e) The Vice President House League is responsible for the operation of the boys and girls house league program. The Vice President Rep is responsible for the operations of the boys and girls rep program.

(f) The Vice President Rep is responsible for the operation of the boys and girls Rep program.

(g) The Vice President Select is responsible for the operation of the boys and girls Select program.

(h) The Secretary shall keep an accurate record of the proceedings of the Association, shall handle correspondence on behalf of the Association, and shall conduct such other business as necessary for the welfare of the Association.

(i) The Treasurer shall pay all accounts by cheque, signed by herself/himself and the President and/or Secretary, provided that no two shall be related, to countersign. The Treasurer shall keep an accurate record of all moneys received and disbursed and report same at each regular meeting and present an audited report at the Annual General Meeting.

(j) The Umpire In Chiefs shall assign umpires and clarify and define rules of softball for their respective divisions. The Umpire in Chiefs may recruit a/an assistant(s) if he/she determines that one is required. The assistant(s) do/does not attend any Executive meetings.

(k) The Director of Sponsorship is responsible for the procurement of sponsorships for the Association.

(l) The Director of Marketing is responsible for the marketing of the Association to the public.

(m) The Director of Coaching is responsible for coach and player/coach development.

(n) The Equipment Manger shall be responsible for the equipment held in trust for the Association. The Equipment Manger may appoint an assistant responsible for repair, upkeep, replacement, distribution and return of equipment.

(o) The Registrar is responsible for coordinating player registration.

(p) The skills development Coordinator is responsible for all in house skills clinics.

(q) The Purchasing and Sales Coordinator is responsible for coordinating the purchase of Stingers merchandise, equipment, photos, uniforms and trophies as well as coordinating the sales of Stingers merchandise.

(r) The Conveners shall be responsible to the Board of directors for the operation of their division.

ARTICLE 6 - TERM OF OFFICE

(a) The executive shall hold office for one year starting immediately from the time they are voted/appointed into office and have signed the **NMSA Executive Code of Ethics**, and until such time as another person is voted/appointed to their respective position or they have been removed from their position as allowed under this constitution.

(b) Except for immediate Past President, the Executive shall be elected annually at the Annual General Meeting.

(c) The immediate Past President shall sit on the Executive for one year only. Should there be no Past President, an additional member may be appointed to the Executive by the newly elected Executive in place of said Past President.

(d) Should the Past President resign before the end of his/her one year term, or should he/she fail to act, the Executive may appoint an additional officer to the Executive committee in accordance to Article 5 (c) ii).

ARTICLE 7 - MEETINGS

(a) A quorum shall consist of 50% plus 1 of the members of the Executive for an Executive meeting and 50% plus 1 of the Board members for a Board of Directors meeting. If quorum is not present, a sub committee consisting of the president, Vice President, and Secretary shall be empowered to carry on intermittent business.

(b) Meetings may be called only by the President, and the Secretary shall notify the executive of the time and place of such meetings.

(c) A meeting shall be called by the President upon request from three (3) or more Executive members. The Annual General Meeting shall be designated by a quorum of the Executive.

(d) The Newmarket Department of Parks, Recreation and Culture may appoint a person to be present at any Executive meetings but will not have any voting privileges. It will be the duty of the Secretary to inform the Department of Parks, Recreation, and Culture of the meetings.

(e) At all Executive meetings all Executive members present, and only those members present shall have the right to one vote. The presiding officer shall only vote in the case of a tie vote.

(f) At all Board of Directors meetings, all Directors present, and only those Directors present, shall have the right to one vote. The presiding officer shall only vote in the event of a tie vote.

ARTICLE 8 - SUSPENSION AND APPEAL

(a) Suspension: Any coach, manager, playing member, umpire, or Executive member of this association violating the Constitution, operating rules, or refusing to abide by the decision of the Board of Directors may be suspended.

(b) Act of suspension: coaches, managers, players, umpires, or Executive members may be suspended by the Board of Directors for conducting themselves in an unsportsmanlike or undesirable manner and without limiting the generality of the foregoing for the following conducts.

- a. Permitting betting or improper conduct by players, coaches, managers, umpires or Executive members.
- b. Deliberately degrading the image of the Association or their representatives.
- c. Knowingly playing with or against a player, coach or manager who has been expelled or suspended.
- d. Using a player who is ineligible to play on that team.
- e. Fighting with other coaches, managers, players, Executive members, and also umpires and spectators.
- f. Being perceived to be under the influence of alcohol and/or any illegal substance.

When a coach, manager, or player does not return their uniform, equipment or other properties of the Association they will automatically be placed under suspension.

(c) Discipline Committee: a Discipline committee shall be appointed by the Board of Directors and be made up of at least three (3) members of the Board of Directors, one of whom must be the President or the President's appointee.

(d) Matters heard: the discipline committee shall hear all matters of suspension and shall decide the penalty, if any.

(e) Notices: notices of suspension against parties will be sent to such party by a timely and mutually agreeable arrangement. Any suspended party may request a hearing with the Association within fifteen (15) days of receipt of notice of suspension.

(f) Right of Appeal: anyone (player, coach, manager, umpire or Executive member) has the right to appeal the penalty set down by the discipline committee. A letter requesting an appeal hearing must be sent to the Secretary with a copy to the President. The President shall be empowered to appoint a committee of five (5) Board of Directors members to hear said appeal. A Board of Directors member hearing an appeal shall not have taken part in the original decision of the discipline committee.

ARTICLE 9 - CUSTODY AND USE OF SEAL, MINUTE BOOKS, ASSETS AND ACCOUNTING RECORDS

- (a) Trophies and equipment of the Association shall be recorded as assets of the Association and an accurate and detailed record shall be kept by the Treasurer of all assets of the Association.
- (b) Any operating policy, procedures and information including data, that pertains to the Association shall remain the property of the Association and must be securely backed up and accessible to designated Executive members. Any change to operating policy, procedures, and information, including data, cannot be altered without Board approval.
- (c) The purchase and disposal of assets must receive the prior approval of the Board of Directors. The Executive must be advised of all purchases and disposals.
- (d) The Seal, Minute Books, Assets and Accounting records shall remain the property of the Association. The Corporation of the Town of Newmarket will be advised of the name and address of the trustee.
- (e) The Seal of the Association shall not be affixed to any contracts, documents, or any instruments without the approval of a majority of the Executive.
- (f) Documents, contracts or any instruments in writing, requiring the signature of the Association, shall be signed by the President, one (1) Vice-president and such other officer of the Association that may be authorized by the Executive from time to time. All contracts, documents, and instruments of writing so signed shall be binding upon the Association without further authorization or formality.
- (g) The Board of Directors shall be to all intents and purposes the legal holders of the trophies and assets of the Association.

ARTICLE 10 - AUDIT OF BOOKS

- (a) One (1) auditor shall be appointed by the Executive.

ARTICLE 11 - CLARIFICATION AND AMENDMENTS TO THE CONSTITUTION

- (a) Any clause in the constitution may be clarified and defined at any time by a majority vote of the Executive, but cannot be changed or altered without a meeting according to Article 11(c)
- (b) The Association may affiliate with other suitable organizations at the discretion of the Executive.

(c) Changes or amendments in the constitution may be made at the Annual General Meeting by a two thirds (2/3) vote of the members present. Anyone intending to propose an amendment or amendments to this constitution at the Annual general Meeting shall submit their proposed amendment or amendments in writing to the Secretary at least two weeks prior to the Annual General Meeting.

(d) There will be no fund raising drives (to the public as a whole) without the approval of the Board of Directors. All fund raising proposals and approval of same must be made in writing.

(e) The new Executive shall be authorized to re-number but not change the wording of the sections of the Constitution for all motions, past present and future.

ARTICLE 12 - ANNUAL GENERAL MEETING

(a) The Association shall hold an Annual General Meeting no later than October 15 of any year.

(b) The purpose of the Annual General Meeting is to

- i. Report on current years activities.
- ii. Address comments concerns and questions
- iii. Present, and adopt if approved, constitutional changes
- iv. Dissolve the current years Executive.
- v. Elect the following years Executive.

(c) Nominees for the position of President must have been a member of the Executive a previous year.

(d) Nominees for Executive positions must be eighteen (18) or more years of age.

(e) All persons present and of eighteen (18) years of age shall be entitled to one (1) vote.

THE CONSTITUTION WITH AMENDMENTS HAS BEEN ACCEPTED BY A TWO THIRDS (2/3) MAJORITY VOTE AT THE GENERAL (ANNUAL) MEETING OF THE NEWMARKET MINOR SOFTBALL ASSOCIATION HELD AT THE NEWMARKET COMMUNITY CENTER ON:

**SEPTEMBER 25, 1985
AMENDED OCTOBER 3, 1990,
OCTOBER 14, 1992,
OCTOBER 13, 1993,
OCTOBER 19, 1994,
OCTOBER 11, 1995,
OCTOBER 9, 1996,**

**OCTOBER 8, 1997,
OCTOBER 14, 1998,
OCTOBER 13, 1999,
OCTOBER 11, 2000.**