



BARRIE CANOE AND KAYAK CLUB, INC.

POLICY AND BY-LAW MANUAL

Dated:	November 1992	President:	Marilyn Clark
Revised:	November 1993	President:	Andrew MacLeod
	November 1997	President:	Marty Tannahill
	November 1999	President:	Céline Audette
	December 2000	President:	Céline Audette
	November 2001	President:	Fred Schwarz
	November 2003	President:	Fred Schwarz
	November 2004	President:	Fred Schwarz
	November 2006	President:	Abby Gomez
	November 2009	President:	John Rankin

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STATEMENT OF PURPOSE

For the purpose of uniting paddlers for the protection of their interests, for the improvement of their skills and the promotion of all aspects of paddle related activities, the Barrie Canoe and Kayak Club, Inc. was formed, in the spirit of a service, non-profit, community-oriented organization, working to further the welfare of the community as a whole through the promotion of water safety and improved recreational skills.

The Ministry of Consumer and Commercial Relations issued Letters Patent to "The Barrie Canoe Club" on January 23, 1979 (Ontario Corporation Number: 402561).

The Ministry of Consumer and Business Services issued Supplementary Letters Patent to the "Barrie Canoe and Kayak Club Inc." on August 11, 2005.

CONSTITUTION

[PASSED BY MOTION FEBRUARY 9, 1978; AMENDED NOVEMBER 20, 2006]

ARTICLE I - GENERAL

SECTION 1.1 - NAME

The name of this organization is the Barrie Canoe and Kayak Club Inc.

SECTION 1.2 - DEFINITIONS

- (a) The word "Club" refers to the Barrie Canoe and Kayak Club, Inc. (BCKC)
- (b) The word "Community" refers to individuals and groups outside the Club.
- (c) The word "Membership" refers to the individuals collectively who have joined the Club.
- (d) A "voting" member is defined as a current BCKC member of 18 years or older.
- (e) "Directors and/or Board of Directors" refers to Officers duly elected by the Membership to represent it and to act on its behalf.
- (f) For the purposes of this Constitution, the word "paddle craft" refers to any paddle-powered craft used for water transport including canoes, kayaks, shells, or any other craft used for non-motorized aquatic recreation.
- (g) The word "paddler" refers to the operator of any such craft.

SECTION 1.3 - CONSTITUTION

- (a) The workings of the Barrie Canoe and Kayak Club, Inc. shall be governed by this Constitution.
- (b) The articles of this Constitution may be changed, amended, or repealed by a two-thirds majority of the voting members present at a General Meeting. The intent of the Statement of Purpose may not be changed.
- (c) Bylaws may be changed, added to, amended or repealed by a simple majority of the members present at a Annual General Meeting.
- (d) The Club will develop, implement and monitor effective Risk Management procedures, which include the identification, assessment and effective control of risks during its activities.

SECTION 1.4 - OBJECTIVES

The objectives for which the Club is formed include the following:

- (a) To provide a service to the Community through the promotion of water safety.
- (b) To initiate and support any projects that will lead to a greater public awareness of water safety.
- (c) To improve the recreational life of the Community by providing instruction, facilities and equipment for the acquisition and enhancement of aquatic skills.
- (d) To assist other service organizations in our area of interest.
- (e) To organize activities in recreational, flat water, and moving water paddling, and to promote related causes.

ARTICLE II – MEETINGS

SECTION 2.1 - GENERAL MEETINGS

- (a) *General Meetings* shall be held at least once every two calendar months.
- (b) In the fall of each year, there shall be an *Annual General Meeting*. Only current BCKC members aged 18 years or older may vote
- (c) Notification of all *General Meetings* shall be given to the Membership at least two weeks prior to the meeting.

SECTION 2.2 - DIRECTORS MEETINGS

- (a) The Directors shall meet at least every two calendar months, insofar as possible during the week prior to the *General Meeting*.
- (b) During any Directors' meeting there must be at least two-thirds of the voting members present to constitute a quorum.
- (c) Directors will declare any conflict of interest and abstain from voting on any issues that would result in personal or financial gain.
- (d) The President may call special meetings of the Membership, Committees or Directors at any time he/she deems necessary, or if so requested by any member of the Board of Directors.

SECTION 2.3 - ANNUAL GENERAL MEETING

- (a) The President will give a report summarizing the previous year's activities and future plans and directions for the Club.
- (b) Directors and Coordinators will give reports on their area of responsibility, including accomplishments during the past year and hopes for the future.
- (c) A copy of the minutes for the previous years Annual General Meeting will be given to every member in attendance. A motion for approval will be made, seconded and voted on by a show of hands.
- (d) The Treasurer will present a financial report for the year-to-date. A copy will be supplied to each member present. The Treasurer will make a motion to accept the report, and the motion will be seconded and voted on by show of hands.
- (e) The Secretary will provide members with a complete list of Motions passed in current year. Motion for approval of the Acts and Deeds of the Directors will be made, seconded, discussed and voted on by a show of hands. (i.e., changes to course, membership and/or instructor fee structures, and amendments to by-laws or policy).
- (f) The President will read roster of members agreeing to stand for elected positions and ask for nominations from the floor. Nominated members will declare any conflict of interest before standing for a position on the Board of Directors.
- (g) A motion to close nominations will be made, seconded and voted on by show of hands. An election will be held using paper ballots, if required.
- (h) President will introduce the new Directors.

ARTICLE III - STRUCTURE AND ORGANIZATION

SECTION 3.1 - MEMBERSHIP

The Membership will consist of all members of the general public who make application and agree to assume responsibility for following and monitoring risk management policies in the activities of the Club.

SECTION 3.2 - DIRECTORS

Directors shall be elected by the Members from among themselves, shall be responsible to the Membership and shall be answerable to it on all counts.

SECTION 3.3 - ELECTION OF OFFICERS

- (a) The Directors shall appoint a Nomination Committee of two Directors and three Members-at-large to prepare a slate of nominees for the election of the Board of Directors at the Annual General Meeting. To this slate will be added all names proposed by the Membership until the time of the election.
- (b) Any member wishing to hold elected office may present himself/herself for nomination at any time prior to the time of election. This member will then be included on the slate of nominees at the Annual General Meeting.
- (c) Removal from Office
 - (i) Any elected Officer may be removed from office by a simple majority of votes cast by the members in good standing.
 - (ii) The vote will be accomplished by a special mail ballot, which is set up for this purpose. This mail ballot shall be initiated by a petition signed by at least twenty-five per cent (25%) of the members in good standing and shall be paid for out of Club funds.
- (d) Filling Vacancies
 - (i) In the event of a vacancy occurring for whatever reason, the position may be left vacant or filled by a candidate acceptable to a simple majority of the Directors.

SECTION 3.4 - COMMITTEES

- (a) The Directors reserve the right to make appointments outside of itself of any Committee, Officer or Member-at-Large to perform any delegated task. These Committees will be answerable to the Board of Directors, but will not have voting privileges.

ARTICLE IV - FINANCIAL

SECTION 4.1 - GENERAL

The business of the Barrie Canoe and Kayak Club, Inc. shall be carried on without purpose of financial profit for its members. Any accretions shall be used in promoting the Club's objectives.

SECTION 4.2 – YEAR END

The financial year of the Barrie Canoe and Kayak Club, Inc. will begin on January 1st, on which day the Membership fees are due. A copy of the Treasurer's year-end report will be forwarded to the City of Barrie (as a lessee).

A Treasurer's Interim Report will be prepared for the Annual General Meeting in the fall of each year.

A revised slate of Officers will be submitted annually to the Ministry of Consumer and Business Services, as per Corporations Act.

SECTION 4.3 - FEES

Annual fees shall be set from time to time by the Directors and approved by the Membership at a General Meeting.

SECTION 4.4 - CLOSURE

In the event of dissolution of the Club, all assets will be distributed to one or more non-profit paddle clubs, service or charity organizations within the community.

ARTICLE V - LEGAL

SECTION 5.1 - LIABILITY

(a) No elected officer of the Club shall be liable for the acts, receipts, neglects or defaults of any other Director, or for joining in any receipts or other act for conformity, or for any loss or expense happening to the Club through the insufficiency or deficiency of title to any property acquired by order of the Board of Directors for or on behalf of the Club, or for the insufficiency or deficiency of any security in or upon which any of the monies of the Club shall be invested, or for any loss or damage arising from the bankruptcy, insolvency or tortuous act of any person with whom any of the monies, securities, or effects of the Club shall be deposited, or for any loss, damage or misfortune whatever, that shall happen in the execution of the duties of his/her office, or in relation thereto, unless the same shall happen through his own dishonesty.

SECTION 5.2 - INDEMNITY

(a) Every elected officer of the Club and his heirs, executors and administrator and estate and effects respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the Club, from and against:

(i) All costs, charges and expenses whatsoever, which such Director sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him/her, for or in respect to any act, deed, matter or thing whatsoever, made, done or permitted by him/her, in or about the execution of the duties of his/her office.

(ii) All other costs, charges, and expenses, as authorized by the Board of Directors which he/she sustains or incurs in or about or in relation to the affairs of his/her office, except such costs, charges, or expenses as are occasioned by his/her own willful neglect or default.

ARTICLE VI - OFFICERS

The Elected Officers of the Club who make up the Board of Directors shall be the following:

- President
- Vice-President
- Treasurer
- Secretary
- Director-at-Large
- Director-at-Large
- Director-at-Large

Duties of the Officers shall be outlined in the By-Laws of the Club.

ARTICLE VII – RISK MANAGEMENT

It is the policy of the Barrie Canoe and Kayak Club, Inc. (BCKC) to develop, implement and monitor effective Risk Management procedures which include the identification, assessment and effective control of risks during it's activities.

It is the duty and responsibility of every Director, instructor, trip leader, paid staff, and contractor to know what the risks are, and practice risk management and safety on a continual basis.

Risk financing, including the purchase of insurance, will remain a centralized function and responsibility of the Directors.

As risk management policies and procedures are dynamic and constantly changing, new risks will be identified and risk control techniques will be developed.

The BCKC will provide communication on issues and concerns with regard to risk management to Directors, members, participants, instructors, trip leaders, and volunteers, paid staff, contractors and other interested individuals on an ongoing basis.

The practice of risk management is considered by the Barrie Canoe and Kayak Club to be critical to the operation of the Club. A total commitment to the philosophy of risk management is essential to the avoidance and reduction of risks.

BY-LAWS

SECTION A: JURISDICTION AND DUTIES OF THE DIRECTORS

Nominated members will declare any conflict of interest. A member currently holding a position as a Director must declare any conflict of interest. Directors will abstain from voting on any issues that would result in personal or financial gain.

Notwithstanding the duties and jurisdiction outlined hereunder, the Directors shall, insofar as possible, act as a unit; given the fact that, by the very nature of paddling, there will be considerable overlapping of duties and jurisdiction. The following will serve as a guide only.

Directors will sit on committees in order to bring recommendations to the Board of Directors for consideration.

PRESIDENT

- (a) Chair the Annual General and Board of Directors' meetings of the Club.
- (b) Direct the actions of the Club in accordance with the wishes of the Board of Directors.
- (c) Appoint special committees, as required.
- (d) Direct long range Club policies.
- (e) Provide an annual report to the membership on the acts and deeds of the Board.

VICE PRESIDENT

- (a) Act in the capacity of President in the absence or illness of the President.
- (b) Monitor the implementation of club activities, as undertaken by the elected officers.
- (c) Be responsible for Club's insurance needs and deal directly with the insurance broker, in accordance with the blanket policy provided by our insurer.
- (d) Collect strategic plans from Directors and Coordinators in October for submission to the incoming Board of Directors at the joint meeting.

TREASURER

- (a) Maintain and have available for inspection, a complete set of accounting books and financial records.
- (b) Oversee fundraising and the allocation of funds.
- (c) Provide a financial analysis of any event undertaken.
- (d) Receive all monies raised. Pay approved expenses and allocations.
- (e) Be responsible for all Club banking and financial transactions.
- (f) Present a financial report at all Directors' meetings.
- (g) Provide an interim year-end financial report to all members at the Annual General Meeting and a final year-end financial report to the City of Barrie (as a lessee).
- (h) Be able to provide an audit check of any financial transaction at any time.
- (i) Keep on file an up-to-date record of club assets.
- (j) Set up signing authorities.

SECRETARY

- (a) Responsible for keeping accurate records.
- (b) Responsible for distribution of meeting minutes.
- (c) Responsible for notifying membership of date, time and place of Annual General Meeting two weeks prior to date of meeting.
- (d) Responsible for coordinating with other Directors and keeps calendar of scheduled events to be posted and distributed at every General Meeting.
- (e) Responsible for display of bulletins, notices and minutes on notice boards.
- (f) Keeps copies of all correspondence sent out by the Board of Directors.
- (g) Responsible for submission of records required under the Corporations Act.
- (h) Maintains supply of stationery and reorders as required.
- (i) In conjunction with the Treasurer, arranges for Club-sponsored membership with governing organizations.

DIRECTORS-AT-LARGE

- (a) Take Leadership role on Committees (e.g., long range planning, risk management, communications, fundraising, special projects).
- (b) Chair an annual meeting of Trip Leaders and Instructors to review risk management policies and procedures for the purpose of:
 - a. Ensuring forms have been filed for every BCKC activity;

- b. Discussing incidents/near incidents for educational purposes; and
- c. Recommending to the Directors any revisions/additions to policies and procedures, as required.

IMMEDIATE PAST PRESIDENT (not a voting member of the Board)

- (a) Advises and assists the President.
- (b) Performs any duties that may be assigned to him/her by the President.
- (c) Be part of any committee requiring the expertise or experience of the Past President.

SECTION B - MEMBERSHIP

GENERAL MEMBERSHIP

Membership is open to all members of the general public. No one will be denied membership because of lack of funds. Members must agree to abide by the risk management policy.

Fees will be determined by the Directors for each financial year and presented to the membership for ratification.

Types of Membership are:

ADULT	One individual aged 18 or over.
COUPLE	Two individuals aged 18 or over (married or common-law) in one household.
CHILD	Individual 17 years of age or younger.
AFFILIATE	Means non-participatory; a membership intended for the sharing of information. The fee structure will be discussed at a Directors meeting following a request for this type of membership, in order to determine the proper fee levy.
LIFETIME	Free couple membership privileges for the life of the Barrie Canoe and Kayak Club. It is to be bestowed by the Board of Directors for exceptional service to the Club and Community.
HONORARY	A One Year free membership to guest speakers, etc.
STUDENT	Anyone who has a valid and current full-time student card.
SENIOR	An individual who is sixty years of age or over.
SENIOR COUPLE	Two individuals (married or common-law) both aged 60 years or over in one household.

SECTION C - COURSES

Barrie Canoe and Kayak Club courses will be taught in a manner that reflects modern teaching standards, theory and governing organization policy, recognizing and respecting the emotional, social, cultural rights and needs of all students, participants, helpers and instructors.

Directors will ensure fair and equitable teaching opportunities to certified instructors.

Accredited members of the Barrie Canoe and Kayak Club will be given preference for teaching Barrie Canoe and Kayak Club courses.

SECTION D - EQUIPMENT

Equipment is provided to members as a means to teach recreational paddling skills and water safety.

SECTION E - TRIPPING

Barrie Canoe and Kayak Club provide tripping opportunities to members to promote paddling related activities, to improve recreational paddling skills, and to educate about water safety.