

CONSTITUTION AND BYLAWS OF THE
AGILITY CLUB OF SAN DIEGO
ADOPTED, NOVEMBER 16, 1990

ARTICLE I
NAME AND OBJECTS

1. The name of this Club shall be the Agility Club of San Diego.
2. The objects of the club shall be:
 - a. to promote trust, confidence and communication between all dogs and handlers in the sport of agility.
 - b. to foster good sportsmanship and safe, responsible handling.
 - c. to provide an environment which will allow handlers and dogs to work together, have fun and additionally provide an opportunity for the general public to observe well behaved dogs working with people.
 - d. to conduct agility trials and matches.
3. The Club shall not be conducted or operated for profit and no part of any profits or remainder or residue from dues or donations to the Club shall inure to the benefit of any member or individual.
4. The members of the Club shall adopt and may from time to time revise such bylaws as may be required to carry out these objects.
5. Construction and Definitions,
Unless the context requires otherwise, the general provisions, rules of construction and definitions in the California Nonprofit Law shall govern the construction of these Bylaws. Without limiting the generality of the preceding sentence:
 - a. The masculine gender includes the feminine and neuter, the singular includes the plural, the plural includes the singular, and the term "person" includes both a legal entity and a natural person.
 - b. The definition of "written" included for notification, consent, and approval purposes shall either physically written and delivered means (paper and physical delivery or presentation) or an electronic form using email (with our without attachments) to and from the email address registered with the Corporation for the member or Officer.
 - c. References to Roberts Rules of Order within the Bylaws shall mean the published version of the Roberts Rules of Order.

ARTICLE II
MEMBERSHIP

SECTION I.

There shall be two classes of membership: regular and junior. A regular member shall be at least eighteen years of age. Junior members shall be children of regular members or sponsored by a regular member. Junior members shall pay reduced dues, shall not be eligible to vote or hold elective office, but shall be entitled to all other benefits of the club.

SECTION II.

Application for membership shall be made upon an application approved by the Board of Directors. The application shall state the name and address of the applicant. The applicant shall be sponsored by two members in good standing. Dues for one year shall accompany the application, such payment to be returned if, for any reason, the application is rejected by the Board. There shall be no initiation fee.

SECTION III.

Application for membership shall be read at the first meeting of the Club following its receipt and submitted to the Board of Directors for investigation and approval. Each application shall be held until the applicant has attended one complete training course at any level or attended one club general meeting and worked at one club event. Once these requirements are met, at the next Club meeting, the application will be voted upon and affirmative votes of two-thirds of the members present and voting by secret ballot at that meeting shall be required to elect each applicant. These requirements may be waived upon written application to the Board.

SECTION IV.

Resignation from the club must be by written notice to the Secretary. No member who shall have obligation to the club, financial or otherwise, may resign.

SECTION V.

In case of death, resignation, or expulsion of any member, all rights and privileges of membership shall cease. There shall be no refund of unexpired dues.

ARTICLE III ORGANIZATION

SECTION I.

The club shall be governed under its Constitution and bylaws by a Board of Directors consisting of the Executive Officers (President, Vice-President, Secretary and Treasurer), and three other members of the club.

SECTION II.

Elections shall be held annually. Election of the Board Members shall be held in November. Newly elected Members of the Board shall take office upon adjournment of the meeting at which they are elected. The Board will elect President, Vice-President, Secretary and Treasurer from among its members at the next Board meeting immediately following the election.

SECTION III.

A Board Member's term of office will be for two years. No Board Member shall serve more than two consecutive full terms of office.

SECTION IV.

The Board of Directors shall have general administrative charge of the affairs of the club, but it shall not have the power to overrule the wishes of the club as expressed by a majority vote. The Board of Directors may not elect to spend more than \$400 without approval of the general membership.

SECTION V.

The Board of Directors shall hold meetings at least every other month with the first meeting of the year held within 60 days of the general election and make such plans as necessary for the welfare of the club. The quorum of the Board shall be a majority. The President shall have the power of appointing such committees as, at his discretion, may be necessary for the best interests of the club.

SECTION VI.

1. The President shall preside at all meetings of the club. He shall be the general administrative officer of the club and shall have the power to supervise all activities of the club as a member ex-officio of all committees. He shall have such further powers and duties as may be provided for within these by-laws.
2. The Vice President shall perform the duties and exercise the powers of the President in the absence or disability of the President, or at his request.
3. The Secretary shall keep a record of all meetings of the club and shall be the custodian of all files pertaining to club business. All club records shall be made available for inspection to any club member upon request. He shall conduct the correspondence of the club, maintain a membership roster together with addresses and telephone numbers, and shall have such other and similar duties as may be requested by the President or contained in these bylaws. Also, responsible for notifying members of meetings and notifying new members of their election to membership.
4. The Treasurer shall collect all revenues and have custody of all funds of the club and shall deposit same in the name of the club in a bank account approved by the members. Checks shall be signed by any two of the following four officers: President, Vice President, Secretary, and Treasurer. The Treasurer shall be responsible for payment out of club funds, of all expenses incurred in carrying out routine business of the club and any other bills specifically authorized by vote of the membership. He shall maintain adequate records of account and report the financial condition of the club upon request. He shall render an annual account at the end of each fiscal year and shall submit such records to any auditing committee appointed by the President.

SECTION VII.

Officers and Board Members shall attend all meetings of the club and Board. Absence from three consecutive meetings may be cause for forfeiture of office, subject to review by the Board of Directors.

SECTION VIII.

When a vacancy in the Board of Directors occurs, election to fill said vacancy shall be held at the next regular meeting of the club. A vacancy occurring in the last three months of the year shall be filled by Board appointment.

SECTION IX.

1. Amendments to the constitution and bylaws may be proposed by the Board of Directors or by written petition addressed to the Secretary signed by 20 percent of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendations of the Board by the Secretary for a vote within three months of the date when the petition was received by the Secretary.
2. The constitution and bylaws may be amended by a two-thirds vote of the members present and voting at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meeting and mailed to each member at least two weeks prior to the date of the meeting.

SECTION X.

The deliberations of this organization not specifically covered by these bylaws shall be governed by standard parliamentary procedure as set forth by Robert's Rules of Order.

ARTICLE IV
ELECTION PROCEDURE

SECTION I.

To be eligible for election to the board, a nominee shall have been a member in good standing of this club for at least three months prior to date of election.

SECTION II.

To be eligible to vote in an election of the board, a person shall have been a member in good standing of this club for three months preceding election date. Members in good standing shall have no outstanding debts to the club and shall have attended at least one club function during the preceding year.

SECTION III.

A nominating committee of three persons and two alternates, no more than one a present Board Member will be appointed by the Board.

- a. The Committee shall nominate at least one candidate for each of the positions on the Board that are open each year, and, after securing the consent of each person nominated, shall immediately report their nominations to the Secretary in writing.
- b. Upon receipt of the Nominating Committee's report, the Secretary shall two weeks before the September general meeting notify each member in writing of the candidates so nominated.
- c. Additional nominations may be made at the September general meeting by any member in attendance, provided that the person so nominated does not decline when their name is proposed, and provided further that if the proposed candidates is not in attendance at this meeting, the proposer shall present to the Secretary a written statement from the proposed candidate signifying willingness to be a candidate. No person shall be a candidate for more than one position.
- d. Nominations cannot be made at the annual meeting or in any manner other than as provided in this Section.

Election to office shall be by ballot at the November annual meeting.

SECTION IV.

The Secretary shall, fifteen days or more prior to the November annual meeting, mail to each member eligible to vote a list of all candidates nominated for the board. Such members may each cast one vote for each board vacancy. The Secretary shall also prepare blank ballots for the election tellers and a list of all members eligible to vote.

SECTION V.

The election shall be conducted by tellers appointed by the President, none of whom shall be candidates for office. Tellers shall furnish ballots to all eligible members, collect marked ballots from members, determine that the number of ballots cast does not exceed the number of members eligible to vote, count all ballots cast, and report election results to the President. The President shall announce the election results, and declare those candidates elected who have received a plurality of the votes cast.

ARTICLE V
DUES

SECTION I

The annual dues of individual regular members are payable for the calendar year on January 1st.

SECTION II

Members delinquent on dues shall be notified via the Club bulletin by March 15th. Any member, who shall fail to pay his dues by March 31st, shall forfeit his rights of membership. Reinstatement can be made by payment of delinquent dues and upon approval by the Board of Directors or upon reapplication for membership.

ARTICLE VI DISCIPLINE

SECTION I.

Charges. Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club or the sport. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$10 which shall be forfeited if such charges are not sustained by the Board following a hearing. The 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 Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the club, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charges, it shall fix a date of a Board hearing not less than 3 weeks nor more than 6 weeks thereafter. The Secretary shall promptly send one copy of the charges 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 II.

Board Hearing. The 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, suspend the defendant from all privileges of the club for not more than six 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 Board has reached a decision, its findings shall be put in written form and filed with the Secretary. The Secretary, in turn, shall notify each of the parties of the Board's decision and penalty, if any.

SECTION III.

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 II of this Article. Such proceedings may occur at a general or special meeting of the Club to be held within 60 days but not earlier than 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 will be taken at this meeting. The President shall read the charges and the Board's findings and recommendations, and shall invite the defendant, if present, to speak in his own behalf if he wishes. The meeting shall then vote by secret written ballot on the proposed

expulsion. A 2/3 vote of those present and voting at the meeting shall be necessary for expulsion. If expulsion is not so voted, the Board's suspension shall stand.

ARTICLE VII MEETINGS

SECTION I.

1. General meetings shall be scheduled at a time and place decided upon by a majority vote of the Board of Directors. Notice shall be given by the Secretary to all members in good standing at least three days in advance of meeting date. The quorum for such meetings shall be 20%.

2. Special meetings may be called by the President, by a majority vote of the Board of Directors, or upon the written request of any five members for any purpose of general interest to the membership at large. The Secretary shall give written notice of special meetings to all members at least five days prior to meeting date and such notice shall specify the purpose of the meetings, no other business may be transacted at such special meetings. The quorum shall be the members present.

SECTION II.

Guideline for the order of business shall be as follows:

1. Roll Call or Registration
2. Introduction of guests and new members
3. Approval of Minutes
4. Report of President
 - a. Report of Secretary
 - b. Report of Treasurer
 - c. Reports of Committees
 - d. Elections of Officers and Board (at annual meeting)
Nominations (September) & Elections (November).
 - e. Election of new members
5. Unfinished Business
6. New Business
- 7.. Program
- 8.. Adjournment

ARTICLE VIII RATIFICATION AND DISSOLUTION

SECTION I.

This Constitution and bylaws shall become effective March 1, 1991, upon approval by a majority vote of the members.

SECTION II.

This Club may be dissolved at any time upon the written consent of two-thirds of the regular members. After the payment of all debts and obligations of the club, any remaining assets shall be given, by the Board of Directors, to some worthy organization promoting canine welfare as designated at that time by a vote of the club.

CHANGE I, APPROVED JUNE 1995
CHANGE 2, APPROVED JULY 2004

CHANGE 3, APPROVED SEPTEMBER 2006
CHANGE 4, APPROVED NOVEMBER 2007
CHANGE 5, APPROVED NOVEMBER 2008
CHANGE 6, APPROVED MARCH 2010