

DEVON MINOR HOCKEY ASSOCIATION

## Devon Minor Hockey Association Bylaws

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## **DEVON MINOR HOCKEY ASSOCIATION BYLAWS**

The name of the Society is Devon Minor Hockey Association or DMHA. The Association is the governing body for all Minor Hockey in the Town of Devon. The Association shall maintain membership with Hockey Alberta and as such be subject to the Bylaws, Rules and Regulations of both Hockey Alberta and Hockey Canada.

### **1. DEFINITIONS**

- a. "Annual General Meeting" (AGM) means the annual general meeting of the Members, as described in the Meetings of the Association section, Members Meetings of these bylaws and required in the Societies Act;
- b. "Boundary" shall mean that line, as mutually agreed upon and/or recognized by Hockey Alberta, that separates one-member association from another, and defines that area from which each member association may register participants as "Resident Players"; refer to Rules and Regulations for current "Boundary";
- c. "Bylaws" means the Bylaws of this Society as amended;
- d. "Coach" means a person registered with Hockey Alberta as a Coach of a Hockey Team;
- e. "Committee" means a group of appointed Members, Coordinators, and Directors that coordinates the work of the Executive and/or the affairs of the Society. An Executive Director usually chairs any Committees decided by the Executive. Committees are accountable to the Executive as a whole.
- f. "Coordinator" means a person that has been appointed by a majority vote by the Executive, to fulfill a specific support role and reports through a specific Executive Director;
- g. "Director" means any person elected or appointed by the Members during an Annual General Meeting to fulfill a specific Executive board position, in a voting role. This includes the President and the immediate Past President;
- h. "Executive" means persons' that have been elected or appointed by the Members during an Annual General Meeting to fulfill specific Director positions. The Executive is the administrative governing board of the Society between Annual General Meetings of the Association;
- i. "Hockey Team" or "Team" means a group of persons comprised of;
  - i. A maximum of nineteen (19) Players,
  - ii. A minimum of eleven (11), including one goalie, players or as defined by HA,
  - iii. A Coach who holds certification in compliance as defined by the Hockey Canada and HA regulations,

- iv. All Hockey Teams must have at least one (1) Team Official qualified with the Hockey Canada Safety Program and be at all games for their respective team,
- v. All head coaches and assistant Coaches must have the Coach Respect In Sport certificate and submit their certificate number to DMHA registrar as requested, as per HA requirements.
- j. "Hockey Season" means the period commencing August 1 and ending June 30 of the following year;
- k. "League" means a group of three (3) or more Hockey Teams recognized by Hockey Alberta as a League i.e. Northern Alberta Interlock
- l. "Legal Guardian" shall be defined as a person that is granted guardianship of a Player under the age of eighteen (18) years by the law courts of competent jurisdiction;
- m. "Member" means a person or legal entity that has been admitted as a member of the Association;
- n. "Member in good standing" includes without limitation
  - i. Financial obligations not met
  - ii. Current or unresolved disciplinary concerns
  - iii. Or as otherwise deemed by the Executive
- o. "Minutes" are the official records of the business conducted at the meetings of the Society and meetings of the Executive. Accurate minutes provide the legal and historical perspective of the Association. The Minutes of the meetings of the Members, and the Executive will be accessible for the Members on the DMHA website within thirty (30) days after the Minutes are approved by those Members attending the respective meetings.
- p. "Paid Administrator" means a person that has been appointed by a majority vote of the Executive Directors, to fulfill an administrator role for day-to-day administration of the Association and is part of the Executive, in a non-voting Executive board position;
- q. "Past President" shall mean the immediate former President of DMHA;
- r. "Player" means a person properly registered with DMHA;
- s. "Regular Meetings" means monthly Executive board meetings, as described in the Meetings of the Association section, Executive Meetings of these bylaws;
- t. "Resolution" means an ordinary decision passed at an Annual General Meeting, Special Meeting, Regular Meeting by a vote of not less than fifty percent (50%) of either those

members or Executive members present in person plus one (1) meeting the quorum requirements;

- u. "Rules and Regulations" means those regulations of DMHA for the administration
- v. "Society" means the Devon Minor Hockey Association or DMHA which is a Society incorporated or continued under the Societies Act;
- w. "Special Meeting" means a Members meeting that is not the Annual General Meeting; as described in the Meeting of the Association section, Members Meetings of these bylaws and required in the Societies Act;
- x. "Special Resolution" means a resolution passed at an Annual General Meeting or Special Meeting of the membership of the Society for any purposed mentioned in the Societies Act: changing the objects, amending the bylaws, issuing debentures, surrendering the certificate of incorporation;
- y. "The Association" means the Devon Minor Hockey Association;
- z. "The Headings" herein are given for convenience only and shall not affect the interpretations of the Bylaws;
- aa. "These Bylaws" shall be interpreted in a large and liberal sense so as to give effect thereto wherever possible.

## **2. MEMBERSHIP**

- a. Members shall be limited to both the parents and legal guardians of players registered with the Association for the Hockey Season, who have paid their annual registration fees and residency of a non-hockey parent voluntary. A "Member" may also be an individual with or without a player registered with DMHA, who has been elected into an Executive position for that specific Hockey Season. Residency of said "Member" may or may not be in accordance with DMHA rules and regulations.
- b. Members must agree to abide by all Rules and Regulations of DMHA and the agreement will be acknowledged during the online registration.
- c. The Association must approve Members. Approvals, evidenced by the Registrar, are to be given after acceptance of proper registration and registration payment for player(s). Also the residency must be consistent with the DMHA Rules and Regulations, consistent with Hockey Alberta Regulations and DMHA authorized categorization.
- d. DMHA reserves the right to expel anyone who fails to abide by the DMHA Rules and Regulations, by a two-thirds majority vote by the Executive.

- e. The Executive shall have the power to suspend or expel any Member who may, in their opinion, be guilty of conduct detrimental to the interest of the Association. However, no member shall be expelled without first having been given the opportunity of appearing before a meeting with a Committee appointed by the Executive to answer any charges made against him/her.
- f. Any Member in good standing is entitled to receive notice of meetings of the Society, attend any meeting of the Society, speak at any meeting of the Society, and exercise other rights and privileges given to Members in these bylaws.
- g. A Member may withdraw by either giving the Association's Registrar three (3) weeks' notice of his intention in writing and thereafter such withdrawal shall be accepted, or by not paying the fees or dues required.
- h. The Executive may award Life Membership or Annual Honorary Membership as it deems fit.
- i. Members and Life Members shall be entitled to such information and advice with regard to the affairs of the Association, as the Association or any of its Executives may be able to supply.
- j. Members in good standing and Life Members present in person shall have one (1) vote at Members meetings of the Association. Only Members in good standing and Life Members may make a motion or nomination, and/or second a motion or nomination. Members in good standing and Life Members may not vote by proxy.
- k. All Members are to conduct themselves in accordance with Hockey Alberta "Codes of Conduct" and the "Respect in Sport" program.

### **3. REGISTRATION**

- a. Prior to June 30 of each year, DMHA will set up an online registration system through its website. Where applications for players to participate in the Association's program will be received. Registrations will only be accepted with appropriate contact information from one of the player's parents or legal guardians and accompanied by acceptable payment as determined by the Executive. At the time of registration, the DMHA Registrar will require the Parent Respect in Sport course certification number in accordance with Hockey Alberta requirements.

Registration will continue to be received by the Executive after the registration sessions mentioned above, until the deadline imposed by the Hockey Alberta or as provided elsewhere in these Bylaws or DMHA Rules & Regulations.

- b. Registrations will be accepted if:

- i. The player lives in the Town of Devon or closer by the shortest road route to the Town of Devon Corporate Limits than any community (except Edmonton) which offers a hockey program for that player's age group, or
  - ii. The player was last registered with the Association and has not moved to another community since the previous registration.
- c. Provisional registrations will be accepted for a player where a minor hockey association closer to the player's home may not be able to offer a program, that is, ice a team at the player's age group. On October 15, if the other minor hockey association is still unable to ice a team at that age level, then the provisional registrant will be accepted as final, subject to receiving a "release", if required by Hockey Alberta. The parents of provisional registrants shall not become members of the Association until the registration is finally accepted.

Nothing in the above shall prevent the Executive from combining its registrants from one or more age level with those registrants from another association at the same age level for the purpose of providing a more viable number of teams, icing a stronger first team, sharing ice facilities, or whatever reason the Executive deems reasonable.

- d. In the event that the number of registrants, received by October 15, at a particular level are not viable for the operation of a team or teams because of:
  - i. fewer than eleven (11) players, or
  - ii. no player prepared to be a goaltender, or
  - iii. between 20 and 23 players, being too many for one team but too few for two teams, or
  - iv. more than two (2) players per potential team, are only prepared to be goaltenders, or
  - v. less than one (1) goaltender per potential team;
- e. In the event that enough players and their parents/legal guardians from the immediately lower level are not prepared to move up, then the following will occur:
  - i. Too many players: No further registrations will be accepted and then releases will be made based upon the desire, talents and attitudes of the players as determined by a committee to be appointed by the Executive, which will include the team's head Coach, if available, to the maximum number permitted by Hockey Alberta. This is to be achieved by October 23.
  - ii. Too few players: All are to be released except those that wish and can be accommodated at the immediately younger (or older) level subject to the approval of the Executive, the pertinent leagues and Hockey Alberta.

The Executive is to make all reasonable efforts to find other minor hockey associations to accommodate released players. A full refund of the registration fee for the released player will be made.

- f. Annual registration and fundraising fees for each level shall be determined by the Executive prior to registration each year. Different fees may be adopted within each age level if certain teams will be more costly for the Association to operate, due to cost of additional ice time, higher referee fees, or any other valid costs. From time to time the Executive may call on all parents to volunteer during the season for association events.
- g. A Member so suspended or expelled shall have no right to refund of any part of his fees.

#### **4. MEETINGS OF THE ASSOCIATION**

##### **Members Meetings**

- a. The Annual General Meeting should be held prior to the end of June each year in Devon, Alberta at a time, place and date fixed by the Executive. The Annual General Meeting deals with the following matters:
  - i. Adopting the agenda;
  - ii. Adopting the minutes of the last Annual General Meeting;
  - iii. Considering the President's report;
  - iv. Reviewing the financial statements setting out the Associations income, disbursements, assets and liabilities and review the audit report either completed by the dually qualified accountant or by the two members of the society that were elected at the last Annual General Meeting for that purpose;
  - v. Appointing the auditors;
  - vi. Electing the Vice President;
  - vii. Electing the Executive members;
  - viii. Considering matters specified in the meeting notice i.e. Special Resolutions;
  - ix. Other specific motions that any members has given notice of before the meeting is called;
- b. All other meetings of the membership shall be called Special Meetings and the Executive may, whenever they think fit, or upon the request in writing of not less than seven (7) Members in good standing convene such a meeting. Every such request shall set out the purpose for which the meeting is to be called. Only matter(s) set out in the notice for the Special Meeting are considered at the Special Meeting.



- c. Twenty-one (21) days' notice of the Annual General Meeting or Special Meeting must be given to every Member in good standing of the Association. Member meeting notices will be posted on the DMHA website and be sent out by email to Members in good standing. The notice shall specify the place, date, time, any business requiring a Special Resolution and the purpose for the meeting. The non-receipt of a notice by any member shall not, however, invalidate the proceedings at any such meeting nor any resolution passed thereat.
- d. At any meeting of the Members a quorum shall consist of six (6) members present in person.
- e. The President and in his absence, the Vice-President, shall preside as chairman at every meeting of the Members. If neither the President nor the Vice-President is present within fifteen (15) minutes after the time for holding the meeting, the Members shall choose someone of their own to be the chairman of the meeting. The chairman, with the consent of the meeting, may adjourn any meeting from time to time, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- f. At any meetings of the Members, Resolutions shall be decided upon by a majority of votes, in the first instance by a show of hands, unless before the show of hands, a secret ballot is demanded by at least two (2) Members personally present. In the case of an equality of votes at any Annual General Meeting or Special Meeting, the chairman shall be entitled to a deciding vote.

#### **Executive Meetings**

- g. Members of the Association with an Executive position are expected to attend monthly Regular Meetings at which time they will present a report of the goings related to their role with the Executive. If an Executive Member is unable to attend a Regular Meeting, they will be required to advise the President in advance and supply a reason for the absence. Any Executive Member who misses two or more Regular Meetings without an acceptable reason may be removed from their position if absences are affecting their ability to fulfill their role. The Executive must have a vote of 75% of the voting Executives present at a Regular Meeting to remove a Member from an Executive position.
- h. All Regular Meeting are open to Members, by petition to the President and inclusion on the agenda, but only Directors may vote. However, no notice of meeting to the membership shall be required. Members are only permitted to participate in a discussion when invited to do so by the Executive. A majority of the Directors present may ask any other Members, or other persons present, to leave.
- i. The President, and in his absence, the Vice-President, shall preside at all Regular Meetings as the chairman.
- j. Any five members of the Executive may at any time summon a Regular Meeting with at least 48 hours' notice to the President or Secretary.

- k. The Regular Meeting notice must be emailed to Executive at least three days before the scheduled date of the meeting. The notice shall state the date, place, and time of the meeting. Executive Directors may waive notice. Six (6) Directors present at the time when the meeting proceeds to business shall form a quorum. Resolutions arising at the meetings shall be decided by a majority of votes, and in the case of an equality of votes the chairman shall have a deciding vote.

#### **Committee Meetings**

- l. An Executive Director should chair each committee created by the Executive. The chairperson calls committee meetings. Each committee should record minutes of its meetings, distribute these minutes to the committee members and to the chairperson and provide reports at the Regular Meeting of the Executive at the Executives request. A majority of the committee members present at a meeting is a quorum.
- m. The meeting notice must be e-mailed three days before the scheduled date of the meeting. The notice states the date, place, and time of the committee meeting. Committee members may waive notice.
- n. Each member of the committee, including the chairperson has one (1) vote, at the committee meeting. The chairperson does not have a casting vote in case of a tie.

### **5. GOVERNANCE OF THE ASSOCIATION'S EXECUTIVES, DIRECTORS, AND COORDINATORS**

- a. The Executive governs and manages the affairs of the Association. The Executive board of Directors of the Association shall consist of the President, Past-President, Vice-President, Secretary, Level Director, Coaches Director, Referee-in-Chief, Fundraising Director and PR Director. These Executive positions shall, except for the positions of the President and Past-President, be elected at the Annual General Meeting to be held prior to the end of June of each year.
- b. If the positions of President or Past President are vacant at the Annual General Meeting nominations shall be accepted to fill these positions.
- c. If more than one nomination is made for any vacant position, an election by secret ballot will be held by all Members attending the Annual General Meeting.
- d. Once the voting begins no Members shall be permitted to leave the meeting until all votes have been counted and results announced.
- e. Ballots will be counted by one (1) Executive Member and one (1) Member as determined by the chairperson.
- f. The annual term for all positions shall commence as of the Annual General Meeting and terminate as of the following Annual General Meeting.

- g. Unless the Executive otherwise decides, only members in good standing can vote in the elections of the Executive positions
- h. Duties of the Executive shall include, but not be limited to, the following:
- **President:** The President when present, chairs all meetings of the Members, the Executive, and assigned Committees. In addition, the President shall represent DMHA at Hockey Alberta meetings. The President supervises the affairs of the Executive and they also act as the main spokesperson for the Association.
    - a. DMHA does not have a Society Seal. Should one be adopted, the President will be responsible for keeping the seal and deciding who has permission to use it. The Executive will decide how and when the DMHA logo is used.
  - **Vice President:** The Vice President shall, in the absence or inability of the President, assume the duties of the President and shall, in that event, have all the powers, authority, and restrictions of the President. The Vice President is also responsible for the Paid Administrator(s) and coordinating their interviews and evaluations. In addition, the Vice President should chair any Committees for personnel or Member concerns if their involvement has no conflicts of interest due to their presents.
  - **Secretary:** The Secretary will be responsible for preparing and keeping minutes of meetings of the Members, and the Executive throughout the year. They will also keep amendments made to DMHA Rules and Regulations and DMHA Bylaws, and should chair any Committees that reviews these Association documents. The Secretary will also make sure all notices of Members and Executive meetings are sent.
  - **Past President:** The Past President will serve an advisory role to the President and the rest of the Executive based on the Past Presidents experience as President.
  - **Coaches Director:** The Coaches Director will be responsible for recruiting coaches and chair the Coach Selection Committee interviews. They will also be responsible for communicating necessary information with coaches throughout the year with respect to Coach and player development. In addition the Coaches Director should chair any Hockey Alberta player development program change Committees.
  - **Level Director:** The Level Director will be responsible for communicating necessary information with the Level Coordinators and team managers

throughout the year. Annually the Level Director should chair Hockey Team evaluation Committees.

- **Referee in Chief:** The Referee in Chief will work with the North Zone Referees' Committee to set up an Officiating Clinic for the referees. They will also be responsible for recruiting and retention of referees for DMHA.
  - **Fundraising Director:** The Fundraising Director will be responsible for organizing fundraising activities and should chair any fundraising Committees required as determined by the Executive. They will also be the primary contact person with the Alberta Gaming and Liquor Commission with respect to tournament raffles and draws.
  - **PR Director:** The PR director will be responsible for promoting DMHA within the community. This will include looking for opportunities to have articles and news put into the local Media, working with local sponsors and generally promoting DMHA to the public at large.
- i. The number of Coordinators to serve with the Executive for the next Hockey Season shall be determined by the Executive and communicated to the membership in the notice of Annual General Meeting or notice posted.
  - j. Coordinator positions shall be filled by a submission of names from the membership and approved by a majority vote by the Executive prior to September 30 of the current Hockey Season.
  - k. The retiring President shall automatically be the Past-President, however, upon the request of the Executive and the consent of the majority of the eligible Member voters in attendance at the Annual General Meeting, the President may retain his office for the next year however the President may not retain this position for more than two (2) successive years.
  - l. Upon the President retiring his position, the Vice-President shall automatically take the position and become the President.
  - m. If there is no Vice-President, the Vice-President shall be determined by the new Executive from those members elected as Directors, such determination to be made on or before the first meeting of the new Executive.
  - n. The Executive may act notwithstanding any vacancy in its body and if a member of the Executive shall resign or if a vacancy shall occur by death or otherwise, or a position not filled at the election, the Executive shall select a member in good standing to act in the place for the balance of the term of office.

- o. The hiring of any Paid Administrator position(s) would be determined annually by majority vote of the current Executive. Paid Administrator positions, unless listed as an Executive position, would be non-voting members of the Executive. A paid position(s) will be paid by Honorarium, monthly pay or annual pay as decided by the Executive. Those holding Paid Administrator positions are required to attend the monthly Regular Meetings and fulfill some volunteer duties during months prior to or after the months in which they receive pay. DMHA will advertise for applications to fill monthly or annual paying positions. The Executive will review applications and narrow applications down to one successful applicant by means of a majority vote of the Executive. The remuneration to be paid to the Paid Administrator's and Executive Directors shall be in such amounts as the Members by resolution may from time to time determine.
- p. Any member of the Executive shall ipso facto vacate office:
  - i. If he becomes bankrupt or insolvent or assigns for the benefit of or compounds with his creditors;
  - ii. If he becomes lunatic or of unsound mind;
  - iii. If by notice in writing he resigns his office;
  - iv. He is removed from office by a resolution approved by seventy-five (75%) of the members present entitled to vote and voting at any Special Meeting of the Association;

## **6. POWERS AND PROCEEDINGS OF THE EXECUTIVE**

- a. The management and administration of the affairs of the Association shall be vested in the Executive who, in addition to the powers and authorities by these presents or otherwise expressly conferred upon them, may be exercised all such powers and do all such acts and things as may be exercised or done by the Association which are not hereby or by statute required to be done by the Association in Annual General Meeting or Special Meeting.
- b. The Executive shall have full power from time to time to make such rules and regulations as they may think fit, provided that such rules and regulations are not inconsistent with these Bylaws.
- c. The execution of all documents and signing of all cheques in connection with the formation, promotion or administration of the Association shall be signed by two of the following Executives, namely: President, Vice-President, Past-President and/or Treasurer.
- d. The Executive is responsible to ensure the financial statements are completed as of the Society's fiscal year end of April 30 of each year.
- e. The Executive is responsible to ensure the financial records and books of the Society are audited at least once a year before the Annual General Meeting by a dually qualified

accountant or by at least two members of the Society elected for that purpose. These two members will be appointed at the Annual General Meeting. At each Annual General Meeting of the Society the auditor(s) submits a “complete statement” of the books for the previous year.

- f. The Society’s Members have the right to inspect the books and financial records whenever a Member would like to set up an appointment and meet with the Treasurer and another Executive with signing authority at such place agreed upon.
- g. All payments out of the funds of the Association shall be made only upon the authorization of a resolution of the Executive. The President and Treasurer shall be authorized to spend funds within the approved budget.

## **7. BORROWING POWERS**

- a. The Executive may from time to time at their discretion raise or borrow or secure the payment of any sum or sums of money for the purposes of the Association. They may raise or secure the repayment of any such moneys in such manner and upon such terms and conditions in all respects as they may, at their discretion, see fit, and in particular, by the execution and delivery of mortgages charged upon all or part of the real or personal property of the Association.
- b. In the event of the dissolution of the Devon Minor Hockey Association, any sum or sums of money held by the Association shall be donated to other not-for-profit organizations operating within the town of Devon for the benefit of children residing within the boundary of the Devon Minor Hockey Association. The benefiting not-for-profit organization/organizations would be selected by the Devon Minor Hockey Association Executive at the time of such dissolution.

## **8. AMENDING THE BYLAWS**

- a. These Bylaws may be cancelled, altered or added to by a Special Resolution at any Annual General Meeting or Special Meeting of the Members.
- b. The twenty- one (21) days’ notice of the Annual General Meeting or Special Meeting of the Members must include details of the proposed Special Resolution to change the Bylaws. As mentioned in the Societies Act there must be approval by a vote of 75% to pass the Special Resolution.. Executive Members, Directors, Coordinators and General Members may participate in a meeting of the Board by means of conference telephone or virtual communications equipment by means of which all persons participating in the meeting can hear each other, and an individual participating in a meeting pursuant to this subsection shall be deemed, for the purposes of these Bylaws, to be present in person at the meeting. ;
- c. The amended Bylaws take effect after approval of the Special Resolution at the Annual General Meeting or Special Meeting and accepted by the Corporate Registry of Alberta.