

BRAMPTON MEN'S RECREATIONAL SOCCER CLUB INC

Constitution / By-Law

Article 1: NAME

The name of this Club shall be the Brampton Men's Recreational Soccer Club Inc hereinafter referred to as the Club. The headquarters of the Club shall be located within the District Boundaries of the Peel Halton Soccer Association, hereinafter referred to as the District Association. The Club operates an over 25 years of age House League program (players turning 25 years of age the year they register are eligible to play)

Article 2: OBJECTS

The Club shall have the following objects:

1. To promote and develop the game of soccer within its boundaries.
2. To help individuals to develop their character as resourceful and responsible members of their community by providing opportunities, through the game of soccer, for their mental, physical, social and leadership development.

Article 3: AFFILIATIONS

The Club shall be affiliated with the City of Brampton Parks and Recreation Department hereinafter referred to as The City. The Club shall be a Member of the Peel Halton Soccer Association and shall follow the published rules of the District Association and The Ontario Soccer Association, hereinafter referred to as The OSA. The Club is subject to the published rules in declining order of authority of the following bodies to which it is affiliated:

The City
The OSA
The District Association
The Club

Article 4: MEMBERSHIP

There is only one class of membership in the Club , namely, regular Member

Regular Member

A regular Member is either: a registered Player
a registered Team Captain
a registered Administrator

Although an individual may qualify for, and be registered under, more than one of the above categories, each individual holds only one Membership in the Club, and is entitled to one vote at Members' meetings.

A player shall become a regular Member when his registration is accepted by the Club, and he pays the registration fee for that year

An administrator is an individual who is registered with The OSA to be responsible for one or more of the functions required to operate a Club. For purposes of this definition, a team manager and a Director shall be classified as an administrator.

Fees

Membership fees for regular Members shall be set annually by the Board of Directors.

Discipline of Member

A Member may be fined, censured, suspended or expelled from Membership for cause and only after charges have been laid in accordance with the Club's published rules and a hearing held in accordance with the Club's and OSA's published rules. An individual whose Membership has been suspended loses all rights of Membership until the suspension has been terminated.

Player, team and team official discipline for game infractions is governed in accordance with the procedures published by The OSA.

Any Member who infringes the Articles or rules of the Club or brings the Club into disrepute, may be reprimanded, suspended or expelled from the Club after a hearing by the Board of Directors of the Club at which hearing the Member is entitled to attend.

Termination of Membership

Membership in the Club shall be deemed to have been terminated:

- if the Member submits a signed letter of resignation to the Club;
- if the Member is expelled by the Club's Board of Directors
- if the Member is no longer registered with the Club

Article 5: BOARD OF DIRECTORS

The Club shall be governed by a Board of Directors (BoD) which shall consist of 9 Directors, four of which are executive positions. The executive positions are President, Vice President, Secretary and Treasurer.

President
Vice- President
Secretary
Treasurer
Sponsorship Director
Fields and Facilities Director
Director of Purchasing
Director at Large
Referee Convener

A Director may hold more than one position, once approved by the BoD, but not more than one executive position.

A Director shall be 25 years of age or older, shall not be an undischarged bankrupt and shall be a Regular Member of the Club.

Directors will serve terms of two (2) years, and will hold office until their successors have been duly elected in accordance with these By-laws, unless they resign, are removed from or vacate their office.

Director Vacancy

A Director has the right to resign her or his position by submitting a signed letter of resignation to the Club.

A vacancy on the Board of Directors and their respective position(s) held, caused by death, or resignation which has been accepted by the Board of Directors, shall be filled by a majority vote of the Board of Directors. The successor Director shall hold his or her incumbent's position(s) for the remainder of the term being filled.

Removal of Director

No Member of the Board of Directors shall be removed for arbitrary reasons but may be removed if:

The Director is unable to perform the duties expected of the position due to, but not limited to, any of the following reasons:

if she/he becomes incapable of performing the business of the Club
if she/he is absent from two or more meetings of the Board without satisfactory reason
if she/he no longer resides in reasonable proximity to the Club
if she/he becomes, or is discovered to be, an undischarged bankrupt; or

The Director has compromised the integrity of the Club due to, but not limited to, any of the following reasons:

- if she/he has been found guilty of an offence under the Harassment Policy of The OSA
- if she/he has been found guilty of an offence involving violence under the Discipline Policy of The OSA
- if she/he has failed to properly account for monies or other property belonging to the Club
- if she/he has been found guilty of a criminal offence regardless of whether or not the offence directly affected the Club.

A Member of the Board of Directors holding his or her respective position(s), as Director or other position(s), may be removed from office by the Board of Directors for good and sufficient cause by a 2/3's vote of the Board of Directors present, provided notice to remove the Director has been given to all Directors of the Club. If a Director is removed by the Board of Directors, the Board of Directors may appoint a successor to the position(s) for the remainder of the term(s) being filled.

A Member of the Board of Directors may also be removed from office for good and sufficient cause at a meeting of the Members of the Club provided notice to remove the Director has been given to persons entitled to attend the Members' meeting. If a Director is removed at a Members' meeting, the Members entitled to vote may elect a successor to fill all position(s) held by the removed Director for the remainder of the term(s) being filled.

Conflict of Interest and Standards of Conduct

The Club shall adhere to the Conflict of Interest Statement / Policy as published and approved by The OSA.

The Conflict of Interest Statement / Policy shall apply to all employees, directors, officers, Volunteers, coaches, game officials, administrators, players, Members and registrants of the Club.

The Club shall make available to any Member the Harassment Policy when requested.

Duties of Board of Directors

The Board of Directors shall conduct the business of the Club during the periods between general meetings of the Club and in accordance with the authority granted to it in the published rules of the Club.

The Board of Directors shall be responsible for the appointment and renewal of appointments of all positions within the Club except for those positions elected by the Membership of the Club. This shall include the appointment of volunteer and paid positions for coach and administrator positions within the Club's operations. The selection process and the appointments shall be based on procedures outlined in the Club's published rules.

The Board of Directors may also revoke, for cause, any appointment providing that it has followed the procedures for the revoking an appointment as outlined in the Club's published rules.

Duties of Directors

President

The President shall preside at all general meetings of the Club and of the Board of Directors. The President shall have a casting vote in the event of a tie. The President shall be an ex officio member of all committees, except any nominations committee. The President shall appoint all chairs of standing and special committees subject to ratification by the Board. The President shall coordinate all duties of the Board, committees, and staff. The President shall call meetings as deemed required throughout the year, but shall meet at least once every three (3) months, or if requested to do so by at least three (3) members of the Board of Directors. The President shall act as signing officer together with at least one other official on all contracts or legal matters. The President shall be the spokesperson for the club at all times, unless he/she delegates the responsibility. The President shall prepare a report for the Annual General Meeting.

Vice-President

The Vice President shall act in the absence of the President and shall have other powers as assigned by the Board of Directors. The Vice-President is also responsible for Discipline matters in the Club and should be a Certified Discipline Chair

Treasurer

The Treasurer shall ensure that full and accurate records are kept of the accounts of the Club; shall report to the Board of Directors at least once per quarter; and shall submit an Annual Report to the Annual General Meeting.

Secretary

The Secretary shall maintain a record of all minutes of the organization; maintain copies of all committee reports; notify officers and committee Members of their election or appointment; furnish committees with those documents required to perform their duties; sign all certified copies of acts of the organization, unless otherwise specified in the Club's published rules; maintain record books in which bylaws, published rules and minutes are entered and have the current record books available at each meeting; send to the Membership a notice of each general meeting; send to the Board of Directors notices of each meeting; conduct the general correspondence of the organization that is not the proper function of another office or committee; prepare, prior to each meeting in consultation with the presiding officer, an order of business; and, in the absence of the president and vice-president, preside until the immediate election or appointment of a new presiding officer. The Secretary shall be responsible for the proper registration of players and administrators with Peel-Halton Soccer Association.

The Secretary shall keep the President and Board of Directors currently informed as to the business at hand and its disposition or action, forward to the Peel-Halton Soccer Association and Brampton Parks and Recreation Department, within fourteen (14) days of the holding of the Annual General Meeting of the club, a copy of the minutes, President's Report, Treasurer's Report, Registrar's Report, together with a complete Board of Directors list and copy of the Constitution.

Sponsorship Director

The Sponsorship Director shall be responsible for contacting previous sponsors and prospective new sponsors, starting in November, concerning sponsorship for the upcoming season. - shall follow up at appropriate times, shall collect and record sponsors' cheques and forward same to the Treasurer. - shall coordinate with the Director of Purchasing regarding the number of sponsors and any special requests for colours, teams, etc., shall ensure that each sponsor receives a copy of their team's schedule as well as the name and telephone number of the coach, shall oversee the distribution of all correspondence to the sponsors, including letters of appreciation and sponsors' plaques

Fields and Facilities Director

The Fields and Facilities Director shall coordinate with the City of Brampton, Parks & Recreation Department, allocation of required fields and permits.

Director of Purchasing

The Director of Purchasing shall be responsible for the purchasing, control, and storage of club equipment including uniforms, balls, nets, corner flags, and other items related to the equipment needs of the club, shall purchase the required trophies, crests, medallions, plaques, and/or participation awards in adequate quantities as advised by the BoD, shall ensure that proper records are maintained to control the disbursement of club equipment and its return (where applicable) at the end of the season or as otherwise appropriate, shall obtain at least three (3) written quotations for any purchase exceeding \$500.00 and submit such quotations to the BoD for discussion, selection, and approval prior to finalizing such purchases.

Director at Large

The Director at Large shall not have any specific duties, but will assist the other executive members as required.

Referee Convener

The Referee Convener shall maintain and perform such duties as to put a the weekly game schedule in place and to provided Referees form the local Soccer Referees Association to cover all soccer games each week.

Nominations and Elections

Nominations for positions on the Board of Directors may be made by any Member at the annual general meeting or at a Special General Meeting called for that purpose.

Nominations and elections for positions open shall be held in the order of the positions listed in the Constitution.

Election shall be by secret ballot, but in the event only one candidate is nominated, no vote is required and the nominated candidate shall be declared elected by acclamation.

A majority of the votes cast shall be required to elect Directors. In the event no candidate receives a majority, the candidate with the least votes shall be dropped from the ballot and another vote shall be held.

Election of Directors

Eligibility – To be eligible for election as a Director, an individual must:

- a) Be twenty five (25) years of age or older;
- b) Not have been found under the *Substitute Decisions Act*, 1992 or under the *Mental Health Act* to be incapable of managing property;
- c) Have the power under law to contract;
- d) Have not been declared incapable by a court in Canada or in another country;
- e) Not have the status of bankrupt.

Eligibility – To be eligible for the election as the President, an individual must:

- a) Have served at least one year as a BMRSC Director immediately preceding the election

Election –

President, Secretary, Sponsorship Director, Director of Purchasing and Referee Convener are elected on odd number years.

Vice President, Treasurer, Fields and Facilities Director and Director at Large are elected in even number years.

Article 6: MEETINGS

General Meetings:

At all BoD meetings, the President or the Vice President plus four (4) other Directors shall constitute a quorum for the transaction of business. The President shall preside all such meetings. The Vice President shall preside in the absence of the President. Meetings shall be run on formal business lines as set down by the President with the approval of the Executive at the first meeting of the fiscal year. Meetings shall be held on a regular basis, with not more than 60 days between any two meetings.

Annual General Meeting (AGM):

The Club shall hold its Annual General Meeting not later than 90 days after the end of the Club's fiscal year, which is 31 October. The agenda of the Annual General meeting shall include:

- Roll Call
- Credentials Report
- Minutes of Previous Annual General Meeting
- President's Address
- Officers' Reports
- Treasurer's Report
- Auditor's Report
- Appointment of Auditors
- Other Reports
- Unfinished Business
- Amendments to the By-Laws
- Roll Call
- Election of Officers and Directors
- Any Other Business
- Adjournment

Special General Meeting (SGM):

A Special General Meeting of the Club:

- a) may be called by the Board of Directors, or
- b) shall be called by the Board of Directors upon receipt of a written request submitted to the Club by registered mail, certified mail, trace mail, courier service, hand delivery, fax or e-mail, signed by not less than 25 Members or 25% of the voting Membership, whichever is less, setting out the items of business to be conducted at the Special General Meeting. The Special General Meeting shall be held within 30 days of receipt of the written request from the Members.

Only the business set out in the notice of the Special General Meeting shall be considered.

Voting at the AGM and SGM:

Every regular Member shall have the right to attend, speak and cast one vote at Members' meeting of the Club.

Proxy Voting at AGM and SGM:

Every regular Member is, entitled to vote at these meetings. Members may vote by proxy vote. Member shall appoint a person in writing and with a signature, who need not be a Member, as the Member's nominee to attend and act at the meeting in the manner, to the extent and with the power conferred by the proxy.

An individual may only hold one proxy.

The format for the proxy, and the issue, or issues, for which the proxy may be cast are as defined in the Rules and Regulations.

Article 7: COMMITTEES

The Membership at any general meeting, or the Board of Directors at any meeting of the Board, may establish a standing committee or special committee to carry out specific business or programs of the Club.

Article 8: PROCEDURES GOVERNING MEETINGS

All meetings of the Club shall be conducted in accordance with the most recently published Robert's Rules of Order Newly Revised except as may be otherwise stipulated in this By-Law or other Rules and Regulations of the Club.

Article 9: BY-LAWS AND AMENDMENTS

- (a) By-Law amendments may be proposed by the Board of Directors, or submitted by a Member to the Club in writing at least 21 days prior to a general meeting of the Club; and must be approved by a majority vote of the Board of Directors, and by a 2/3's vote of the Membership voting in person or by proxy at a meeting of the Club duly called for that purpose.
- (b) All Members entitled to vote shall be notified with the Club's notice of the said Members' meeting about By-Law amendments. Such notification shall be by website notice and newsletter notice

Article 10: RULES AND REGULATIONS

The Club shall have Rules and Regulations which shall include, but is not limited to, the following:

- a) discipline of a Member: summary of charges regarding misconduct
- b) discipline of a Member: procedures for discipline hearing
- c) duties of Board of Directors: authority granted to Board regarding the business being conducted
- d) duties of Board of Directors: selection process and appointment process for the appointment and renewal of appointments to the League's paid and volunteer positions
- e) duties of Board of Directors: process for revoking appointments
- f) voting at General Meeting: format for the proxy, and the issue, or issues, for which the proxy may be cast

The Board of Directors may approve and publish Rules and Regulations which are not inconsistent with this By-Law and are not inconsistent with the Rules and Regulations of a higher level governing organization.

Amendments to the Rules and Regulations may be made by a majority vote of the Board of Directors or the Members at a General Meeting.

Article 11: INDEMNITY

Members of the Board of Directors or other servants to the Club, their heirs, executors, administrators and estate and effects respectively shall be indemnified and saved harmless at all times by the Club against all costs, losses and expenses incurred by them respectively in or about the discharge of their respective duties, except such as happens from their own respective willful neglect or default.

Article 12: FINANCE

The accounts of the Club shall:

- a) be audited annually by a Chartered Accountant if the annual Gross Revenue is greater than \$50,000*;
or
- b) be reviewed annually through a Financial Review Engagement completed by a Certified General Accountant, Certified Management Accountant or Certified Accountant, if the Annual Gross Revenue is \$50,000 or less; or
- c) with the consent of all its Members, be exempt from any audit or Financial Review Engagement if the Annual Gross Revenue is less than \$10,000

The audit or the Financial Review Engagement statement shall be presented to the Annual General Meeting for adoption.

At the Annual General Meeting of the Club, a chartered accountant firm shall be appointed to perform the audit or the Financial Review Engagement.

The fiscal year of the Club shall end on 31st October of each year, unless otherwise ordered by the Board of Directors.

Article 13: DISPUTE RESOLUTION

The Club shall adhere to the Dispute Resolution process as published and approved by The OSA from time to time.

Any Member of the Club may initiate the Dispute Resolution process by communicating in writing to The OSA, with a copy to the Club and District Association, the nature and facts of the dispute. The OSA, at its discretion, may proceed with the Dispute Resolution process by assigning one or more neutral persons to the dispute.

The Dispute Resolution process shall not to be used for game discipline which follows the normal discipline and appeals process.

The Club shall make available to any Member the Dispute Resolution process when requested.

Article 14: HARASSMENT

The Club shall adhere to the Harassment Policy as published and approved by The OSA from time to time.

The Harassment Policy shall apply to all employees, directors, officers, volunteers, coaches, game officials, administrators, players, Members and registrants of the Club.

Harassment is defined as any comment, conduct, or gesture directed toward an individual or group of individuals which is insulting, intimidating, humiliating, malicious, degrading or offensive. It includes, but is not limited to, sexual harassment.

The Club shall make available to any Member the Harassment Policy when requested.

Article 15: APPEALS

- a) Any Member or registrant of the Club directly affected by a decision of the Club may appeal such decision. The denial or termination of Membership in the Club may be appealed by a non-Member.
- b) A decision of the Club may be appealed to the District Association with which the Club is affiliated. The appeal shall be conducted in accordance with The OSA's and District Association's published rules.
- c) An individual shall not appeal a decision made by the Board of Directors regarding the appointment, non-appointment, re-appointment or revocation of an appointment of an individual to

any coach or administrator position within the Club's operations, except where the selection, appointment and relocation process outlined in the Club's published rules has not been followed.

- d) An individual shall not appeal a decision made by the Club regarding a player's team assignment.

Article 16: DISSOLUTION

In the event of dissolution of the Club, and after payment of all debts and liabilities, its remaining property shall be distributed or disposed of by the Board of Directors to one or more not-for-profit soccer related organizations, or any not-for-profit athletic community organizations, which operate solely in Ontario.

Article 17: DEFINITIONS/TERMINOLOGY

Terminology used in this By-Law shall have the same meaning as used by The OSA in its letters patent, By-Laws and published rules.

BRAMPTON MEN'S RECREATIONAL SOCCER CLUB INC
By-Laws

THE CLUB RULES

- A. Registration and membership fees
- B. This section has been prepared by the Executive Committee to meet their The Club's requirements.
- C. Rules of the game
- D. Disciplinary procedure
- E. Appeals Procedure
- F. Team Captain Duties
- G. Selection of teams and balancing of teams
- H. Schedules
- I. Equipment
- J. Field Maintenance
- K. Alcohol
- L. Conflict of Interest And Standards of Conduct
- M. Harassment Policy
- N. Peel Outdoor Smoking By-Law

A. Registration and Membership

The Club will operate with a maximum of 16 teams and a limit of 20 players per team.

1. Registration will close when 18 players for each team have been accepted. All further applicants will be placed on a waiting list in numerical order.
2. A player must provide two current passport size photographs for the Player Registration Card that must be produced upon request at any game played under the jurisdiction of B.M.R.S.C.

B. Rules of the Game

All regular soccer rules will be observed, with the following exceptions

1. Substitutions are allowed at any stoppage in play, upon notification of the referee.
2. In the event of an injury, play will stop immediately regardless of who has possession of the ball.
3. All games should start on time. In the event of an organized game in progress preventing start of the game, the Captain or Team Representative should attempt to solve the problem in a satisfactory manner. No other player is allowed to be involved in this situation. Disciplinary action may be taken for violation of this rule. Any delay in starting of over 15 minutes due to other games in progress should be reported to the Executive.
4. Each team must have a minimum of seven players to start the game. If one team has a greater number of players, that team may play with up to 11 players on the field.
5. To provide equal playing time, players will be substituted or moved to different positions at the discretion of the team Captain or Assistant.

C. Disciplinary Procedure will be followed:

The league follows the OSA policies for Discipline

(<http://www.ontariosoccer.net/LinkClick.aspx?fileticket=dBM2hCVeVwA%3D&tabid=4517&language=en-US>)

with the following exceptions:

-All suspensions are to be served on scheduled played games.

-Any player dismissed for referee assault is automatically suspended until the hearing. If found guilty then dismissed from the league for life.

-Teams involved in a brawl will be required to attend an hearing (Captains and Assistant Captains), where potential disciplinary action against those teams, may be taken by the executive

-2 Reds in the same season is a dismissal from league play for the remainder of the season. The following year that player's registration will have to be voted on by the executive as to whether they are allowed to play

-Slide tackles are not allowed. When a slide tackle occurs and there is contact with the opposing player then a DFK will be awarded. If no contact is made then an IDK is awarded.

-All cases are dealt by a Discipline by Review (DBR) unless the Executive decides that a Hearing needs to be held, or a player requests a Hearing.

-Players can request a hearing prior to the DBR, provided they send a request via email to the league (<http://www.bmrsc.ca>) contact.bmrsc@gmail.com within 48 hours of the game and then the Hearing Fee (**non-refundable**) of **\$150.00 (Cash only)** within 72 hours of the game to the league as well. The case then will go to a Hearing. If these 2 conditions are not met, then the case is dealt by the DBR, and **there is no appeal.**

-Notwithstanding the OSA policies, the Discipline Committee can impose stricter penalties for dismissals, up to an including complete dismissal from the club for life

-Decisions by Hearing are appealed to PHSA.

D. Team Captain Duties

1. Team Captain to appoint an Assistant Captain to ease your burden or you may appoint a Playing Coach if you wish the name to be giving to the Executive.
2. Instruct all new players in the basic rules and regulations, i.e. Kick off, throw-ins, offside, foul moves, ECT.

3. Communications between players, Referees and Executive where required.
4. Contact members who do not show up for games and obtain reasons. Notify executive of any player who cancels out either temporarily or permanently and obtain a replacement.
5. Ensure **all team members get equal playing time**, irrelevant of their ability, usual positions played and status of game. Balance teams by discussion with other Captains in the event of poor turnout.
6. Inform all players of the discipline process in the Club
7. Ensure equipment is available and on time for the game.
8. Control actions of players before during and after the game. Give assistance to the Referees to help control actual game, if required. First game **must finish by 8:35 pm.**
9. In the event of an organized game in progress at your start time, discuss with the Team Coaches on the sidelines and obtain a finishing time. Then inform your team of the revised starting time and **ensure that the executive is made aware of this to claim a retail credit.**
10. Contact team members in the event of game cancellations, field conditions, extra games, practices and other events.
11. Ensure all players are registered and have a current Photograph Player Registration Book for the B.M.R.S.C.
12. Submit field complaints as required to the **Board of Directors the next day.**

1. Schedules

A copy of the schedule will be supplied to all the Executive Committee, Captains and Club members.

Equipment

1. The individual may wear any soccer footwear he so wishes; however if it is not flat soled it may only have rubber studs on then.
2. It is mandatory in this league that all players (members) have and wear the proper shin guards for protection.
3. Players will be assigned a team shirt with a number that will go on the game sheet at the beginning of the season. **That shirt belongs to one player only.** If the shirt is given to another player, then those two players will be disciplined.
4. The team will also get a soccer ball, goal net and a kit bag.

J. Field Maintenance

The Parks and Recreation Department will be responsible for the lining and maintenance of the field. In the event of inclement weather or field closure, the Parks and Recreation Department shall contact the President or Vice-President at the earliest possible time. The President will in turn contacts the Vice-President, the Secretary, the Treasurer and the Referee Convenor. These individuals will in turn, contact the Team Captains (list to be distributed by the Secretary) Each Team Captain will, with the aid of his assistants contact all members of his team. Whilst every attempt will be made to follow the procedure, no responsibility will be accepted by any of the Executive to ensure contact is made.

K. Alcohol Policy

Consuming Alcohol on City of Brampton or School property is prohibited

L. Conflict of Interest and Standards of Conduct

The Club shall adhere to the Conflict of Interest Statement / Policy as published and approved by The OSA. The Conflict of Interest Statement / Policy shall apply to all employees, directors, officers, volunteers, coaches, game officials, administrators, players, Members and registrants of the Club.

The Club shall make available to any Member the Harassment Policy when requested.

M. Harassment Policy

The Club shall adhere to the Harassment Policy as published and approved by The OSA

N. Peel Outdoor Smoking By-law

As of September 2, 2013, the Peel Outdoor Smoking By-law makes it against the law for anyone to smoke within nine meters (30ft) **of perimeter of municipal playground, sports / activity areas which including all sports fields, spectator seating areas and player warm up areas.**