

ESMHA By-Laws

BY-LAWS OF THE EASTERN SHORE MINOR HOCKEY ASSOCIATION

BY-LAW 1 – MEMBERSHIP

1. The Mariners shall be composed of the directors, officers, and other members.
2. Membership shall be open to parents and guardians of registered players at the annual registration upon completion of the Mariner registration form and will be valid until the next annual registration. Membership will be accorded to one (1) parent/guardian per registered player to a maximum of two (2) per family.
3. Membership shall be open to all registered coaches, managers, team officials and on-ice officials with the association shall be deemed to be members of the association and people who offer to serve in any capacity from one registration period to the next and have been accepted by the directors.
4. Each individual described above will have a maximum of one (1) vote regardless of positions held.
5. Any member delinquent in their fees shall forfeit membership until full payment of fees.
6. Subject to the limitations set out in these by-laws, every member of the Society shall be entitled to
 - attend any meeting of the Society;
 - vote at any meeting of the Society;
 - hold any office.
7. Members are not entitled to vote by proxy and membership of the Society is not transferrable.
8. Membership in the Society shall cease upon the death of a member, or if, by notice in writing to the Society, the member resigns their membership, or if the member ceases to qualify for membership in accordance with these by-laws.

BY-LAW 2 – DIRECTORS The directors shall be elected at the annual general meeting. The directors shall be the President, Vice President, Registrar, Treasurer, Secretary, Equity Diversity and Inclusion Coordinator, Development Coordinator, Coaching Coordinator, Ice Coordinator, Equipment Coordinator, League Coordinator, Budget Coordinator, Risk Manager. Divisional coordinators are to be appointed by the executive.

BY-LAW 3 - ELECTION OF DIRECTORS

1. To ensure succession planning of the entire organization, some positions will be nominated for a 2 year period. Positions will be voted on as below:

President - Even Year

Vice President – Odd Year

Treasurer – Odd Year

Secretary – Even Year

Registrar – Even year

Ice coordinator – Odd year

Budget Coordinator – Even year

Development Coordinator – Even Year

Equity Diversity and Inclusion Coordinator – Odd Year

League Coordinator – Odd year

Coach Coordinator – Odd Year

Equipment Coordinator – Even Year

Risk Manager – Even Year

Divisional Coordinators – to be appointed by the board annually

2. The membership may nominate individuals who are members in good standing for a director position by providing notice to the Secretary not less than 15 days prior to the annual general meeting. "Members in good standing" have paid all their dues and fees to the Association and have not had their membership suspended or revoked. Such notice shall set out the name of the individual nominated and the position for which the individual is nominated. The nomination must be signed (or electronically verified) by the nominee indicating that they are willing to accept the position if elected.
3. A list of all duly nominated candidates and notice of election shall be communicated to the membership not less than ten (10) days prior to the annual general meeting via the website.
4. Nominations from the floor will require endorsement by 2 members in good standing. The nominee must be present and indicate that they are willing to accept the position.
5. Voting at the annual general meeting for directors shall be by secret ballot. To be declared elected a candidate must receive fifty (50) percent plus one vote of the ballots cast. If no candidate receives the required number of votes on a ballot, the candidate with the fewest votes shall be eliminated and a further ballot held. This process shall continue until a winner is determined.
6. Voting for elected positions shall be held in the following order:
 1. Even years:
 - a. President
 - b. Secretary
 - c. Registrar
 - d. Development Coordinator
 - e. Equipment Coordinator
 - f. Budget Coordinator
 - g. Risk Manager
 2. Odd years:
 - a. Vice President
 - b. Treasurer
 - c. Ice Coordinator
 - d. Equity Diversity and Inclusion Coordinator
 - e. League Coordinator
 - f. Coach Coordinator
7. Unfilled positions will be appointed by the executive to fulfill the upcoming registrations year.
8. Directors and officers of the Association are subject to the Code of Ethics By-law 12 and the Code of Conduct for Executive members By-law 22.

BY-LAW 4 - PLAYERS

1. Eligibility: Players who reside in the boundaries of the ESMHA and who fall within the age limits of the various playing divisions as defined by the HC, HNS, and HNSMC shall be eligible to participate in Mariners activities.
2. Divisions: Playing divisions shall be as follows: U7, U9, U11, U13, U15, U18 and Minor Junior as defined by the Hockey Canada.
3. Registration: Eligible players shall register with the Mariners on an individual basis. Players will be accepted for registration without regard to playing ability on a first come, first served basis. The registration fee will be set by the directors and may be adjusted from year to year prior to the beginning of Registration. Outstanding fees or fundraising from a previous season may be added to an individuals registration cost that is required to be paid in full before membership is granted.
4. Teams: Competitive Teams will be selected by Coaches under the direction of the Coaching Coordinator. After a tryout procedure has been completed, Recreational teams will be formed by the Coaches, League Coordinator, Development Coordinator, and each Divisional Coordinator.
5. Suspensions: Any violation of the official rules of the Hockey Canada, Hockey Nova Scotia, Hockey Nova Scotia Minor Council, Central Minor Hockey Federation, and the memorandum and bylaws of the Mariners shall render the player liable to suspension by the ESMHA.

BY-LAW 5 - TEAM OFFICIALS

1. Code of Ethics: All team officials in any capacity are subject to By-law 12 and By-law 22..
2. Coaches: All prospective coaches may apply to the Coaches Selection Committee which is chaired by the Coaching Coordinator or Divisional Coordinator. Successful applicants will be approved by the directors.
3. Assistant Coaches: Assistant Coaches must be approved by the Directors.
4. Managers and Treasurers: Managers and Treasurers shall be voted on by the members of the team and approved by the Directors.
5. Trainers: All trainers must be approved by the Directors.

BY-LAW 6 - MEETINGS

1. Directors' meetings: These will be held as required. Notice of director meetings will be sent by email to board members. Meeting may be held virtually.
2. Annual General Meetings: The ESMHA Annual General Meeting will be held each year within 60 days of year end at a time and place to be determined by the President. A minimum of three weeks' notice must be given by the Secretary. Notice shall be given by email message sent to all registered members and by posting notice of the annual general meeting on the ESMHA website; included in the notice will be date, time, place and agenda. Reports will be presented, including the President and Treasurer report.
3. Special Meetings: These may be called at the discretion of the President, at the request of 50% of the directors or at the request of 50 members. The President shall call a Special Meeting within 21 days of notification. Should the President fail to call such meeting the Secretary may call the meeting. The Special Meeting will be given by email message sent to all registered members and by posting notice of the special meeting on the ESMHA website.
4. Minutes: Minutes of all meetings shall be retained as ongoing records.

BY-LAW 7 – REPEAL OR AMENDMENT

1. The memorandum and bylaws shall only be repealed or amended by a special resolution passed at the annual general meeting or at a special meeting called for that purpose. Approval of the special resolution shall require a three quarters (3/4) majority vote of voting members present.
2. Special resolutions shall be available to the membership twenty-one days in advance of the date of the meeting at which they are to be considered.
3. *Any member may submit in writing to the Secretary special resolutions to repeal or amend the memorandum and bylaws at the annual general meeting **15 days prior** to the AGM. The submission must be supported by 2 members.*

BY-LAW 8 – FISCAL YEAR

The fiscal year of the Association shall be the period from May 1 to April 30.

BY-LAWS 9 - DUTIES AND POWERS OF THE BOARD OF DIRECTORS

1. The Board of Directors shall be responsible for establishing policies, general directing and for the conduct of the affairs of the Mariners during the term of office.
2. It shall approve all expenditures, but may not borrow money.
3. It shall have the right to grant, refuse or revoke outside franchises in ESMHA leagues.
4. It shall approve appointments of team officials.
5. It shall establish guidelines for participating in tournaments.
6. It shall establish registration fees and any other assessments it considers necessary or advisable.
7. It shall appoint committees it considers necessary to assist in administering the affairs of the Mariners or to undertake special projects.
8. It shall suspend for cause any ESMHA Officer, official, player or member for failure to comply with the memorandum and bylaws, as well as actions deemed by the directors to be detrimental to hockey.
9. It shall appoint auditors to audit financial records and annual statement.
10. It may fill any unscheduled vacancy, which may occur.
11. It shall appoint Referee-in-Chief, Tournament Chairpersons, Divisional Coordinators, and others as deemed necessary.
12. It is a voluntary position with no remuneration or salary.

BY-LAW 10 – DUTIES OF THE OFFICERS

President: The President is the Chief Executive Officer of the ESMHA and shall:

- a) Preside over all ESMHA meetings and perform all duties generally associated with the office of President.
- b) Call a meeting at the request of 50 members.
- c) They may call Special or General Meetings at any time.
- d) Provide leadership in determining Policies and in the administration of the affairs of the Mariners.
- e) Be the official representative at all functions or events, unless otherwise stipulated by the memorandum and bylaws.
- f) Co-sign all cheques, for payment of authorized accounts and bills, which have been prepared and assigned by the Treasurer.
- g) Submit a report at the annual general meeting.
- h) In the event of extended absence, designate the Vice President to act.

Vice President: The Vice President shall:

- a) Assist the President and perform the duties of President in an extended absence, as well as duties, delegated by the President.
- b) Be appointed co-signer of cheques in the extended absence of the President.
- c) Be second contact for members and external organizations
- d) Be responsible for reviewing annually the policy manual and bylaws to ensure they are up to date and consistent with current practice (for example, HNS and HC guidelines)
- e) e) Responsible to present bylaw changes at the AGM
- f) Responsible to report annually to the executive any changes to policy necessary
- g) Be a voting member at directors' meetings.

Divisional Coordinator: Divisional Coordinator shall:

- a) Be members of the Coaches Selection Committee within their appropriate division.
- b) Ensure that players are duly registered before participating in the Mariners program.
- c) Ensure that players are assigned to teams.
- d) Provide the Registrar with a list of players on competitive and recreational teams.
- e) Assist the Registrar as required.
- f) Notify the Ice Coordinator and the Equipment Manager of division needs.
- g) Provide a table of standard suspensions to each coach.
- h) Perform any duties assigned by the executive.
- i) Contact members with any outstanding fees in consultation with the executive when necessary.
- j) Be a voting member at directors' meetings.

Equity Diversity and Inclusion Coordinator;

- a) understand and acknowledge the diversity within our association and the community we represent.
- b) foster an inclusive association where youth in the community have an opportunity to join, feel respected and welcomed as a team member.
- c) Lead the promotion of cultural observances within our association, primarily through social media.
- d) Build positive community partnerships.
- e) Apply and equity, inclusion and accessibility perspective to programs, policies and decisions of the executive and association.
- f) Provide advice, counsel and make recommendations to ESMHA Executive team.
- g) Provide guidance to the executive related to EDI.
- h) Collaborate with HNS Chair of Diversity and Inclusion to understand programs, initiatives and support for historically under-represented groups.
- i) Works with families where players may have diverse needs and additional support requirements.
- j) Be a voting member at directors' meetings

Treasurer: The Treasurer shall:

- a) Perform all duties associated with the office of Treasurer.
- b) Keep the accounts, receive and deposit funds in a chartered financial institution.
- c) Make disbursements with directors' approval by cheque, signed by the Treasurer and President or the Executive Vice President in the event of an extended absence by the President. d) Present reports to the directors as requested.
- e) Prepare the Annual Budget of estimated Receipts and Expenses.
- f) Advise on financial matters.
- g) Present a duly audited financial statement at the annual general meeting.
- h) Be a voting member at directors' meetings.

The Secretary shall:

- a). Perform all duties associated with the office of Secretary.
- b) Keep minutes of all ESMHA meetings and distribute same within ten (10) days to all concerned.
- c) Distribute all material deemed necessary by the memorandum and bylaws.
- d) Keep all files, books and records of the Society, including in and out correspondence.
- e) Inform all members three weeks before the annual general meeting, the date, time and place of meeting.
- f) Perform other duties assigned by the President.
- g) Be a voting member at directors' meetings.

The Registrar shall:

- a) Be responsible for the organization and administration of the registration of Mariner players. b). Keep a register of players.
- c) Coordinate the registration of players with the HNSMC.
- d) Handle all liability claims to their conclusion.
- e) Present a report of the year's operation at the annual general meeting.
- f) Be a voting member at directors' meetings.

The Ice Coordinator shall:

- a) Negotiate with rink manager's contracts necessary to meet the Mariners' needs.
- b) Determine ice requirements in consultation with Divisional Vice Presidents.
- c) Keep a record of ice used.
- d) Authenticate ice time invoices for the Treasurer.
- e) Coordinate casual ice time allocation.
- f) Perform other duties as required by the directors.
- g) Represent ESMHA in the Central Minor Hockey League)
- h) Be a voting member at directors' meetings.

The League Coordinator shall:

- a) Be responsible for the players, coaches, officials and teams in the Recreational Division of the ESMHA hockey program.
- b) Represent the ESMHA at the meetings of the current recreation affiliation and shall report to the directors on its activities.
- c) Be part of the recreational discipline committee and help sanction any additional suspensions for Eastern Shore players, coaches, & staff along with the appropriate divisional coordinator.
- d) Be responsible for the scheduling process for the recreational league
- e) Be responsible for setting up individual team usage of the recreational website
- f) Be a voting member at directors' meetings.
 - g) Be responsible for the players, coaches, officials and teams in the Representative Division of the ESMHA hockey program.
 - h) Represent the ESMHA at the meetings of the current representative affiliation and shall report to the directors on its activities.
- i) Be part of the discipline committee and help sanction any additional suspensions for Eastern Shore players, coaches, & staff along with the appropriate divisional coordinator.

The Equipment Coordinator shall:

- a) Prepare a list of requirements based on input from Divisional Vice Presidents.
- b) Recommend needs to the directors.
- c) Be authorized to purchase equipment.
- d) Arrange for handling, storage, repairing, cleaning and inventorying of equipment.
- e) Authenticate equipment rental invoices for the Treasurer.
- f) Be a voting member at directors' meetings

The Coaching Coordinator shall:

- a) Be responsible to chair Coaches Selection Committee.
- b) Be responsible for assisting coaches with competitive team selections and balancing recreation teams
- c) Be responsible for disseminating, receiving and reviewing coaches evaluation summaries.
- d) Be responsible for coach development.
- e) Be a voting member at director's meetings

The Development Director shall:

- a) Be responsible for the supervision of training and development of the ESMHA Hockey teams and the training and development of all team staff.
- b) Make recommendations to the directors in this regard.
- c) Be responsible for the purchase, custody and control of all development materials as authorized by the directors.
- d) Be the liaison for the ESMHA with the Development Council of HNS.
- e) Be a voting member at directors' meetings

The Referee-in-Chief shall:

- a) Act as the liaison between the ESMHA and the Central Minor Hockey Federation and HNS Referee-in-Chief in all matters concerning game officials.
- b) Provide long-range planning and conduct development clinics for all Mariners officials.
- c) Set up and supervise an evaluation system as well as carry out assessments of all ESMHA referees, linesmen and minor officials as may be required and approved by the directors.
- d) Conduct clinics for referees, linesmen and minor officials under the direction and cooperation with the HNS Referee-in-Chief.
- e) Recommend to the HNS Referee-in-Chief, ESMHA officials for attendance at Level IV clinics and also to the annual referees development camp.
- f) Recommend to the directors, remuneration for officials.
- g) Endeavour to maintain a high and uniform level of officiating by all ESMHA officials for all games played within the Association.
- h) Maintain a listing of all ESMHA officials and ensure that all persons officiating within the Association have attended the prescribed HNS Referees clinics at the appropriate level, and further that all ESMHA officials are duly registered with the HNS for the current hockey season.
- i) Keep accurate records of games officiated and payment of officials and ensure that Game Sheets are delivered in a timely manner to the appropriate administrators.
- j) Assign all games played under the jurisdiction of the Association including league, exhibition, playoff and tournaments.
- k) Be responsible for the ESMHA Junior Officiating Program.
- m) Submit a proposed budget to the executive for referee development needs prior to Dec 31 annually.
- o) Reconcile budget proposal by April 30 and present to executive.

The Budget Coordinator shall:

- a) Responsible to review and approve all team and tournament budgets
- b) Be a voting member at director's meetings

The Risk Manager shall:

- a) Establish safety and risk management awareness in the 'Association' through related initiatives and communication;
- b) Inform teams and officials of HNS safety regulations and individual accountability. i.e.: Criminal Records Check (CRC) and Child Abuse Register (CAR) requirements;
- c) Co-ordinate with the Development Coordinator to ensure all risk related requirements of the Hockey Nova Scotia/Hockey Canada Programs are being implemented;
- d) Have the power to recommend suspension of any player, coach or official who knowingly neglects safety regulations that could cause injury;
- e) Prepare a report on risk management activities for the annual general meeting;
- f) Shall be a voting member at directors' meetings.

BYLAW 11 – DISCIPLINE

A schedule of standard automatic suspensions will be provided by the Divisional Coordinators at the beginning of each year to all Coaches. The Association may increase suspensions beyond Hockey Canada, HNS, HNSMC, or CMHF requirements. The Association has the right to discipline any member and/or player.

BYLAW 12 – ETHICS

Members are to:

1. Maintain the highest standard of deportment, conduct and sportsmanship. Failure to do so may result in suspension or dismissal from the ESMHA by the directors.
2. Be aware of and uphold the objectives of the Mariners.
3. Ensure that all players have an equal opportunity to play and enjoy their hockey program.
4. Adhere to the Policies and Guidelines for Teams and Members provided by the Association.

BYLAW 13 – QUORUM

1. A quorum at Mariners shall consist of ten members.
2. A quorum voting at directors' meetings shall consist of nine members.

BYLAW 14- VOTING AT GENERAL OR SPECIAL MEETINGS

1. At all meetings, voting shall be by show of hands, by ballot, or by any other method authorized by a majority of members present.
2. Motions shall be approved by simple majority unless otherwise stated in the memorandum and bylaws or as required by the Societies Act.
3. Each member present, in good standing, shall have one vote.
4. The Chairman will vote to break a tie.
5. The conduct of all meetings shall be in accordance with Roberts Rules of Order unless otherwise indicated herein.

BYLAW 15- Financial Overview Committee

1. Purpose: The purpose of the Audit Committee is to assist the directors in fulfilling its oversight responsibilities by reviewing the financial information which will be provided to members and others, the systems of control which the directors have established and the audit process.
2. Composition and Term of Office: The Committee shall consist of three persons, one of which will be from the members at large, The President, Vice President and Treasurer may not be members of the Audit Committee.
3. Re-election and quorum: The Committee shall serve as a standing committee of the Board of Directors. Members are eligible for re-appointment. Two members constitute a quorum.

BYLAW 16 - RESIGNATION OF DIRECTOR

In the event that a director resigns their office or ceases to be a member in the Association, which results in the office being vacated, the vacancy thereby created may be filled for the unexpired portion of the term by the directors from among the members of the Association.

BY-LAW 17 - REMOVAL OF DIRECTOR

The Association may, by special resolution, remove any director before the expiration of the period of office and appoint another person in their stead. The person so appointed shall hold office during such time only as the director in whose place they are appointed would have held office if they had not been removed.

BYLAW 18 - INSPECTION OF BOOKS AND RECORDS

The books and records of the Association may be inspected by any member at any reasonable time within two days prior to the annual general meeting. This inspection, if requested, will occur at the Eastern Shore Recreation Center located at 67 Park Road, Musquoboit Harbour.

BY-LAW 19– EXECUTION OF CONTRACTS

Contracts, bills of exchange and other instruments and documents may be executed on behalf of the Association by the President or the Vice-President and the Treasurer, or otherwise as prescribed by resolution of the Board of Directors.

BY-LAW 20 – COLOURS

The official colours of the Mariners shall be black, gold and white.

BY-LAW 21 – FILING WITH REGISTRAR OF NS JOINT STOCK

1. The Association shall file with the Registrar with its annual statement a list of its directors with their addresses, occupations and dates of appointment or election, and within fourteen days of a change of directors, notify the Registrar of the change.
2. The Association shall file with the Registrar a copy in duplicate of every special resolution within fourteen days after the resolution is passed.

BY-LAW 22 – CODE OF CONDUCT FOR EXECUTIVE MEMBERS

1. All executive members by accepting their position agree to the following, and are subject to discipline should the executive determine that a director is not following the code of conduct.
2. **Basic Code of Conduct** – Executive members must consider elements that shape the system and make decisions based on data which aim to meet the needs of the general membership.
3. **Financial Prudence** – All members of the Executive committee must make financial decisions which fall in line with the best interests of the majority of its membership.
4. **Protection of Confidential Information** – Executive members must protect the personal information of its members. Disclosure of personal information may only occur with written consent from all parties involved.
5. **Public Statements** – Executive members must be aware that when they speak publicly about Minor Hockey matters, their message can be construed as being official messages from the Executive.
6. **Conflicts of Interest** - Executive members should avoid any situation involving a conflict, or the appearance of a conflict, between their personal interests and the performance of their official duties. If such scenario arises, they must inform the Executive and remove themselves from the scenario.
7. **Ethics** – Executive members must recognize that in taking their role on the committee, they must abide by all aspects of the ESMHA Code of Conduct. Each member must work towards ensuring that all other members/stakeholders abide by them also, by modeling appropriate actions.
8. **Open Communication** – Executive members must strive to openly communicate its mission, Code of Conduct, and decisions made to the entire membership when possible.
9. **Commitment** – Executive members will do their utmost to fulfill their role and endeavour to contribute to the association as a whole. Members must also facilitate, and be active members of, teams working together to reach common goals.
10. **Support Role** – Executive members must recognize that they are the vital support persons for all stakeholders within the ESMHA and must endeavour to fulfill this role

Updated March, 2024