



# ***CONSTITUTION*** ***&*** ***BYLAWS***

Updated: November, 2020

# CONSTITUTION and BYLAWS

## CONSTITUTION

### POSITION STATEMENT

Training and Showing Dogs in Sporting, Working and Competition.

The Obedience Club of Palm Beach County encourages and strongly supports the interaction and mutual enjoyment of owners and dogs in sporting activities such as hunting and field trials; in working circumstances such as herding, tracking and pulling; and in competition events such as dog shows, obedience trials, rally trials agility trials, and other performance events and tests.

OTCPBC believes that dogs should be properly cared for, humanely trained and not pushed beyond reasonable limits.

Club members who do not abide by these guidelines are subject to disciplinary action as outlined in Article VI - Discipline

### ARTICLE I -NAME and OBJECTS

Section 1.      **The Name** of the Club shall be: **Obedience Training Club of Palm Beach County**  
(Referred to as OTCPBC or The Club).

Section 2.

**The Object** of the Club is to:

- a. Promote the training of dogs;
- b. Advance the sport of obedience, rally, agility, scent work, and tracking;
- c. Conduct classes for the training of dogs and their handlers;
- d. Encourage the training of judges;
- e. Hold and support obedience trials, rally trials, agility trials, scent work, and tracking tests under the rules and regulations of the American Kennel Club;
- f. Promote cooperation and good sportsmanship in the training and exhibition of dogs.

Section 3.

The Club shall not be conducted or operated for a 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.

Section 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.

# BYLAWS

## ARTICLE I – MEMBERSHIP

Section 1.       **Eligibility** – There shall be six (6) types of membership open to all persons 18 years of age and older who are in good standing with The American Kennel Club and who subscribe to the purposes of this Club. Those memberships shall be: Regular, Associate, Household, Silver Medalist, Gold Medalist, (both lifetime) and Honorary. A Junior Membership shall be offered to all persons under the age of 18. Further, the applicant must be endorsed by two (2) Club members in good standing, who have known the applicant for a minimum of six (6) months. Endorsers' signatures on the application will be certification of the above. Membership is to be unrestricted as to residence, the Club's primary purpose is to be representative of the exhibitors in its immediate area.

**REGULAR MEMBERSHIP** – Regular membership shall be open to all persons eighteen (18) years of age and over. Regular membership entitles one to the benefits and use of our facility to train their dog(s) in the sport of obedience, rally, agility and tracking, to participate in all classes that the Club offers, run for and hold any elected or appointed office in the Club, receive the Club newsletter and be eligible for any and all Club's awards.

**ASSOCIATE MEMBERSHIP** - Associate membership shall be open to all persons e i g h t e e n ( 18) years of age and over. Associate membership entitles one to the benefits and use of our facility to train their dog(s) in the sport of obedience, rally, agility and tracking, to participate in all classes that the Club offers and be eligible to receive the Club's newsletter. An Associate Member shall not be eligible to run for or hold any elected office and shall not be eligible to vote in any of the Club's business.

**HOUSEHOLD MEMBERSHIP** – Household membership shall be open to all persons eighteen (18) years of age and over who reside at the same address. Household membership entitles one to the benefits and use of our facility to train their dog(s) in the sport of obedience, rally, agility and tracking, to participate in all classes that the Club offers, run for and hold any elected or appointed office in the Club, receive the Club newsletter and be eligible for any and all Club awards.

**SILVER MEDALIST MEMBERSHIP** – Silver Medalist membership may be bestowed upon any person who has completed twenty-five (25) years of continuous membership and is currently a member in good standing with The AKC and OTCPCB. This person will continue to be able to vote in any meetings of the Club, will be eligible to hold any elected or appointed office in the Club, will be

eligible for competitive membership awards and shall not pay dues.

**GOLD MEDALIST MEMBERSHIP** – Gold Medalist membership may be bestowed upon any person who has completed fifty (50) years of continuous membership and is currently a member in good standing with The AKC and OTCPCB. This person will continue to be able to vote in any meetings of the Club, will be eligible to hold any elected or appointed office in the Club, will be eligible for competitive membership awards and shall not pay dues.

**HONORARY MEMBERSHIP** – Honorary membership may be bestowed upon any person in recognition of extraordinary service to the Club. This person will have no vote in any meetings of the Club, will not be eligible to hold any elected office in the Club, nor be eligible for competitive membership awards and shall pay no dues. This person shall have all privileges of membership except as stated above.

**JUNIOR MEMBERSHIP** – Junior membership shall be open to all persons 10 - 17 years of age. Junior membership entitles one to the benefits and use of our facility to train their dog(s) in the port of obedience, rally, agility and tracking, to participate in all classes that the Club offers and be eligible to receive the Club's newsletter. A Junior member shall not be eligible to run for or hold any elected

office and shall not be eligible to vote in any of the Club's business. A Junior member may automatically convert to Regular or Associate membership upon reaching their 18<sup>th</sup> birthday.

## **DUES**

Membership dues shall not exceed \$75.00 per year for Regular membership. Associate membership dues shall be \$10.00 less than that of Regular membership dues. Household membership dues shall be based on the first household member being charged at Regular membership rate and each additional member, of the household over the age of 18, shall be charged ½ the amount of Regular membership. Junior membership (10 – 17 years of age) shall be assessed at \$25.00. All dues are payable on or before December 31<sup>st</sup> of each calendar year. No member may vote whose dues are not paid for the current year. During the months of October and November the Treasurer shall notify members, either by e-mail or published in Lead Lines, that their dues are payable by December 31<sup>st</sup>.

## **Section 2.**

**Election to Membership** – Each applicant for Regular, Associate, Household and Junior membership shall apply on a form as approved by the Board of Directors which shall provide that the applicant agrees to abide by the Constitution and by-laws of OTCPCB and the rules of The American Kennel Club. The application shall state the name, address and occupation of the applicant and it shall carry the endorsement of two (2)

members in good standing. Accompanying the application, the prospective member shall submit dues payment for the appropriate membership for the current year. Any application accepted between November 1<sup>st</sup> and December 31<sup>st</sup> of any given year shall be deemed to include dues for the next ensuing year.

All applications are to be filed with the Secretary and each application is to be read at the first meeting of the Club following its receipt. Potential members are then required to volunteer a number of hours as set by the Board of Directors, at any club event of their choice, prior to the second reading of their membership application.

These hours will not be included in the hours required to purchase an access card or receive discounts on classes.

At the next Club meeting, after the volunteer hours have been earned, their application will be voted upon and affirmative votes of 2/3 of the members present. Voting by a show of hands at that meeting shall be required to elect the applicant. If not so approved, the dues paid shall be refunded. 11/04/2019

The applicant understands that he/she must be in attendance in order for their application to be voted on at a General Membership meeting. Under certain circumstances the President can waive his/her attendance.

Applicants for membership who have been rejected by the Club may not reapply within six months after such rejection.



- a. **Awarding of Silver Medalist** – Only members who have held a continuous membership for twenty-five (25) years in OTCPBC shall be eligible and recommended by The Board of Directors for the Silver Medalist Membership. The Board of Directors will review the records of those who are eligible and announce the names to the membership at the Annual meeting. A Silver Medalist Member is a lifetime membership. In recognition of longevity and service to the Club, an Award Dinner shall be held to honor each new member.
  
- b. **Awarding of Gold Medalist** – Only members who have held a continuous membership for fifty (50) years in OTCPBC shall be eligible and recommended by The Board of Directors for the Gold Medalist Membership. The Board of Directors will review the records of those who are eligible and announce the names to the membership at the Annual meeting. In recognition of longevity and service to the Club, an Award Dinner shall be held to honor each new member.
  
- c. **Election of Honorary Membership** - Any person may be elected to Honorary

Membership in recognition of extraordinary service to the Club by a secret ballot of a two-thirds (2/3) vote of members present at the Annual meeting. Honorary Membership roll shall be reviewed and approved by members present at the Annual meeting.

Section 4

**Termination of Membership** - Members may be terminated:

- a. **By resignation** - Any member may resign from the Club upon notifying the Secretary in writing, but no member may resign when in debt to the Club
  
- b. **By lapsing** – A membership will be considered as lapsed and automatically terminated if such member’s dues remain unpaid as of December 31<sup>st</sup>. However, the Board may grant an additional thirty (30) days of grace to such delinquent members in meritorious cases. In no case may a person whose dues are unpaid at any Club meeting be entitled to vote.
  
- c. **By expulsion** – A membership may be terminated by expulsion as provided in **Article VI, Section 4**, of these bylaws.

## ARTICLE II – MEETINGS AND VOTING

Section 1.        **Club Meetings** - Shall be held at OTCPBC, 1250 Gateway Road, Lake Park, FL 33403 or via telecommunication, a minimum of six (6) times a at such hour as may be designated by the Board of Directors such meeting shall be sent by the Secretary or a board member so directed by the President, to the last known e-mail address or to the last known mailing address of each member in good standing, at least ten (10) days prior to the date of the meeting. The quorum for such meetings shall be twenty (20) percent of the members in good standing.

Section 4.        **Special Board Meetings** – Special meetings of the Board may be called by the President; and shall be called by the Secretary upon receipt of a written or email request signed by at least three (3) members of the Board. Such special meetings shall be held at OTCPBC, 1250 Gateway Road, Lake Park, Florida 33403, or telecommunication at such time and date as may be designated by the Board. Written notice of such meeting shall be mailed or emailed by the Secretary at least five (5) days and not more than ten (10) days prior to the date of the meeting. Any such notice shall state the purpose of the meeting and no other business shall be transacted at that special meeting. The quorum for such a meeting shall be a majority of the Board.

Section 5.        **Voting** – Each Regular, Silver Medalist and Gold Medalist member in good standing, whose dues are paid for the current year, shall be entitled to one (1) vote at any meeting of the Club at which the member is present. Household members in good standing whose dues are paid for the current year are entitled to two (2) votes at any meeting of the Club at which the members are present. Proxy voting will not be permitted at any Club meeting or election.

### **ARTICLE III – OFFICERS AND MEMBERS AT LARGE**

Section 1.        **Board of Directors** – The Board shall be comprised of the Officers and three (3) other persons, all of whom shall be members in good standing and all of whom shall be elected for one (1) year term at the Club’s annual meeting as provided in Article IV and shall serve until their successors are elected. Members from the same family/household may not serve on the board at the same time. General management of the Club’s affairs shall be entrusted to the Board of Directors.

Section 2.        **Officers** – The Club’s officers shall consist of the President, Vice President, Secretary, and Treasurer and they shall serve in their respective capacities both with regard to the Club and its meetings and Board and its meetings.

Section 3.

**Duties of the Officers**

**shall be:**

**President**

1. It shall be the duty of the President to preside at all meetings, both of the Board and all general membership meetings of the Club and to enforce all bylaws and Policy and Procedures pertaining to the Club.

2. The outgoing President will remain on the Board of Directors as a consultant to the new administration for one (1) year following the termination of his/her term in office. The past President shall have no vote and shall act only as an advisor.

**Vice President**

1. The **Vice President** shall, in the case of death, absence or incapacity of the President, perform the duties and exercise the powers of the President. In addition, the Vice President shall perform such duties as may be assigned to him or her, by the Board of Directors.

**Secretary**

1. The Secretary, or designated Board member, will keep a roll of the members of

the Club with their addresses and e-mail information also known as the Blue Book. The Secretary shall notify new member of their election to membership and inform the membership when a new member has been voted into the Club

2. The Secretary shall keep a record of all matters of which a record shall be ordered by the Club and carry out such duties as are prescribed by these bylaws.

### **Treasurer**

1. The Treasurer shall have the care and custody of the corporate funds and shall keep regular books of accounts of all corporate receipts and disbursements in books belonging to the Corporation, and shall deposit all monies and other valuable effects of the Corporation to the credit of the Corporation in such bank or depositories as the Board may designate. The Treasurer will generate a Profit and Loss statement for each Board meeting and General membership meeting. A Balance Sheet for the accounting year ending December 31<sup>st</sup> shall be available to the members within thirty (30) days of filing with IRS and he or she shall submit a report to the Board of Directors at each meeting of the Board as to the status of the Club's finances. The Treasurer shall countersign all checks of the Club together with the President and/or Vice President.

2. The Treasurer shall be bonded in the principal sum of \$50,000 with bonding charges assumed by the Club.
  
3. All books shall be examined at least once a year prior to the annual meeting by a committee consisting of two (2) members appointed by the President with the approval of the Board of Directors, or by an accountant if in the opinion of the Board, there are no members qualified to perform such an examination.

Section 4.

**Vacancies** – Any vacancies occurring on the Board or among the offices during the year shall be filled until the next annual election by a majority vote of all the then members of the Board at its first regular meeting following the creation of such vacancy. Voting may also take place via email or conference call. Telecommunication or at a special Board meeting called for that purpose; except that a vacancy in the office of President shall be filled automatically by the Vice President and the resulting vacancy in the office of Vice President shall be filled by the Board.

**ARTICLE IV – THE CLUB YEAR, ANNUAL MEETING & ELECTIONS**

Section 1.        **Club Year** – The Club’s fiscal year shall begin on the first day of January and end on the last day of December. The Club’s official year shall begin immediately at the conclusion of the election at the annual meeting and shall continue through the election at the next annual meeting.

Section 2.        **Annual Meeting** – The annual meeting shall be held in the month of January, at which time officers and directors for the ensuing year shall be elected by ballot from among those nominated in accordance with Section 4 of this Article. They shall take office immediately upon the conclusion of the election and each retiring officer shall turn over to the successor in office all properties and records relating to that office at the annual meeting.

Section 3.        **Elections** – The nominated candidates receiving the greatest number of votes for each office shall be declared elected. The three (3) nominated candidates for other positions on the Board who receive the greatest number of votes for such positions shall be declared elected.

Section 4.        **Nominations** – No person may be a candidate in a Club election who has not been nominated. During



the month of September, the Board shall select a Nominating Committee consisting of three Members and two (2) alternates, not more than one (1) of whom may be a member of the Board. The Secretary shall immediately notify the committee and alternates of their selection. The Board shall name a Chairperson for the committee and it shall be such person's duty to call a committee meeting, which shall be held on or before October 15<sup>th</sup>

The committee shall nominate one (1) candidate for each office and position on the Board and, after securing the consent of each person so nominated, shall immediately report his or her nomination to the Secretary in writing.

Upon receipt of the Nominating Committee's report, the Secretary shall, at least two (2) weeks before the January meeting, notify each member in writing of the candidates so nominated by publishing the committee's report in the November/December issue of Lead Lines.

Additional nominations may be made at the November 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 candidate 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 may be a candidate for more than one position.

Nominations cannot be made at the annual meeting or in any manner other than as provided in this Section.

## ARTICLE V – COMMITTEES & TEAMS

Section 1. The Board may each year appoint standing committees to advance the work of the Club in such matters as dog shows, obedience trials, rally trials, agility trials, tracking tests, trophies, annual prizes for membership and other fields which may well be served by committees. Such committees shall always be subject to the final authority of the Board. Additional committees may also be appointed by the Board to aid on particular projects.

Section 2. Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee, and the Board may appoint successors to those persons whose services have been terminated.

Section 3. The Board may each year appoint teams to support the needed activities of the Club, the building and property. The teams will consist of a Leader, identified by the Board, and 2-3 members chosen by the Leader. Each team will have a specific purpose. These teams will remain in existence for the duration of their need. **Trial Committee** – The Trial Committee shall consist of not less than five

(5) members. The Chairperson shall be appointed by the Board and the remaining members to be appointed by the Chairperson from the Club membership. This committee shall formulate plans for all Obedience and Agility Trials and matches held by the Club, recommend judges and make any other arrangements as necessary, and submit its report to the Board.

## **ARTICLE VI – DISCIPLINE**

Section 1.        **American Kennel Club Suspensions** – Any member who is suspended from the privileges of The American Kennel Club automatically shall be suspended from the privileges of this Club for a like period.

Section 2.        **Charges** – Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$ 10.00, 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

interest of the Club, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charges, it shall fix a date for a hearing by the Board not less than three (3) weeks or more than six (6) weeks thereafter. The Secretary shall promptly send a 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 or her own defense and bring witnesses if he/she wishes.

Section 3.

**Board Hearing** – 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 or her fellow members at the ensuing Club meeting which considers the Board's recommendation. Immediately after the Board has reached a decision, its finding 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 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 of 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 or her 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 on his or her own behalf if he or she wishes. The members shall then vote by secret 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 – AMENDMENTS**

Section 1. Amendments to the Constitution and Bylaws may be proposed by the Board of Directors or by email or a written petition addressed to the Secretary signed by twenty (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 (3) months of the date when the petition was received by the Secretary.

Section 2. The Constitution and Bylaws may be amended by a 2/3 vote of the members present and voting at any regular or special meeting called for that purpose, provided the proposed amendments have been included in the notice of the meeting and emailed or mailed to each member at least two (2) weeks prior to the date of the meeting.

## **ARTICLE VIII – DISSOLUTION**

Section 1. The Club may be dissolved at any time by written consent of not less than 2/3 of the members. In the event of the dissolution of the Club other than for the purposes of reorganization whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds thereof nor any assets of the Club shall be distributed to any members of the Club, but after payment of the debts of the Club its property and assets shall be given to a charitable organization for the benefit of dogs selected by the Board of Directors.

## **ARTICLE IX – ORDER OF BUSINESS**

Section 1. At meetings of the Club, the order of business, so far as the character and nature of the meeting may permit, shall be as follows:

1. Call to Order
2. Reading of the minutes of the last meeting (regular and/or special)
3. Report of the President
4. Report of the Secretary
5. Report of the Treasurer
6. Report of the Board of Directors through the Secretary and reading of the minutes of the Board meetings held subsequent to the last regular meeting of the Club
7. Report of the Obedience Coordinator
8. Report of the Agility Coordinator
9. Report of the Tracking Coordinator
10. Reports of the committees
11. Election of officers and board (at annual meeting)
12. Election of new members
13. Unfinished business
14. New business
15. Adjournment

Section 2. At meetings of the Board, the order of business, unless otherwise directed by a majority vote of those present, shall be as follows;

1. Reading of the minutes of the last meeting (regular and/or special)
2. Reports of the Secretary
3. Report of the Treasurer
4. Reports of the committees
5. Unfinished business
6. New business
7. Adjournment

## **ARTICLE X – PARLIAMENTARY PROCEDURE**

Section 1 The rules contained in the current edition of “Robert’s Rules of Order, Newly Revised,” shall govern the Club in all cases to which they are applicable and in which they are not inconsistent with these By-laws and any other special rules of order the Club may adopt.