

**Club Bathurst Pickleball Club
Constitution and Bylaws
Enacted: February 22, 2025**

Article 1: General Provisions

Section A: Name

The name of the organization shall be: Club Bathurst Pickleball Club. Its abbreviation shall be CBPC.

Section B: Description

CBPC is:

- A non-profit organization Governed by a Board of Directors (BOD) and as such, shall not operate for financial gain of its members
- Not a charity

Section C: National Affiliation

CBPC shall be affiliated with Pickleball Canada Organization (PCO)

Section D: Provincial Affiliation

CBPC shall be affiliated with Pickleball New Brunswick (PBNB)

Section E: Head Office

The head office shall be the residence of the presiding secretary.

Section F: Logo

The logo of CBPC shall be:



Section G: Goals and/or Purpose

The goals and/or purpose of CBPC shall be:

- To act as a Governing body for pickleball amongst its members
- To promote the sport of Pickleball for all in the Chaleur region of New Brunswick
- To provide a safe environment for all to enjoy the fun, exercise and social interaction associated with the game of pickleball
- To provide the opportunity for all players to learn and improve their play by offering training programs, lessons and clinics
- To respect the needs and goals of all players by providing the opportunity to play pickleball both recreationally and competitively
- To provide its services in a way that is fair and equitable to everyone
- To provide an environment free from prejudice or bias where everyone can feel welcomed
- To provide members with common-use, first aid and safety equipment as required
- To assist groups or individuals with the use of facilities

Article 2: Membership, Dues, Confidentiality, Playing Time, Suspension/Expulsion

Section A: Eligibility

Membership shall be open to any person who is a registered member of Pickleball Canada Organization (PCO) and Pickleball New Brunswick (PBNB).

Section B: Definition of Members

Members are defined as those who have paid their dues, and will be deemed to have accepted this Constitution and Bylaws, its regulations and code of conduct. They shall be considered as members in good standing.

Section C: Dues

- Members will be charged an annual membership fee. Annual fees are payable on or before January 1st of each year.
- The annual membership fee shall be determined by the Board of Directors each year based on CBPC's operation budget.
- Annual membership fee is non-refundable.
- The membership fee will be used to pay for common expenses such as nets, balls, maintenance of the outdoor courts, first aid supplies, promotion, tournament organization, participation in PBNB meetings etc.
- Board of Directors reserves the right to charge an additional fee for court reservations, training clinics offered outside of the CBPC School, league play or tournaments deemed necessary to the sustainability of the CBPC.

Section D: Confidentiality

The Board of Directors shall maintain the confidentiality of its members at all times. It will not engage in trafficking or selling a list of members to third parties. Emails shall be used by the CBPC Board of Directors for the purpose of carrying out CBPC business, such as general mailings and tracking membership requirements. Policies, schedules, playing tips etc. are for the use of CBPC members only and are not to be shared with non-members without Board of Directors written approval.

Section E: Playing Time and Rules of Play

CBPC uses locked, public facilities for indoor court space. There must be a group leader who will take the responsibility of entering into a contract with the facility owner/organization/government agency in order to access these facilities. As such, each CBPC member must be accepted into a group, officially recognized by the Board of Directors in order to play indoors. Group leaders may set a minimum skill level and should maintain a waiting list if their group is full. Those on a group waiting list will be encouraged to enhance their skill levels at the Pickleball School during the Fall/Winter season and on the outdoor courts during the Spring/Summer season. CBPC members shall follow the current official rules of play of Pickleball Canada Organization (PCO).

Section F: Suspension/Expulsion

The BOD may suspend, for such period as it determines, or expel any member whose conduct is deemed detrimental to the CBPC. Any member who fails to pay dues when they become due shall be automatically suspended from membership until such dues are paid. Before pronouncing a suspension or expulsion, for any reason other than failure to pay dues, the Executive Officers must advise, in writing, the individual concerned of the date and time of his/her case and allow the member to be heard.

Article 3: General Assembly of Members

Section A: Robert's Rules

All meetings shall utilize Robert's Rules of Order, regardless if the meeting is in person, by video conference or audio.

Section B: Composition

The General Assembly is made up of the members in good standing (paid up) of CBPC.

Section C: Voting Rights

Members who have paid their dues can participate in the Annual General Meeting (AGM) or Special General Meeting (SGM) and have the right to vote.

Section D: Annual General Meeting (AGM)

- An Annual General Meeting (AGM) shall be held within the first 4 (four) months of each year, i.e., prior to May 1st, with a date, time and place set by the Executive Committee.
- The agenda and any related documents shall be sent at least 30 (thirty) days in advance, to all members.
- The President shall act as Chairperson for all aspects of the AGM except for elections
- The AGM will receive a report from the President and the Treasurer.
- All resolutions passed at the AGM will take effect at the close of the AGM unless otherwise agreed upon.
- Members wishing to bring forth a motion or motions to the AGM must submit their motion(s) in writing to the Secretary of the Board at least 2 (two) weeks prior to the date of the AGM.
- Any member in good standing as defined in Article 2: Section B of this Constitution and Bylaws who wishes to let his or her name stand for election to a position on the Board of Directors, must give notice of his or her intentions, in writing, to the Secretary of the Board of Directors at least 2 (two) weeks prior to the AGM.

Section E: Powers of the AGM

The Annual General Meeting has all the rights, including but not limited to:

- electing members of the CBPC Board of Directors
- adopt financial statements of CBPC
- amend the Constitution and Bylaws of CBPC
- adopt the Constitution and Bylaws of CBPC
- appoint or elect, if necessary, a bookkeeper/accountant for the following year

Section F: Special General Meeting (SGM)

A Special General Meeting (SGM) may be convened at any time, at the request of the Board of Directors or one third of the members entitled to vote, at a date, time and place set out by the Board of Directors. SGM discussions shall be limited to the SGM agenda. For clarity: No additional items will be added to the agenda during the SGM. Notice of a SGM shall be sent electronically to all members, not less than 10 days before the meeting.

Section G: Quorum

At an AGM or SGM, a quorum shall consist of 3 (three) Executive Committee members and a minimum of 15 (fifteen) paid members of CBPC. A simple majority of 50% plus 1 (fifty percent plus one) of those voting shall determine the action of CBPC.

Article 4: Board of Directors

Section A: Structure

The Board of Directors (BOD) shall consist of the 4 (four) Executive Committee members (President, Vice President, Secretary and Treasurer) and additional Board members. The additional Board members shall be a minimum of 7 (seven) and a maximum of 9 (nine) CBPC members in good standing. The additional members shall include a representative from Membership and Scheduling, Training and Player Development and the Health & Safety committees, as well as 4 (four) representatives from the group leaders. Group leaders shall appoint their 4 (four) representatives who shall serve as their advocates. (See also Article 6: Duties of Group Leaders). The BOD may name 2 (two) additional members as required.

Section B: Eligibility

All Board of Directors (BOD), including Executive Committee members, must be members in good standing of CBPC.

Section C: Responsibilities

The Board of Directors (BOD) shall **manage the affairs** of CBPC as laid out in, but not limited to, the contents of **Appendix 1**. The BOD are responsible to the General Membership to uphold the Constitution and Bylaws. The BOD shall meet no less than quarterly. The President or Secretary shall Chair the BOD meetings.

Section D: Board of Director Terms

Board of Director members, **excluding** the Executive Officers, shall be elected by the CBPC membership, at the AGM, for a term of 3 (three) years. A Board of Director member shall serve a maximum of 2 (two) consecutive terms and must sit out at least 1 (one) year before a re-election. Board of Director terms will be staggered so that a maximum of 3 (three) Board of Director members are replaced each year.

Section E: Executive Committee Officers and Terms

The Executive Committee shall **determine the direction** of CBPC and is responsible for the day-to-day operation of CBPC. The Executive Committee members are the Officers of the Board of Directors and shall be the President, Vice President, Secretary and Treasurer. The Executive Committee shall be elected at the AGM and will take office on the first day of the month following the AGM. The Executive Committee (Board Officers) terms of office are set at 1 (one) year and all Officers shall be eligible for re-election each year.

Section F: Advisors

The President, subject to the BOD approval, may appoint advisors to the BOD who may attend and participate at BOD meetings in a non-voting capacity.

Section G: Quorum

A quorum at BOD meetings shall be 3 (three) Executive members and 6 (six) other Board members. An Executive Committee meeting quorum shall be 3 (three) members of the committee. At BOD meetings, each Board member, **excluding** the President, who is present either in person, via videoconference or audio, shall receive one vote. The President shall only vote in the event of a tie. A simple majority of 50% plus 1 (fifty percent plus one) shall determine the action of the BOD.

Article 5: Duties of Officers

Section A: Required Attendance

Attendance at BOD meetings may be in person, via video conference or audio. Missing 3 (three) or more consecutive BOD meetings may result in termination of office.

Section B: President

It shall be the duty of the President to:

- Preside over Board of Director meetings, Executive Committee meetings, AGM and SGM
- Oversee all CBPC business to ensure it is conducted as directed by the BOD
- Be the primary contact person for all matters dealing with CBPC
- Ensure CBPC representation at the Provincial Level (PBNB)
- Appoint, with the approval of the BOD, a committee Chairperson
- Serve as an ex-officio member of all committees, except any nominating committee
- Be a signing officer of CBPC
- Be bilingual if at all possible
- Assist the Secretary in devising and preparing the agenda for circulation to the BOD in advance of meetings
- Vote only in the instance of a tie
- Perform other such duties as would ordinarily pertain to this office

Section C: Vice President

It shall be the duty of the Vice President to:

- Preside in the absence of the President, at all meetings
- Assist the President when requested
- Exercise all powers of the President in the event of the President's resignation, incapacity, removal or demise
- Be bilingual if at all possible
- Perform other such duties as would ordinarily pertain to this office

Section D: Secretary

It shall be the duty of the secretary to:

- Keep and report the general correspondence of the CBPC
- Record and report the minutes at all meetings
- Record and distribute minutes of all meetings including BOD meetings, AGM and SGM
- Keep an up-to-date minute book which is accessible to the general membership
- Keep 2 (two) copies of all the important club records. One a hard copy and the other electronic
- Schedule and advise all BOD members of meetings, dates, times, locations
- In conjunction with the President, devise, prepare and distribute an agenda in advance of meetings
- Be bilingual if at all possible
- Perform other such duties as would ordinarily pertain to this office

Section E: Treasurer

It shall be the duty of the treasurer to:

- Maintain the CBPC bank account, which shall require three (3) signing authorities
- Act as a signing officer of CBPC
- Receive and distribute all funds appropriately
- Keep an orderly file of all receipts and expenditures
- Provide monthly and annual financial reports to be presented at BOD and Annual General Meetings
- Track all membership fees and other monies such as grants etc.
- Be bilingual if at all possible
- Perform other such duties as would ordinarily pertain to this office

Section F: Vacancies

If a vacancy occurs in the Office of the President, the Vice President shall assume the office for the remainder of the term. A vacancy in any other office, shall be filled by a special election or a board member appointed by the President, subject to BOD approval, **if** nobody comes forth to volunteer for the vacant office.

Section G: Removal of an Officer

A Special General Meeting (SGM) of members is required to remove an Officer of CBPC.

Article 6: Duties of Group Leaders

The Group Leaders shall:

- Organize respective groups
- Determine the group's operating methods, ensuring they meet CBPC standards as specified in the Constitution and Bylaws
- Appoint 4 (four) group leaders to attend BOD meetings. These 4 (four) group leaders shall act as advocates for all group leaders. All group leaders shall be consulted on any issue/s directly affecting groups. The representatives shall raise any group concerns or suggestions to the BOD and shall communicate the response and/or changes affecting group operations to all group leaders.
- Determine the number of players for their respective groups and keep a waiting list if necessary
- Submit a list of players and the amount paid by each player to the BOD at the beginning of each season and communicate all additions to the list in the course of the season. This includes "walk-in" players.

Article 6 continued

- Plan and administer the group's budget. This includes common expenses such as the rental of the gymnasium, balls, other equipment and supplies utilized by the group, that are not provided by CBPC.
- Ensure group members each pay an equal share of their group's common expenses. The amount payable may vary depending on session length and number of members in each group. All money collected by that group shall remain the property of that group.
- Prepare financial statements and budget to be submitted to the BOD. The submission date for this document shall be May 15th.
- Ensure each group member is registered with Pickleball Canada Organization (PCO) and has paid CBPC dues.
- Ensure the operating surplus for the group does not exceed \$850 (eight hundred and fifty)
- Ensure Code of Conduct is followed and report, at their discretion, incidents to the BOD
- Ensure that players within their group have access to equal playing time
- Schedule gymnasium timetable with the City of Bathurst representatives and ensure written confirmation of dates. Cancellation of gymnasium usage (ie. for inclement weather) and credit to groups may be possible if done in a timely manner.
- Promptly report issues related to safety and/or cleanliness of the gymnasium to the President and to any group entering the gymnasium immediately following your group. For example: water leaking from the roof onto the playing surface.
- Ensure the gymnasium is clean and in order prior to exiting the building. Nets and poles are to be taken down and stored appropriately if the group following yours is not a pickleball group.
- Accommodate out-of-town Pickleball Canada members if possible. Proof of a valid PCO registration number must be obtained and recorded.
- Ensure all new members are provided with the Etiquette and Safety Rules
- Abide by the following should they wish to offer a non PCO registered guest the opportunity to play pickleball at one of their regularly scheduled play dates: **This is a one (1) time trial** and normally reserved for people who have played pickleball in some capacity. Membership will not be required, however, a liability waiver must be signed and regular drop-in fees will apply. If, after the one (1) time trial, the player is invited into a group and wishes to continue to play with the group or in a clinic setting, full membership will be required. Players new to the game should be directed to the School. (See also Article 10: Operation of CBPC School and Introductory Sessions)
- Inform members of availability of the First Aid Kit, CPR/AED and safety policies
- Provide a plan for the dispersal of its funds should the disbanding of the group occur. The BOD must approve this plan.

Article 7: Committees and Committee Meetings

Section A: Committee Members

All Committee members shall be members in good standing of the CBPC.

Section B: Terms of Reference

All committees shall have a Terms of Reference (ToR) that describes structure, purpose, intent and a plan. The plan shall include specific short term (0-2 years) goals and general long term (3-10 years) goals. The ToR shall include the requirement for the committees Annual Report to be provided to the President one month prior to the AGM.

Section C: Standing Committees

The following shall be the standing committees of CBPC and will be activated as necessary. The President shall appoint the Chairperson of these committees, subject to BOD approval.

- Membership and scheduling
- Training/Player development
- Health, safety and maintenance
- Systems and communication
- Governance
- Outdoor Courts
- Tournaments, special events and leagues
- Equipment/Inventory

Section D: Additional Committees

The BOD shall have the authority to appoint any ad-hoc committees from time to time as need demands. Ad-hoc Chairs shall have a non-voting role on the BOD for the duration of their tenure if they are not already a BOD member.

Section E: Meetings

The Chairperson shall preside at its respective committee meetings. Meetings of any committee shall be held at a time and place set by its Chairperson. One half of any committee members shall have the power to convene a meeting. All committees shall keep minutes of their proceedings, copies of which shall be sent to the secretary.

Article 8: Remuneration

All BOD Members, Committee Members, Group Leaders and Volunteers, shall serve as such without remuneration. No BOD Member, Committee Member, Group Leader or Volunteer shall directly or indirectly receive any profit from their position. Reasonable expenses incurred by any of the said Members or Volunteers shall be paid by the Treasurer upon receipt of supporting documents and/or receipts.

Article 9: Financial Administration

Section A: Fiscal Year

The fiscal year of CBPC is from January 1 to December 31.

Section B: Bank Account

A separate CBPC bank account, in a legally accredited financial institution, shall be used to transact all CBPC finances.

Section C: Spend Limit

For amounts less than \$500 (five hundred), the Executive Committee may decide and present the documentation for the expense/s at the next BOD meeting. BOD shall approve Club expenditures of \$500 (five hundred) or more, up to a maximum of \$5,000 (five thousand) at a BOD meeting, but if that is not feasible, then via email. Amounts in excess of \$5,000 (five thousand) require the approval of $\frac{2}{3}$ (two thirds) of the membership via an email request or via an SGM which would require approval of $\frac{2}{3}$ (two thirds) of the members present. Results of such a vote would be forwarded to the general membership via email.

Section D: Cheques/Electronic Transfers

Cheques issued by CBPC shall be signed by and 2 (two) of the authorized signing officers. Electronic transfers shall be initiated by any 1 (one) of the authorized signing officers and confirmed by any 1 (one) of the remaining authorized signing officers.

Section E: Fundraising

- The BOD must oversee and approve all matters regarding CBPC fundraising or sponsorship. Any funds, equipment or other items obtained from sponsors and/or from fundraising, will automatically become the property of CBPC.
- No team, club, group, coach, manager, parent or any CBPC member shall undertake individual fundraising projects outside of the auspices of the BOD.

Section F: Donations, Gifts, Legacies and Bequests

The BOD, on behalf of CBPC, may accept donations, gifts, legacies and bequests.

Article 10: Operation of CBPC School and Introductory Sessions

- The CBPC School will be staffed by NCCP (National Coaching Certification Program) certified Level 1 or higher Coaches. These Coaches will be coaching on a voluntary basis.
- At the present time, the City of Bathurst offers gymnasium space to the CBPC School for 3 (three) hours each Sunday morning at no set cost to CBPC, therefore there will be no charge for attending events at the CBPC School. Attendees may offer a donation to the CBPC in lieu of a fee if they so choose. Any money collected is divided equally between the City of Bathurst and the CBPC. The CBPC portion will be used for common expenses such as balls and training aids. The BOD reserves the right to amend these terms if the offer of no set cost for gymnasium use by the City of Bathurst should change.
- No membership of any kind is required to attend the CBPC School's 6 (six) hour Introduction to Pickleball course, however, a liability waiver **must** be signed by each attendee. This course will consist of 2 (two) - 3 (three) hour sessions. After completion of the 6 (six) hour Introduction to Pickleball course, any attendee wishing to continue to play in a CBPC group or attend regular clinics, must register with Pickleball Canada Organization (PCO) and pay the CBPC membership fee to become a member in good standing.
- Group Leaders who wish to offer a non PCO registered guest the opportunity to try pickleball at one of their regularly scheduled play dates, may do so without membership requirements, however, a liability waiver must be signed and regular drop-in fees would apply. This is a one time trial and full membership will be required if the player wishes to continue to play with the CBPC either in a group or clinic setting. (See also Article 6: Duties of Group Leaders)
- Training clinics offered by CBPC School will be open to all CBPC members in good standing, subject to space availability.

Article 11: Cease to Operate

Because CBPC is a not for profit organization, upon dissolution of the CBPC, and after payment of all debts due and liabilities, its remaining property shall be distributed or disposed of to a registered not for profit organization, charity or charities, recognized by the Revenue Canada Agency having objects the same as or similar to the CBPC which carry on their work solely in Canada; and no part of any property of the CBPC shall be available to its members upon dissolution. The BOD shall choose which not for profit organization, charity or charities receive said property.

Article 12: Protection of the Directors

- Directors of CBPC, in exercising their powers and discharging their duties, shall act honestly and in good faith with a view to the best interests of CBPC and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. By so doing, Directors shall not be held liable for any of their actions.
- Directors, Committee Members, Group Leaders and their heirs shall at all times be completely indemnified out of CBPC funds for all costs, charges and expenses which such Members sustain or incur as a result of any proceeding which is brought against them or any act or omission relating to the execution of their duties and all costs, charges and expenses which such Members sustain or incur in relation to the affairs of CBPC, except for such costs, charges and expenses occasioned by their wilful neglect or default.

Article 13: Execution of Documents

Documents, including contracts of CBPC, signed by any two officers shall be binding upon the CBPC without further authorization or formality.

Article 14: Auditors

Members may choose to appoint an external accountant to audit or review the accounts of CBPC for a report to the members at the next AGM. The remuneration of the accountant shall be fixed by the Executive Committee.

Article 15: Language

At meetings of members (AGM or SGM), members shall have the right to ask questions in either English or French and they shall receive their answer in the same language as it was asked.

The following instruments shall be produced in English and French:

- Constitution and Bylaws
- Terms of Reference
- Policies
- Minutes of Meetings
- CBPC website and all its content
- Emails to the whole CBPC membership

Article 16: Adoption of New or Amendment of Existing Constitution

To make an addition to, delete or modify the Constitution and Bylaws of CBPC, membership approval is required, through a majority vote, at an AGM. The Board may approve interim changes until ratification at the next AGM.

Article 17: Declaration

Club Bathurst Pickleball Club hereby adopts and accepts this Constitution and Bylaws as a current operating guide regulating the actions of its Officers and Members.

President

Secretary

Changes Approved and Adopted at the AGM held: February 22, 2025

Club Bathurst Pickleball Club

Constitution and Bylaws

Appendix 1

The Board of Directors (BOD) shall:

- Adopt new policies, codes of conduct and rules that affect the organization of CBPC
- Maintain a list of current CBPC members
- Set and administer the CBPC's annual membership fees
- Purchase common use equipment as required
- Act as a liaison with the City of Bathurst and the Centennial Park Association
- Act as a liaison with Pickleball New Brunswick (PBNB) and Sport NB
- Accept or reject new groups to CBPC
- Ensure that each group's operating methods meet CBPC standards
- Take cognizance of code of conduct breaches reported by group leaders. It should be noted that individual groups should make every effort to enact disciplinary measures at the group level and that the BOD involvement should be a last resort. The BOD may revoke membership to CBPC of any member in good standing.
- Oversee each group's special case handling to ensure they meet CBPC standards
- Establish committees to act on behalf of the Board of Directors (BOD)
- Appoint subcommittees and advisors to the BOD as necessary to fulfill its business
- Approve the CBPC's budget
- Oversee the CBPC's bank account and financial activities
- Explore funding streams from Sport NB and other government agencies, tournaments etc
- Ensure coordination of all incoming correspondence through available means of communication (i.e. mailing addresses, emails, Website, Facebook)
- Ensure the management and conservation of all CBPC documentation
- Convene an Annual General Meeting (AGM)
- Appoint a Nominating Committee, which will propose candidates at the AGM for the position of President, Vice President, Secretary and Treasurer
- Establish Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED) and safety policies in coordination with the Health and Safety Committee
- Establish an etiquette policy
- Arrange for training/clinics
- Establish a travel expense policy for members conducting business on behalf of CBPC.
- Act as a Public Relations spokesperson(s) for CBPC