

2010-11

# Bylaws



## **BYLAW NO. 1 - MEMBERS**

### **1.0 Members**

- 1.1 Membership in the Ottawa District Minor Hockey Association (hereinafter referred to as the ODMHA) shall be open to all Associations and Organizations conducting Minor Hockey in one of the following ODMHA Districts.
- a) District 1 - Upper St. Lawrence District (Leeds/Grenville/Dundas Counties, including Smiths Falls, and that portion of Lanark/Carleton where the borders of District 1 meet that of District 4).
  - b) District 2 - Lower St. Lawrence District (Stormont/Glengarry Counties).
  - c) District 3 - Lower Ottawa Valley District (Russell and Prescott Counties, excluding that portion of Russell Townships west of and including Concession IV).
  - d) District 4 - Rideau/Carleton District (Lanark County, the Townships of West Carleton, Goulbourn, Rideau and the Western portions of Osgoode Township).
  - e) District 5 - Upper Ottawa Valley District (Renfrew County).
  - f) District B – Bytown District (All of the former City of Ottawa, and the Canadian Forces Base “Uplands” in the former City of Gloucester).
  - g) District 9 - Gloucester District (former City of Gloucester, excluding the Canadian Forces Base “Uplands”; west of McCarthy Road to the City of Ottawa boundary; the first four concessions of the

township of Russell and Eastern portion of Osgoode township).

- h) District 10 - Nepean District (All of the former City of Nepean).
- i) District 11 - Kanata District (All of the former City of Kanata).
- j) District 12 - Cumberland District (the former Township of Cumberland)

## **2.0 Associate Members**

- 2.1 Associate membership in the ODMHA shall be open to all Associations and Organizations conducting Minor Hockey
- 2.2 Subject to Article 4, paragraph 4.6 of the Constitution, the ODMHA shall have the right to approve Associate Membership.
- 2.3 Representatives of Associate Members shall not be voting members, but shall be entitled to attend and take part in the annual and other meetings (Minor Council) of the ODMHA. Membership shall also entitle such members to the usual services provided to full members of the ODMHA, including the right to send representatives to clinics and schools conducted by Hockey Canada and its Branches.
- 2.4 Application for Associated membership shall be made in writing to the Executive Committee, expressing compliance with and adherence to the Constitution, Bylaws, Regulations and the Code of Discipline of the ODMHA.
- 2.5 Associate members must adopt a Constitution, Bylaws, Regulations and Code of Discipline, conforming to the ODMHA Constitution, Bylaws, Regulations and Code of Discipline. See Appendix C.

2.6 Representatives of such membership in the ODMHA shall take effect upon the acceptance of the applicant by the Minor Council.

2.7 Associate members shall not hold a position on the Executive

### **3.0 Resignation**

3.1 An Association or Organization may resign from membership in the ODMHA by submitting its resignation in writing to the Executive Committee of the ODMHA. Minor Council must ratify such resignation. Upon such resignation becoming effective, such member shall forfeit all its rights and privileges of the ODMHA

## **BYLAW NO. II SUSPENSION AND EXPULSION OF MEMBERSHIP**

1.0 Suspensions, expulsions or discipline may be assessed for such actions as infringement of playing rules; conduct unbecoming to hockey, refusing to accept and obey rulings of the ODMHA Executive Committee, Minor Council, Association or Organization, for disreputable and continued foul play, non-sportsmanlike conduct, individually or collectively, on the ice or in any rink where a hockey match is being played or at any meeting or gathering in the interests of the game; for persistent infringement of the ODMHA Regulations and Code of Discipline and such other actions as the ODMHA may from time to time determine. Any suspensions are subject to the usual appeal routes.

1.1 The Executive Committee, District Chairpersons and Associations shall have the power with proper justification (see paragraph 1.0) to suspend, expel or discipline any coach, manager, player, trainer, referee

and other official or person connected with any association or team under their jurisdiction.

- 1.2 Appeals shall not be heard if the suspension or disciplinary action has been disregarded. In these circumstances, the member has forfeited their right to appeal.
- 1.3 Any recourse to the Courts of any jurisdiction by any member or individual, before all the rights of appeal and all the rights and remedies of the Constitution and By-Laws of the ODMHA and all those in Hockey Canada of which the ODMHA is affiliated with, including but not limited to ODHA and Hockey Canada, have been exhausted shall be deemed to be a violation and breach of the decisions of the ODMHA Council and shall result in the immediate and automatic indefinite suspension of such member or individual from all ODMHA, and District, League and Association games and sponsored or organized activities.
- 1.4 Anyone taking court action against the ODMHA or its officers, or any other organization in Hockey Canada, including but not limited to ODMHA, the Associations and Districts within ODMHA, ODHA and Hockey Canada, before exhausting all rights of appeal shall pay all expenses incurred by the ODMHA and/or its officers, or any other organization in Hockey Canada, to defend such action, before any application for reinstatement will be considered

### **BYLAW III - FEES**

- 1.0 Each Association or Organization shall pay an annual assessment for all players registered with the ODMHA, with such fees being determined annually by the Finance Committee.
- 1.1 The Insurance/Administration Registration form must be completed and forwarded to the ODMHA office by October 15<sup>th</sup> of the current season with the appropriate

assessment fee. After October 15th, any new additions to the list are to be forwarded to the hockey office with the appropriate fee.

- 1.2 Any Association or Organization which does not pay such assessment in full by October 15th of the current season, shall be assessed a non-refundable fine of 2 percent per week, up to a maximum of \$500.00.
- 1.3 A team official or player who owes money to a club or association with whom he has registered with will not be allowed to register or participate with any other club or association until all outstanding debts are paid or an agreement has been reached with the previous club or association.
- 1.4 Each Association will be advised by mail no later than September 20<sup>th</sup> of the current year that assessment fees must be paid by October 15<sup>th</sup>.

## **BYLAW IV – VOTING**

### ***1.0 ODMHA Annual or Special General Meetings***

- 1.1 The Executive Committee Members shall each be entitled to one vote. The President may only vote in the event of a tie or during elections.
- 1.2 Each District Chairperson or his delegate shall be entitled to one vote (one vote per District).
- 1.3 Each registered Minor Hockey Association that is in good standing with the ODMHA shall be entitled to one vote.
- 1.4 Each ODMHA recognized League that is in good standing with the ODMHA is entitled to one vote.
- 1.5 The voting member must be present to exercise their vote. There shall be no voting by proxy (one person, one vote).

## **2.0 *Minor Council Meetings***

- 2.1 The Executive Committee members shall each be entitled to one vote. The President may only vote in the event of a tie
- 2.2 Each District Chairperson or his delegate is entitled to two votes.
- 2.3 The voting member must be present to exercise their vote. There shall be no voting by proxy (one vote per person).

## **3.0 *Conflict of Interest***

- 3.1 No person shall be a member of Minor Council who is a paid employee or representative of a professional hockey organization or club.
- 3.2 Should a member of Minor Council participate in activities with interests conflicting with those of the ODMHA, that member may be removed from office by a simple majority vote of Minor Council.
- 3.3 Any member of Minor Council acting as coach, manager or trainer on any hockey team shall declare such affiliation to Minor Council prior to the commencement of each season's activities.

## **BYLAW V - THE EXECUTIVE COMMITTEE**

### **1.0 *Election of the Executive Committee***

- 1.1 Full or part-time employees of the ODHA shall not be eligible for election as Executive Committee Members of the ODMHA.
- 1.2 No Executive Committee Member shall serve as a district chairperson or on the executive of any local minor hockey association or league, nor be eligible to

act as a team official on any ODMHA team.

- 1.3 The terms of office for positions on the Executive Committee shall be for a period of two years and shall be open for election under the following schedule
- a) The positions of President, Second Vice-President, Director of Risk and Safety and one (1) Director at Large shall be elected in Even numbered years) The positions of First Vice-President, Vice-President Finance, Director Zoning and Constitution and one Director at Large shall be elected in Odd numbered years.
  - b) Only members present at the Annual General Meeting who are in good standing with the ODMHA can nominate any member of the ODMHA governing body as defined in Article 5.1 of the Constitution for an Executive Committee position.
  - c) All financial books [ records ] of the VP of Finance of the ODMHA must be Audited at the completion of HIS/HER term

Note: The positions of ODMHA Referee-in-Chief and Registrar shall be through appointment by the Executive Committee and shall be for a period of one year.
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- 1.4 All Minor Council voting members are eligible for nomination to any Executive Committee position.. In addition, all remaining members of the governing body of the ODMHA as defined in Article 5.1 of the Constitution, i.e. Association Presidents and all Presidents of the AA, A and B Leagues, and who are in good standing, are eligible for nomination for the position of Director at Large.
- 1.5 To be eligible as a candidate for President of the ODMHA, the nominated member must be currently serving as an ODMHA Executive Committee member

- 1.6 In the event that a duly nominated candidate is unsuccessful for the position to which they were originally nominated, the candidate is permitted to declare their intent to stand for election at one of the other positions due for election in that year.
- 1.7 Executive Committee member positions remaining vacant following the Annual General Meeting will be filled in a manner deemed appropriate by Minor Council.
- 1.8 The Executive Committee Members must be drawn from a minimum of three (3) Districts with the limit of two per District.
- 1.9 To be eligible as a candidate for election as an ODMHA Executive Committee Member, the nominated person must have served **on Minor Council within the past (3) three years and for at least (1) full year** except as provided for in Bylaw V paragraphs 1.4 and 1.6.

## ***2.0 Term of Office***

- 2.1 The President of the ODMHA is ineligible for election to the President's position after serving two consecutive terms.
- 2.2 The ODMHA President is permitted to serve 2, 2yr consecutive terms as President. If, in the case of no available replacement, he/she is permitted to be appointed one further year while the Executive will actively look for a replacement to be voted in at the next AGM. The replacement would serve a one-year term then must be re-elected for a new term

## ***3.0 Duties of the Executive***

- 3.1 The President shall preside to all Annual, Special, Executive Committee and Minor Council meetings.

The President performs the duties usual to the office of the President, and may at his discretion call meetings of the Minor Council or its Committees. The President must call a meeting at the request of at least eight members of Minor Council. The President shall be an “ex-officio” member of all ODMHA Standing and Ad Hoc Committees. By virtue of his position, he shall be an officer of the ODHA in the capacity of Vice-President (Minor).

- 3.2 The President shall exercise, in addition to his own duties conferred upon him by the Constitution and Bylaws, all duties and powers of the Executive Committee in case of emergency including without limitation the power to suspend any coach, manager, player, trainer, referee and other official or person connected with any association or team under its jurisdiction. Such emergency actions, which have been taken, must be referred to the Executive Committee for approval or rejection at their next regular or Special Meeting and then to the Minor Council in accordance with Bylaw No. VII 1.2.
- 3.3 The President is one of the signing officers of the ODMHA.
- 3.3 The President shall be the official representative of the ODMHA and the ODHA on Hockey Canada Minor Council in accordance with Bylaw Five, Minor Council Section of Hockey Canada’s Constitution
- 3.4 The First Vice-President shall, in the absence of the President or through designation, perform all the duties of the President. However, while acting in this capacity he shall only vote in the event of a tie.
- 3.5 The First Vice-President holds the position of Chairperson of Discipline and Appeals and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.

- 3.6 The First Vice-President is one of the signing officers of the ODMHA.
- 3.7 The First Vice-President, or his delegate as approved by the Executive Committee, will sit on the ODHA Board in the capacity of Director. The First Vice-President attends Hockey Canada AGM and Council Meetings as part of their regular duties.
- 3.8 The Second Vice-President shall, in the absence of the President and the First Vice-President, perform all the duties of the President. However, while acting in this capacity he shall only vote in the event of a tie.
- 3.9 The Second Vice-President holds the position of Chairperson of the Development and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.
- 3.10 The Second Vice-President, or his delegate as approved by the Executive Committee, will sit on the ODHA Board in the capacity of Director.
- 3.11 The Vice-President Finance shall ensure the proper maintenance of all books and accounts; pay all bills, have custody of all monies and other evidence of assets, credits or debts of the ODMHA. The Vice-President Finance must be one of the signing officers on all cheques; instruments of credit and liability with one other approved signing officer.
- 3.12 The Vice-President Finance holds the position of Chairperson of the ODMHA Finance and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.
- 3.13 The Vice-President Finance or his delegate, as approved by the Executive Committee, will sit on the ODHA Board in the capacity of Director.

- 3.14 The Vice-President Finance or his delegate shall represent the ODMHA on the Finance and Administration Committee of the ODHA.
- 3.15 The Vice-President Finance shall prepare a financial statement of all monies received and disbursed, and shall report on same at each regular Minor Council meeting and at the Annual General Meeting
- 3.16 The Immediate Past-President shall be the source of guidance to the Executive on all matters relating to the previous conduct of business of the ODMHA. He shall be a full member of the Executive Committee and shall enjoy full privileges in respect to motions and voting.
- 3.17 The Director Zoning and Constitution holds the position of Chairperson of the Zoning and Constitution and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.
- 3.18 The Director of Risk and Safety holds the position of Chairperson of the Risk and Safety Committee and shall perform the duties usual to the office of Chairperson.
- 3.19 The Directors at Large shall perform their duties, such as tournaments, play downs, 67s, Senators Honourary Captain as directed by the Executive Committee and each shall have full voting privileges.

#### **4.0 Non Voting Positions**

- 4.1 The Referee-in-Chief and Registrar positions are appointed positions with non-voting privileges.

##### **Referee-in-Chief**

- 4.2 The Referee-In-Chief shall be responsible for all officiating activities in the ODMHA, which includes

ensuring that all registered officials are properly supervised, evaluated and certified at the proper level.

- 4.3 The Referee-in-Chief is a non voting member of the Discipline and Appeals Committee regarding the conduct of any player, team or game official, the Branch League Coordinating Committee and the ODHA Branch Development Committee.
- 4.4 Upon the majority vote of the Executive Committee, an "Honorarium" may be bestowed on the Referee-in-Chief, the limits of remuneration being established by the Vice-President Finance, which must be subsequently approved by Minor Council.

### **Registrar**

- 4.5 The Registrar is a member of the Registration Committee, and attends Executive Committee and Minor Council meetings.
- 4.6 Upon the majority vote of the Executive Committee, an "Honorarium" may be bestowed on the Registrar, the limits of remuneration being established by the Vice-President Finance, which must be approved by Council.

## **BYLAW NO. VI - MINOR COUNCIL**

### ***1.0 Duties of Minor Council***

- 1.0.1 Formulate, prescribe and amend Bylaws, Regulations and a Code of Discipline that shall not be inconsistent with the scope and provisions of the ODMHA Constitution.
- 1.0.2 Grant or refuse applications for Association, Organization or Team membership in the ODMHA.

- 1.0.3 Settle all disputes between the memberships, subject to properly conducted appeals.
- 1.1 Unless granted leave of absence by Minor Council or for reasons of health, any member of the Minor Council who absents himself from two consecutive Minor Council meetings may have his office declared vacant by a 2/3-majority vote, a quorum being present of the Minor Council.
- 1.2 Any member of the Minor Council who is being remiss or neglectful of duty, or is engaging in conduct tending to impair his or her usefulness as a member of Minor Council may by 2/3-vote, a quorum being present, be removed from office and in such circumstances said member shall be deemed to have forfeited his or her position.
- 1.3 If a vacancy occurs on Minor Council, this vacancy shall be filled by that District.
- 1.3.1 To declare vacant the position of any office or member of Minor Council who shall cease to be a delegate or when the District ceases to be a member.
- 1.3.2 To fill the vacancy upon the Minor Council caused by the resignation or expulsion or withdrawal of the District represented by such member.

## **BYLAW NO. VII – COMMITTEES**

The Standing Committees shall be the Executive Committee, Finance Committee, Zoning and Constitution Committee, Discipline and Appeals Committee, Development Committee, Risk and Safety Committee, Branch League Coordinating Committee, Registration Committee and District Councils.

### ***1.0 Executive Committee***

- 1.1 The Executive Committee shall be responsible for the day-to-day administration of the ODMHA.
- 1.2 The Executive Committee shall exercise the powers and duties of Minor Council in the case of emergency. Such actions must be presented to the first regular or special meeting of Minor Council for their approval or rejection.
- 1.3 In the event that a person elected to a position cannot, for whatever reasons, complete their term of office the ODMHA Executive Committee may exercise one of two following options in order to fill the vacancy on the Executive:
  - 1.3.1 Name a person to fill the vacancy for the balance of that season.
  - 1.3.2 Seek nominations to fill the vacancy through election at the Annual General Meeting for the balance of the position's term.
- 1.4 An "Award" may be bestowed on a member in good standing, retiring from Minor Council.

## **2.0 Finance Committee**

- 2.1 The Vice-President Finance holds the position of Chairperson of the ODMHA Finance and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.
- 2.2 The Finance Committee:
  - 2.2.1 Regulates the financing of the ODMHA.
  - 2.2.2 Establishes the yearly fees for membership, tournaments, play downs and other activities under the direct control of the ODMHA.

2.2.3 Addresses any questions concerning ODMHA's finances and recommends any course of action to Minor Council.

2.3 The Fiscal year of the ODMHA is between May 1st and April 30th of the succeeding year.

### **3.0 Zoning and Constitution Committee**

3.1 The Director Zoning and Constitution holds the position of Chairperson of the Zoning and Constitution and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson

#### **3.2 The duties of the Zoning and Constitution Committee would include managing**

3.2.1 The Constitution, Bylaws, Regulations and Code of Discipline.

3.2.2 Changes submitted for the Constitution, Bylaws, Regulations and Code of Discipline.

3.2.3 Changes to the Organizations and Associations' Constitution, Bylaws, Regulations and Code of Discipline.

3.2.4 Membership applications for new Associations and Organizations

3.2.5 The feasibility of Zone (Associations) and District boundary changes.

3.3 When any of the above items are reviewed, the Zoning and Constitution committee must use the following guidelines:

3.3.1 Examine the overall hockey programs to ensure that a program can be developed and maintained taking into account the number of players and teams participating.

- 3.3.2 Examine new association applications to ensure there are sufficient registrations to provide one registered team at each of the various age levels through initiation to the Midget levels. The new association must demonstrate a willingness to participate in skill development programs within the District and be recommended by their District Council.
- 3.4 No new District or Association will be sanctioned to the detriment of an existing properly functioning District or Association.
- 3.5 Any acceptance of any new District, Association or Organization must be approved by Minor Council and ratified by the ODHA Board of Directors.

#### ***4.0 Discipline and Appeals Committee***

- 4.1 The First Vice-President holds the position of Chairperson of Discipline and Appeals and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.
- 4.2 This committee may be composed of up to five (5) Minor Council members and chaired by the First Vice-President. The Referee-In-Chief or his delegate may attend D&A hearings as a resource person (non-voting).
- 4.3 At any hearing, at least three (3) committee members and the chairperson must be present to form a quorum.

#### ***5.0 Development Committee***

- 5.1 The Second Vice-President holds the position of Chairperson of the Development and Ad Hoc Committees, and shall perform the duties usual to the office of Chairperson.

5.2 This committee holds meetings with District Development members and ensures that the information is distributed to the Districts.

## **6.0 Risk and Safety Committee**

6.1 The Director Risk and Safety holds the position of Chairperson of the Risk and Safety Committee and shall perform the duties usual to the office of Chairperson.

6.2 This committee is composed of: The Director of Risk & Safety (ODMHA), two (2) Directors appointed by the Director of Risk & Safety (ODMHA), ten (10) District Representatives and One (1) Referee Representative (Minor), One (1) Coach Representative (Minor), One (1) Coach Representative, One (1) Trainer Representative (Minor)

## **7.0 Branch League Coordinating Committee**

7.1 This committee is composed of up to five (5) Minor Council members. In addition, all League Presidents and the ODMHA Referee-in-Chief shall make up the balance of the committee

7.2 This committee shall monitor the activity and operation of all competitive leagues within the Branch and shall convene a minimum of three meetings a year, one at the commencement of the season, one in the middle of the season, and one at the conclusion of the season. Additional meetings may be held, as required.

7.3 This committee recommends to Minor Council, the weekend(s) that should be declared that of the "Tournament of Champions". Minor Council should approve such weekends on or before the Council meeting in September of each season.

## **8.0 Registration Committee**

- 8.1 An Executive Committee member chairs this Committee.
- 8.2 The committee is composed of the ODMHA Registrar and all District Registrars, and shall convene a minimum of twice per year, once at the beginning of the season and once at the conclusion of the season.
- 8.3 The District Registrars are responsible for:
  - 8.3.1 Ensuring Hockey Canada player Certificates and team lists are completed correctly and submitted to the ODMHA Registrar with any accompanying.
  - 8.3.2 Ensuring that the Affiliation rules are followed within their District.
- 8.4 The ODMHA Registrar is responsible for verifying that Hockey Canada player Certificates and team lists are completed correctly with the necessary paperwork, as a secondary check. No Hockey Canada player Certificates (Minor) will be honoured by the ODHA until verification by the ODMHA Registrar.
- 8.5 The ODMHA Registrar is responsible for verification of the Affiliation lists submitted by the District Registrars.
- 8.6 The Executive Committee deals with any dispute in this regard, and any appeals of the decision of the Executive Committee shall be directed to the ODHA Board of Directors.

## **9.0 District Councils**

- 9.1 Each ODMHA District Council is composed of an executive and representatives from each Association and Organization within their District. Each Association or Organization who are members in good standing shall have the right to one vote at all District meetings, and the right to one vote to elect a District Executive.
- 9.2 The District Executive should consist of a Chairperson, Vice Chairperson, Registrar, Secretary, Treasurer, Referee-in-Chief, Risk and Safety representative and a Development Coordinator. The District Council determines the voting privileges for these positions.
- 9.3 The members of District Councils elect their District Chairpersons. By virtue of the position, the District Chairperson is a member of the ODMHA Minor Council.
- 9.4 The District Council shall hold an Annual General meeting each year for the purpose of electing a District Executive.
- 9.5 The District Council administers and manages the affairs of their Districts, which includes:
- 9.5.1 Responsibility for Association, Organizations and Leagues.
  - 9.5.2 Rules and regulations for competition in accordance with those of the ODMHA.
  - 9.5.3 Recommends changes to the Constitution, Bylaws, and Rules and Regulations to Minor Council.
  - 9.5.4 Conducts hearings, and settle protests and appeals
- 9.6 Where District Councils become noperative, the

ODMHA may where necessary, operate the District under a trusteeship until such time as reorganization takes place. The ODMHA may appoint officers, as it deems necessary from within or outside the District for this purpose. The trusteeship remains in effect until the District can demonstrate self-government. Written Terms of Reference for the Trustee shall be issued by the ODMHA Executive when a trustee has been appointed. These shall include, but not limited to: (1) the Trustee shall be in attendance for all District Council meetings and any Association AGMs, (2) the Trustee shall remain impartial, in all matters under consideration and (3) the Trustee shall be the approving authority for all decisions taken by the District Council.

9.7 Associations have an obligation to report serious matters that may lead to District Chairman suspensions, to the ODMHA Executive to see if ODMHA can assist prior to a suspension.

9.8 In the event of a major disagreement amongst the District membership, the ODMHA Executive Committee appoints an arbitrator from Minor Council to arbitrate, and if necessary, recommend solutions to the Executive Committee.

## **10. Life Membership**

Life Membership nominations must be forwarded in writing to the ODMHA Executive at least 30 days prior to the Annual General Meeting in the given season. A successful nomination requires the support of at least a 2/3 majority of the voting members of Minor Council.

## ADDENDUM TO BYLAWS

The above-mentioned is an accurate reproduction of the Bylaws of the ODMHA and is re-produced and provided as a convenience to its members. It may not include all amendments that have been passed since it's reproduction and resort should be had to the original Bylaws filed at the offices of the ODMHA. Should any errors or omissions or discrepancies exist between the within and the original Bylaws filed at the offices of the ODMHA, the original Bylaws filed at the offices of the ODMHA shall be final and binding.