

# The Penetanguishene Minor Hockey Association Constitution

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# Penetang Minor Hockey Association

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<b><i>Amendment</i></b>	<b><i>Section Affected</i></b>	<b><i>Date</i></b>	<b><i>Name</i></b>
2010-002	Sec. 1, b, c, d,	April 7, 2011	Klein
2010-005	Sec. 5,	April 7, 2011	Klein
2010-001	Sec. 7.2-3	April 7, 2011	Klein
2014	Sec. 7.03	April, 2016	Ingram
2016	Sec. 7.03(c)	April, 2016	Ingram
2018	Sec. 1, c	April, 2018	Ingram
2018	Sec. 8.01	April, 2018	Ingram
2021	Sec. 1.0 d iii	May 2021	Dion
2021	Sec. 2.03	May, 2021	Dion
2021	Sec. 7.02-06	May, 2021	Dion
2021	Sec. 10.02-03	May, 2021	Dion
2021	Sec. 16.01-06-11	May 2021	Dion
2021	Sec. 19.01	May, 2021	Dion

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## Means of Compliance:

This manual constitutes the manual required by the OMHA. It reflects PMHA.'s means of compliance with the current requirements of the OMHA.

All incorporated documents identified herein and every amendment thereto, shall meet the requirements established in this manual. The policies and procedures outlined in this manual and all incorporated documents identified herein must be strictly adhered to at all times.

**Approved by:**

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## 1.0 Definitions

In this constitution unless otherwise defined or required by the context:

- a. "Association" - means the Penetang Minor Hockey Association Inc. (P.M.H.A.);
- b. Active Membership:
  - i. Active Members shall include all elected or appointed Officers or officials and officials of the board. All team officials.
  - ii. All registered players who are at least 18 years of age.
  - iii. Active Members in this classification will be allowed one vote per person;
- c. Designate Membership - Where the registered player, in good standing is under the age of eighteen (18) years, up to two (2) names will be assigned as "Designate Member" during registration. Only one (1) of the Designate Members may vote;
- d. Membership Year.
  - i. Unless otherwise stated below, every Membership, shall commence at registration each year, and shall lapse and terminate on the 1st of June, following the date on which such Membership commenced.
  - ii. Team official membership, who do not qualify as Active Members under section i. or ii., shall commence once position is accepted, and shall terminate at the end of the last official team activity. (In most case the PMHA Banquet)
  - iii. Elected official membership such as Board members, who do not qualify as Active Members under sections i. or ii., shall commence at the AGM, and shall terminate on the next AGM;
- e. "Board" – means the Board of Directors of the Association;
- f. "Directors" – means a member of the Board of Directors;
- g. "Executive" – means the Executive Committee of the Association;
- h. "Officer" – means a member of the Executive Committee.

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## **2.0 Enactment, amendment and revocation of constitutional by-laws.**

- 2.01 The constitutional by-laws of the Association shall be reviewed annually by the Board of Directors.
- 2.02 The constitutional by-laws may be enacted, amended, or revoked by a two third vote at the annual meeting of the P.M.H.A.
- 2.03 Any proposed changes shall be written and forwarded to the Secretary and shall be posted at the arena and on the official PMHA website two (2) weeks prior to the Annual General Meeting.

## **3.0 Name**

- 3.01 The name of this Association shall be “The Penetang Minor Hockey Association Inc”, (P.M.H.A.).

## **4.0 Location**

- 4.01 The headquarters of the Association shall be located in Penetanguishene, Ontario, or at such other location as the Board may determine from time to time.

## **5.0 Objects**

The Association shall:

- 5.01 be a member of the OMHA;
- 5.02 develop and promote organized hockey in the PMHA district;
- 5.03 provide the opportunity for all eligible individuals to participate in recreational house/local league ice hockey, and to provide community based programs, which will allow a player to participate in an environment for fun, physical exercise and fair play;
- 5.04 develop and participate in representative ice hockey and provide the opportunity to participate at the highest competitive level;
- 5.05 instill in all players, team officials, parents, referees and members associated with the P.M.H.A. good sportsmanship, correct and proper behavior on and off the ice, respect for the game; and
- 5.06 in carrying out its objects, have the duty to serve and protect the players interests.

## **6.0 Board.**

- 6.01 The Association shall have a Board that shall be its Board of Directors and shall manage and administer its affairs.
- 6.02 The Association shall have five (5) officers and up to ten (10) directors. These members shall constitute the Association’s Board of Directors.

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## 7.0 Officers and Directors.

- 7.01 The Officers of the Association shall be: a President, a Vice-President, a Secretary, a Treasurer, and a past President and shall constitute the Executive Committee.
- 7.02 The offices of President, Vice-President, Treasurer and Secretary along with seven (6) divisional convenors (U7 through U21) and up to three (3) At-Large members shall be elected at the Annual General Meeting. If there is no U21 division, this individual will serve as an At-Large member.
- 7.03 (a) The position of President, shall have served at least two (2) of the last three (3) years.  
(b) The position of Vice-President shall have served at least one (1) of the last two (2) years.  
(c) The position of Treasurer shall be filled by an individual or individuals that meet the following requirements:  
  
The individual has served at least two (2) of the last three (3) years on the PMHA Board of Directors.  
  
If the individual has served less than two (2) of the last three (3) years on the PMHA Board of Directors then one of the following must apply:
- i. The individual applying with fewer than two (2) years, out of the last three (3) years must, at the time of nomination, be a qualified accountant (CPA, CGA, CMA) or a certified bookkeeper;
- OR
- ii. If the individual has served less than two (2) years, out of the last three (3) years, and holds no financial accounting qualifications, a qualified accountant (CPA, CGA, CMA) or a certified bookkeeper must be willing to serve as Chief Financial Officer of Penetang Minor Hockey, responsible for the oversight and delivery of the monthly and annual financial statements.
- 7.04 The remaining positions shall be elected to office at the inaugural meeting of the Board of Directors by members of the Board present.
- 7.05 One Director shall be elected to represent each of the six levels of hockey (seven level if applicable) that make up the Penetang Minor Hockey Association League (U7, U9, U11, U13, U15, U18 and U21, if applicable). To represent a particular level, members shall have a child playing at the level in the forthcoming hockey season. If there is no candidate with a child at a particular level then the position shall be open to candidates from all levels.
- 7.06 The three (3) remaining directors shall be At-Large.
- 7.07 The annual general meeting shall be held on or before the 31st day of May.
- 7.08 The fiscal year of the PMHA shall be the first day of May to the last day of the following April.

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## 8.0 Term of Office.

8.01 The term of the President shall be for a minimum of two (2) years

The term of the Past-President shall be for a minimum of two (2) years. The Past-President has the option to return beyond the two (2) year period, should the same individual be voted as President for more than one (1) term

All other Board Member positions are for a period of one (1) year.

8.01 A person may be a member for more than one term, but no person may be a Board member for more than twenty consecutive years.

8.02 The absence of a Board member from more than two (2) consecutive meetings without cause, shall entitle the remaining PHMA Boards or directors to declare the Board members position vacant. The vacant position shall be filled by the PHMA Board of Directors with a suitable replacement until the next Annual General Meeting.

## 9.0 Quorum.

9.01 A majority of the members of the Board of Directors constitutes a quorum.

## 10.0 Inaugural Meeting.

10.01 The inaugural meeting of the newly elected Board of Directors shall be held within one month of the election. (AGM)

10.02 At the inaugural meeting, the following positions shall be filled: OHMA/Georgian Bay Minor Hockey League contact, Georgian Bay Triangle Local League contact, Risk Management Policy and Compliant/Resolution Chairperson, Fundraising and Sponsorship Chairperson, Policy Chairperson, Registrar, Equipment Chairperson, Coach Selection Chairperson, Special Events Chairperson, and Coach and Player Development Chairperson.

10.03 At the inaugural meeting, the process for filling the following positions shall be commenced: Referee Coordinator, Ice Convenor, Time-Keeper Coordinator, Head Trainer, and Webmaster.



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## 11.0 Regular Board Meetings.

- 11.01 The President shall set the time and place for the regular meetings. There shall be a minimum of eight (8) regular meeting of the Board per 12 months period following the inaugural meeting.
- 11.02 The meeting shall be called to order by the President or Vice-President, or failing either of these, by the Secretary or his / her designate until pro term Chair is selected.
- 11.03 No business shall be transacted unless a quorum, being a majority of the Board members, is present.
- 11.04 If the Chair observes that a quorum no longer exists, or determined upon a point of order by a Board's members that there is no quorum, then no further business shall be conducted other than to recess, while efforts are made to obtain a quorum, or to adjourn.
- 11.05 After a motion is moved and is seconded, a motion to amend may be made, and a motion to amend the amendment shall be made until theses have been decided.
- 11.06 A proposed amendment which negates the intent of the original motion shall not be accepted by the Chairs.
- 11.07 A motion to table or to refer for study by a stated group / Committee must state duration and shall be debatable only with reference to duration.
- 11.08 The following motion shall be considered non-debatable and shall be put immediately:
  - To put to the question (close debate)
  - To table (debatable as to the duration)
  - To adjourn
  - To refer (debatable as to duration)
- 11.09 Limitations of the time or the number of times a Board member may speak to a motion and the duration of debate on a particular issue shall be the prerogative of the chair.
- 11.10 Yeas and nays shall be recorded on request of any Board member made previous to the vote being taken.

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## 12.0 Agenda for Board Meetings.

- 12.01 The President and the Secretary or his / her designate shall prepare an agenda for all Board meetings and shall include all agenda requests of Board members received by the agenda deadline date.
- 12.02 The agenda for regular Board meetings shall include:
- a. Call to order;
  - b. Adoption of Agenda;
  - c. Adoption of minutes;
  - d. Business arising;
  - e. Delegation;
  - f. Correspondence;
  - g. Financial report;
  - h. Committee report;
  - i. General business;
  - j. New business;
  - k. Adjournment.
- 12.03 The agenda deadline date shall be one week prior to a regular Board meeting.
- 12.04 Agenda for a regular Board meeting shall be forwarded expeditiously to all Board members prior to a Board meeting.
- 12.05 The prepared agenda for a regular Board meeting shall be followed unless there is a majority decision to set it aside.

## 13.0 Board Delegations.

- 13.01 Persons or groups wishing to appear before the Board as Delegations must indicate to the President or Secretary their intention and the nature of their brief one week before a regular Board meeting.
- 13.02 Notwithstanding section 13.01, the President shall have the power to cause a delegation to be heard if he / she deems the business to be emergent.
- 13.03 The President will permit only three (3) delegations to present briefs at a Board meeting.
- 13.04 It shall be indicated by the President to the spokesperson that he/she may make a presentation and be subject to clarifying questions by Board members but the spokesperson shall not be privileged to ask questions of Board members.
- 13.05 As soon as the President is satisfied that all points have been clarified, he/she will close the presentation by thanking the spokesperson and informing him/her that matter will receive consideration by the Board.

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## **14.0 Special Board meetings.**

- 14.01 The President shall cause a special Board meeting to be held at his / her discretion or as a result of a request from four Board members.
- 14.02 Twenty-four (24) hours' notice for a special Board meeting shall be given to all Board members.
- 14.03 Only the stated business of the special Board meeting / agenda shall be considered unless all Board members present agree unanimously to consider other items of business.
- 14.04 The quorum rule shall apply in the case of a special Board meeting.

## **15.0 Association policy.**

- 15.01 Policy statements of the Association shall be reviewed annually by the Policy Committee.
- 15.02 Policy statements shall be changed only by a 2/3 majority vote of Directors present at a regular meeting of the Board provided new wording of policy has been included in the agenda material.

## **16.0 Duties of the President and Vice-President.**

- 16.01 The President shall be the chief executive officer of the Association and shall be charged with the supervision of the Officers and the operations of the Association in accordance with its' Constitution, Board policies, Georgian Bay Minor Hockey League constitution, Georgian Bay Triangle Local League constitution, and the OMHA rules and regulations.
- 16.02 The President shall preside at all meetings of the Association and the Board shall preserve order and decide all question of order. Challenge of a ruling of the President shall be subjected to an immediate, non-debatable vote of members / Directors, in which event a clear majority shall decide.
- 16.03 The President may vote on any questions, but if by him / her so doing, there is an equality of votes, the question shall be decided in the negative.
- 16.04 The President shall be an "ex officio" Director of all Committees appointed by the Board.
- 16.05 The President, with power to delegate, shall be the official representative of the Association at all public functions.
- 16.06 Should the President elect to vacate the chair to take part in any debate or discussion or for any reason, he / she shall call upon the Vice-President, or in the Vice-President's absence, one of the Directors to fill his/her place until he/she resumes.
- 16.07 The President shall sign such contracts, documents or instruments in writing as required.
- 16.08 The President shall have such powers and duties as may, from time to time, be assigned to him/her by the Board or as incidental to the office of the President.
- 16.09 In the absence of the President, the Vice-President shall perform the duties and be accorded the same privileges of the President.

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- 16.10 In the event of a prolonged absence or incapacitation of the President, the Vice-President shall automatically be empowered to act with full authority of the position of President of the Association.
- 16.11 The Vice-President may act as an alternate “ex officio” Committee Director at the request of the President.

## **17.0 Duties of the Officers.**

### Secretary

- 17.01 The Secretary shall keep an accurate record of all meeting and shall prepare and submit minutes for approval.
- 17.02 The Secretary shall be the custodian of all official records and files of the Association.
- 17.03 The Secretary shall conduct, under the direction of the Board, all correspondence relating to the affairs of the Association.
- 17.04 The Secretary shall have such other powers and duties as may from time to time be assigned by the Board or as incidental to the office of Secretary.

### Treasurer

- 17.05 The Treasurer shall have the care and the custody of all funds and securities of the Association.
- 17.06 The Treasurer shall pay all orders drawn on him/her which are signed by the President/Secretary or other officer as appointed, shall otherwise keep a correct account of all funds received and disbursed by him/her and shall report the state of the finances of the Association when required by the Board.
- 17.07 The Treasurer shall sign such contracts, documents or instructions in writing as required.

## **18.0 Committees.**

- 18.01 The Board shall have an Executive Committee.
- 18.02 The Board may approve such other Committees as are submitted by the President for approval by the Board.
- 18.03 The President shall appoint all members of Committees, other than the Executive, with the advice and consent of the Board, and shall serve as an “ex officio” member on all Committees.
- 18.04 All Board Committees are understood to report to the Board as a whole.
- 18.05 All Board Committees are understood to be dissolved on the day previous to an initial inaugural meeting of the Board.
- 18.06 All Committees shall meet on a regular or as required timetable or as directed by the President.
- 18.07 Quorum for all Committees meeting shall be more than half of the Committee members.

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## **19.0 Code of conduct.**

- 19.01 The use of alcoholic beverages and / or non-prescription drugs by P.M.H.A. team officials prior to or during an official Penetang Minor Hockey Association function (while responsible for P.M.H.A. Players) are prohibited. The merit of each infraction will be dealt with accordingly by the Board of Directors including the right of dismissal.
- 19.02 Smoking is prohibited in the dressing room and on any bus, which is partially paid by the P.M.H.A.
- 19.03 The use of profane language by any P.M.H.A team officials, Players, or Board members shall not be tolerated.