

CONSTITUTION OF THE TECUMSEH TENNIS CLUB

Article 1: Name

The name of the organization shall be known as the Tecumseh Tennis Club, hereinafter referred to as the "Club".

Article 2: Purpose and Objectives

The objective of the Club shall be to promote a broad range of outdoor recreational tennis activities including group play, interclub play, instruction and club tournaments, for all levels of tennis, and for all ages.

The Club will ensure that the facilities are available to members on an equitable basis and in accordance with a posted schedule of court activities and rules governing court usage and etiquette. The Club will ensure that the facilities are available from March 15 to November 30 of each year, weather permitting.

The Club shall adhere to all applicable laws, regulations, policies, codes and by-laws, including, without limitation, the Community Group Registry Program Policy No. 08-01-01 and the Ontario Human Rights Code.

The Club shall maintain and adhere to a Code of Conduct and Complaints Resolution Policy, annexed as schedules hereto.

Article 3: Affiliation

The Club shall cooperate with the City of Mississauga and will be a Registered Community Group with the City of Mississauga, Recreation Division, Community Service Department.

The Club shall maintain facilities provided by the City of Mississauga for the use of Tennis Club Members, in accordance with the Management and Operation Agreement.

Article 4: Membership

Memberships shall be open to all residents of Mississauga who must comprise 80% of the members of the Club. If membership is deemed to be nearing capacity, preference will be given to Mississauga residents.

All memberships shall be held by individuals and shall not be transferable. Under no circumstances shall membership fees be returned to a member who resigns, or whose membership had been terminated by the Executive Board.

Members are expected to act in a responsible manner adhering to normal court etiquette and generally accepted social behaviour. The Executive Board reserves the right to discipline Club members including suspension of membership privileges for default of responsibility.

Catergories of membership:

Adult Members: 18 years to 64 years (as of January 1st of the membership year)

Junior Members: Under 18 years (as of January 1st of the membership year)

Senior Members: 65 years and over (as of January 1st of the membership year)

Full-Time Students: 18 years and over (as of January 1st of the membership year)

Family memberships will be offered to include:

- 2 (two) Adult or Senior Members and an unlimited number of Junior Members living together

Couple memberships will be offered to include:

- 2 (two) Adult Members living together; or
- 1 (one) Adult Member and 1 (one)Senior Member living together; or
- 1 (one) Adult or Senior Member and 1 (one) Junior Member in the same family, living together;
or
- 1 (one) Adult or Senior Member and 1 (one) Full-Time Student living together; or
- 2 (two) Full-Time Students living together

Membership Fees:

Membership fees shall be established by the Executive Board of the Club in accordance with budgetary need associated with maintaining the facilities, providing for operational expenses, and ensuring adequate capitalization for major expenses that may be incurred from time to time. Each member of the Club shall pay membership fees. Payment of the said fees are required for admission to membership.

Members shall be admitted to the Club in the following manner:

An application for membership shall be in writing to the Membership Director on the application form provided by the Club, or, during Club registration.

Applications may also be made by mail or email to the Membership Director.

The registration form shall require that the individual agree to comply with the laws, regulations, policies, by-laws, rules and codes of the Club and the City of Mississauga, including, without limitation, the Code of Conduct and the Ontario Human Rights Code.

All applications shall be considered approved unless advised by the Membership Director of the Executive Board's decision to the contrary by registered mail or email.

Termination of Membership

Any member, charged with any act prejudicial to the best interest of the Club, will have their membership suspended pending an investigation of the charges. The investigation will be conducted by

members of the Board and/or a person(s) appointed by the Board for this purpose. Upon notification of suspension, the investigation will be conducted within seven (7) days. On or prior to the 7-day period, the Board shall in writing notify the member as to the results of the investigation including any sanctions that are to be placed on the member. The member has seven (7) days to file a notice of appeal to the Board. The appeal is restricted to any perceived errors in applying the Code of Conduct or any other related Club policy. In their appeal, the member must identify specific rules or policies that have been misapplied by the Board in reaching its decision. Upon receipt of the appeal, the board shall appoint a three (3)-member committee ("Appeal Committee") to hear the appeal. The appointment of the members of the committee is at the sole discretion of the Board. The decision of the Appeal Committee is final and binding.

Any member whose membership in the Club has been terminated for any reason whatsoever shall forfeit all interest in any funds and/or property of the Club. If a member's membership was terminated for violation of the Club's Code of Conduct, the Executive Board may, at their sole discretion, not allow the member to join the Club in the subsequent year.

The Executive Board may, prior to the acceptance of applications for membership in any year, limit the number of members to be accepted. However, the previous year's members will be given the opportunity to renew their memberships prior to acceptance of new members. This must be done on or before the 1st day of April of each year. Prior to this date, the Board will establish a limit as to the number of members for the year. The application for membership is the sole responsibility of the member. Should the returning member apply after April 1st, their application will be treated on a first-come-first served basis with any new applicants. Should the membership quota be reached before the member applies for a renewal, a waiting list may be established. If the Executive Board later deems that the addition of more members will not negatively impact access to courts, the individuals on the waiting list will be contacted in the order that the membership request was received, and they will be provided with the opportunity to join the Club at that time.

Membership expires on the 30th day of November of each year.

Article 5: Administration

The activities and operations of the Club shall be managed by an Executive Board named at the Annual General Meeting. The Executive Board will meet during the year as necessary to administer the property and business affairs of the Club.

The Executive Board is empowered to expend Club funds in accordance with a budget to be developed by the Treasurer. Major expenses associated with the facilities, renovation or expansion, such as court resurfacing, new courts, lighting, or Club house, will be discussed at the Annual General Meeting or special meetings as may be called by the Executive Board.

The Executive Board shall comply with the current banking by-laws and banking resolutions now in full force and effect. The Treasurer shall deposit all funds in a bank designated by the Executive Board. All cheques for the payment of invoices shall be signed as the Executive Board may from time to time

resolve. A full annual audit is not required, however the Executive Board may arrange for a third party review of the accounts for reasonableness annually if required. A detailed Treasurer's report is provided at the Annual General Meeting.

Board members cannot be paid or receive any form of compensation to hold a position. An Annual General Meeting shall be held each year in the fall on a date determined by the Executive Board. Notice of this meeting or any Special Meetings called by the Executive Board shall be given to all members at least 30 days in advance. A quorum for these meetings will be fifteen voting members or 5% of all voting members, whichever is less. The Annual General Meeting must be held within 15 months of the previous meeting.

A membership meeting will be called by the Board upon the written request to hold a meeting by a minimum of 10% of the members.

Details of the Annual General Meeting shall be posted on the Club website. Members may give a proxy to any other voting member.

Article 6: Executive Board

The Executive Board will consist of eight to ten members to be elected at each Annual General Meeting and will include at least the following positions:

President

Vice President

Secretary

Treasurer

Membership Director

Property Director

Social Director

Tournament Director

Executive Board vacancies that may occur between the Annual General Meetings will be filled by the Executive Board from member volunteers. Each year, if there are more volunteers available for board positions than there are positions available, an election may be held at the Annual General Meeting in the fall. The Executive Board members shall hold office until the next Annual General Meeting, or until their successors are duly elected or appointed as provided in this Constitution; provided that members of the Executive Board are eligible for re-election or renewal. Executive Board members shall be eighteen years of age or over. Immediate family members shall not serve as an Executive Board member in the same year, on the same Executive Board. Immediate family members may however, volunteer for other duties as required.

Any separate committees established for fundraising or court renovations will be established by the Executive Board.

All paid members are eligible for a position on the Executive Board.

The immediate past president is an ex-officio member of the Executive Board for a period of one year. All Executive Board members shall hold office for one year and must be re-elected for their role each subsequent year at the Annual General Meeting.

The Executive Board will secure a Tennis Director under a Contract who shall work in collaboration with the Executive Board. In addition, it is the duty of the Executive Board to administer the following:

- I. Appoint such standing committees, officials or other voluntary or paid personnel as it shall consider necessary.
- II. Hold business meetings as required, as deemed necessary during the year.
- III. Decide on any matter not covered in this Constitution.
- IV. Any Executive Board member who is absent from three consecutive meetings, without sufficient cause, shall automatically cease to be a member of the Executive Board in accordance with this Constitution.
- V. Call a Board Meeting to approve any expenditure of more than \$10,000 on any single item. A two-thirds majority of Executive Board members present is required.
- VI. Volunteer at all Club Social events.

Executive Board Duties:

Past President:

- Provide support and a historical perspective as needed.

President

- Oversees the running of the Club.
- Leads the Executive Board in the development of an annual schedule or timetable of activities.
- Ensures the accomplishment of these activities, calling and setting the agenda on Executive Board meetings, and Chairing, as required.
- Calls and Chairs the Annual General Meeting.
- Ensures the creation of a nominating committee where feasible, and the presentation of a slate of officers (volunteers) for the following year.
- Acts as signing officer on all contracts, cheques or legal matters.
- Assists with annual newsletter.
- Manages external relationships with the City and appropriate area associations and representatives; i.e. attend meetings with the City of Mississauga and prepare, when needed, request for funding in conjunction with the Treasurer.

- Manages the relationship and contract with the Tennis Director in conjunction with the Vice-President, including selection/evaluation.
- Promotes and fosters a creative, harmonious, positive Board team.
- Oversees the conduct of the Executive Board members and resolves any conflicts, or conflicts of interest immediately, with a report to the Executive Board.
- Oversees duties are conducted as assigned.
- Responsible for developing an overall strategic plan for the Club, with specific goals and objectives for the term year that are consistent with the long-term objectives, for approval at the Annual General Meeting.

Vice-President

- Shall perform such duties as are assigned to him/her by the President, and substitute for him/her as required.
- Responsible for recommending any needed changes to the Constitution for approval at the Annual General Meeting.
- Ensures production and distribution of the annual newsletter in collaboration with the President.
- Manages the relationship and contract with the Tennis Director in conjunction with President. Aids in the selection/evaluation of the Tennis Director.
- Responsible for communication including advertising, city signage, flyers, maintaining accuracy of website, and Public Relations with local media.

Treasurer

- Collect and properly record all finances involving the Club and manage all banking/investing/spending in accordance with the Executive Board's wishes.
- Pay all accounts by cheque on Executive Board approval.
- Provide a financial report at each Executive Board meeting.
- Act as signing officer.
- Be responsible for the registration fee deposits of all members.
- Propose annual budget to the Executive Board.
- Propose investment of excess funds and sources of necessary borrowing.
- Be accountable for funds raised for Club initiatives, including, but not limited to, expansion, club house, and facility improvements.
- Conduct an inventory of assets once per year at the end of the Tennis season.
- Prepare and submit a financial report for the Annual General Meeting.

Membership Director

- Shall perform duties as assigned by the President.
- Receive membership fees from members and turn them over to the Treasurer. Provide a reconciliation of membership identification tags and fees collected to the Treasurer.

- Develop an accurate and up-to-date membership list for distribution to the Executive Board and maintain membership records and historical data.
- Oversee registration activities and registration at social activities, in collaboration with the Executive Board and the Tennis Director (where appropriate). Includes organization of registration sheets, tags, etc. Handle all normal registration responsibilities i.e. location, volunteer schedule.
- Oversee and manage schedule of volunteers for registration dates if onsite registration is held.)

Social Director

- Recommend, plan, organize, and oversee all social events throughout the outdoor tennis season.
- Oversee volunteers and assign duties for all events.
- Supply refreshments for all major events such as tournaments, meetings, Club social events, etc. (to be reimbursed).

Secretary

- Record Minutes of all meetings and be responsible for various secretarial duties.
- Keep up-to-date record of names, addresses, and phone numbers of all paid members.
- Maintain electronic records for the Executive Board including meeting minutes, newsletters, correspondence, budget, Tennis Director Contracts, Processes for each role to facilitate Executive Board member transition, Executive Board Contact information.

Property Director

- Represent the Club in all matters arising from the care and maintenance of the facilities whether owned by the Club, or the City of Mississauga.
- In collaboration with the Tennis Director, recommend improvements to the facilities and submit annual operating budget for approval by the Executive Board by the 15th day of February in each year.
- Responsible for resolution of all matters relating to the safety and security of members and facilities.
- Responsible for coordinating installation, removal, and maintenance of nets, windscreens, lighting, security, etc.; responsible for establishing a team of volunteers (including the Tennis Director) for installation and removal of windscreens and nets.
- Make certain that all necessary equipment is available and in good working order for the current season in consultation with the Tennis Director.
- Help make repairs as needed.
- Make certain that all equipment has been properly stored and that the Club is securely closed during the off-season.
- Arrange for general maintenance.

Tournament Director

- Propose dates of all tournaments for the season by April 30 of each year and present plan for discussion with the Executive Board
- Draft communications related to Club tournaments for distribution to members.
- Organize, plan and oversee the running of all Club tournaments.

Signing Officers will include the President and Treasurer. Two signing officers are required to sign cheques, contracts or any instruments in writing requiring the signature of the Club, one of which must be the Treasurer. The Past President shall act a signing officer if necessary. Documents and instruments in writing so signed shall be binding upon the Club without any further authorization or formality.

Article 7: Executive Meetings

A quorum for Executive Meetings shall be a majority of its members (more than 50%).

Each member of the Executive Board shall have a single vote.

Decisions of the Executive Board shall be based on a majority vote.

In the event of an equality of votes, the President shall have a second or casting vote, or the Past President shall have a casting vote.

Article 8: Annual General Meeting

- The Annual General Meeting shall be held in the city of Mississauga following the end of the tennis season each year, at such time and place as the Executive Board may determine. The Annual General Meeting may be held virtually.
- Members shall receive at least 30 days notice of the Annual General Meeting.
- Volunteers for Executive Board positions shall be restricted to members 18 years of age or older.
- All Members 18 years of age or older are voting members and shall be entitled to one vote. No member shall be entitled to vote unless all dues or fees have been paid.
- If the number of volunteers for Board positions exceed the number of positions, voting will be considered at the Annual General Meeting to name the incoming Board.
- The Agenda for the Annual General Meeting shall include:
 - Review and approval of previous Annual General Meeting minutes
 - Report of the Executive Board
 - Matters arising from the Report
 - Treasurer's Report
 - Review and approval of the Treasurer's Report
 - Tennis Director's Report on Activities
 - Amendments to the Constitution, as required
 - Strategic Plan and One-year objectives
 - Other Business

- Election or announcement of the new Executive Board members

Article 9: Amendments

This Constitution may be amended only by a resolution passed by a two-thirds vote of the voting members at the Annual General Meeting or at a meeting called for such purpose.

Article 10: Guests

Guests of Club members may not further introduce other persons to the facilities of the Club. Members introducing guests to the privileges of the Club shall be responsible for the conduct of and be liable for, any debt or liability which such guests may incur to the Club. Any person whose membership has been terminated by resolution of the Executive Board shall be ineligible as a guest of the Club. A guest may visit a maximum of four times per season and must always be accompanied by a member. Guests may not provide Tennis instruction. If a guest of the Club violates the Code of Conduct, the Executive Board may, in their sole discretion, determine that the individual is not eligible to join the Club in the subsequent membership year.

Article 11: Rules and Regulations

The Executive Board shall have the right to institute such rules and regulations as it deems necessary from time to time to ensure the safety and proper conduct of members and shall have the right to suspend the membership of such members, in accordance with Article 4 of this Constitution, who it judges to be in default of such rules and regulations. A copy of said rules and regulations shall be posted at the courts and made available to all members upon request. These rules and regulations are outlined in the Club's Code of Conduct.

All members and guests shall be bound by the Club's Code of Conduct.

Article 12: Miscellaneous

- I. The Club assumes no responsibility or liability for any accident on the tennis courts.
- II. Any question of interpretation of this Constitution shall be determined by the Executive Board.
- III. A copy of this Constitution shall be posted on the website and given to each member upon request.
- IV. The Club shall indemnify and hold harmless each person who has served at any time as a member of the Executive Board against all claims, demands, losses, causes of action, damages, lawsuits, judgements, including, without limitation, legal fees, fines, or penalties, reasonably incurred by or imposed upon such person in connection with any action, lawsuit or proceeding in which they may become involved by reason of their service in such capacity. The indemnification shall enure to the benefit of the heirs, executors and administrators of persons entitled to indemnification hereunder.

Article 13: Board Policies

- The Executive Board expects of itself and its members ethical and business-like conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behaviour when acting as Executive Board members.
- Executive Board members must represent, with unconflicted loyalty, the interests of the membership.
- Executive Board members will declare a conflict of interest and refrain from discussion and voting when a true or perceived conflict of interest exists.
- Executive Board members must avoid any conflict of interest with respect to their fiduciary responsibility.
- Executive Board members and members at large may not attempt to exercise individual authority over the Club or staff except as explicitly set forth in Executive Board policies.
- Executive Board members will respect the confidentiality appropriate to issues of a sensitive nature.
- Executive Board members are expected to attend scheduled meetings.
- The Executive Board will strive for consensus of opinion in its decision-making.
- The Executive Board will treat each other and the Tennis Director with respect, trust and integrity at all times. No conflicts are to be resolved on the tennis court with Club members present. All conflicts are to be resolved at specially designated Executive Board meetings when required.

Article 14: Dissolution

In the event of dissolution of the Club, TARA, the Tecumseh Area Residents Association, will be asked to hold all assets of the club in trust until such time as another tennis club, serving this area, is formed. If it seems unlikely to the directors of TARA that another tennis club would be formed, then TARA could use these assets for another suitable, possibly related, use, provided that this action was first approved by a vote of the membership of TARA at an annual or general meeting, before which the Tennis club membership has been notified of the proposal with appropriate notice.

Approved at Tecumseh Tennis Club Annual General Meeting, November 30, 2022

Signature pages to follow

Approved by:

Russ Ford, President *Russ Ford*

Nicole Baryla, Vice President and Secretary *Nicole Baryla*

Gordon King, Treasurer *Gordon A. King*

Claudine Quinn, Membership Director *Claudine Quinn*

Carols Salisbury, Property Director

Joanne DeVoe, Social Director

Sarosh Bhumgara, Tournament Director *Sarosh Bhumgara*

Evelyn Borys, Member-at-Large *Evelyn Borys*

Reno Capano, Member-at-Large *Reno Capano*