

**CONSTITUTION  
AND BY-LAWS OF THE  
BLUE RIDGE AGILITY CLUB  
AMENDED AS OF JUNE 4, 2020**

**ARTICLE I. NAME AND OBJECTIVES**

**Section 1.** The name of this club shall be the Blue Ridge Agility Club and its founding date shall be January 1, 1992.

**Section 2.** The purpose of this club is as follows:

A. To foster and promote in all ways possible the growth of dog agility sports for all dogs.

B. To serve as communication between all agility enthusiasts in the Western Carolinas.

C. To teach and encourage safety, sportsmanlike conduct and positive training on all levels of agility by holding clinics and agility competitions whenever feasible. If the club holds only one competition in a year, it shall be one that is open to all dogs.

D. To educate the public about the sport of agility and the importance of responsible dog ownership and training.

**Section 3.** The club shall not be conducted or operated for profit and no part of any profits or remainder or residue from dues or donations to the club shall inure to the benefit of any member or individual.

**Section 4.** All sanctioned and licensed agility trials shall be held under the rules of the sanctioning or licensing organization, including but not limited to the United Kennel Club, American Kennel Club, Australian Shepherd Club of America, U.S. Dog Agility Association and North American Dog Agility Council.

**Section 5.** The members of the club shall adopt and may from time to time revise such bylaws as may be required to carry out these objectives.

**ARTICLE II. MEMBERSHIP**

**Section 1.** Class of Membership:

A. Regular membership: Any person 18 and older who subscribes to the purposes of this club shall be eligible to apply for membership. While membership is to be unrestricted as to residence, the club's primary purpose is to be representative of the exhibitors in its immediate area. Regular members in good standing shall enjoy all club privileges including the right to vote and hold office.

B. Household membership: This membership entitles two members of the household who are over 18 years of age and in good standing to vote and hold office.

C. Junior membership: Any persons under age 18 who demonstrate their interest and desire to learn the sport of agility may be eligible for junior membership in the club. They will hold no office nor have a vote. Upon reaching their 18th birthday they may become regular members upon payment of dues.

D. Limited memberships are non-voting and non-participating in any privileges of club membership other than those designated by the specified membership. A limited membership shall be designated as a subscriber, a competitor, or a student. These categories may be expanded by a vote of the membership as needed. Dues will be determined at the same time and manner s other memberships in the club.

**Section 2. Dues and Time Commitment:**

A. Membership dues for the upcoming year shall be determined by the membership at the September general meeting. Dues shall be payable on or before the first of January of each year. The dues of new members who join during the year shall be prorated. Dues notices shall be mailed by the secretary at least 30 days prior to the payable date. Dues are due on January 1, so dues notices should be mailed during November.

B. All members are required to work at an open trial at least once per year, and also to work on equipment maintenance at least once per year. Equipment work days shall be held as needed.

C. All members who have paid dues for the club year and who have carried out their time commitment during the previous year are considered to be in good standing and are eligible to vote at any meeting and enjoy all club privileges.

**Section 3. Membership application:** Each applicant for membership shall apply on a form as approved by the Board of Directors and which shall provide that the applicant agrees to abide by the constitution and bylaws and policies of the Blue Ridge Agility Club. Members also should agree to abide by the rules of the American Kennel Club, U.S. Dog Agility Association, NADAC and other dog agility organizations through which this club holds sanctioned and licensed trials. The application shall state the name, address and occupation of the applicant and it shall carry the endorsement of one member in good standing. Accompanying the application, the prospective member shall submit dues payment for the current year.

**Section 4. Membership Rights and Membership Termination:**

A. Upon payment of dues, completion of the membership application including waiver and information sheet, and completing one "Introduction to Agility" clinic, introductory course or entering a sanctioned agility trial, the member shall be entitled to use of the club equipment during set practice times. Practice times and places will be established at business meetings.

B. Termination: Memberships may be terminated:

1. By resignation. Any member in good standing may resign from the club upon written notice to the secretary, but no member may resign when in debt to the club. Dues obligations are considered a debt to the club, and they are incurred on the first day of the year.

2. By lapsing. A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid 30 days after the first day of the fiscal year; however, the board may grant an additional 30 days of grace to such delinquent members in meritorious cases. In no case may a person be entitled to vote at any club meeting whose dues are unpaid as of the date of that meeting.

3. By expulsion.. A membership may be terminated by expulsion as provided in Article VIII of these bylaws.

**Section 5.** Discrimination: Membership shall not be discriminated against on the basis of race, color, nationality, sex, religion, nor on the basis of the breed, or mixed breeding of any member's or proposed member's dog(s).

### **ARTICLE III. OFFICERS AND BOARD OF DIRECTORS**

**Section 1.** The board shall consist of the club's current president, vice president, secretary, treasurer, the immediate past president, and two members at large, all of whom shall be members in good standing and all of whom except the past president shall be elected for one-year terms at the club's annual meeting as provided in Article IV, and shall serve until their successors are elected. The board shall make recommendations to the membership regarding club activities and policies.

**Section 2.** Duties of officers and board members: The club's officers, consisting of the president, vice president, secretary and treasurer, shall serve in their respective capacities both with regard to the club and its meetings and the board and its meetings.

A. The president shall preside at all meetings of the club and of the board and shall have the duties and powers normally related to the office of president in addition to those particularly specified in these by-laws.

B. The vice president shall exercise the duties of the president in the event of the president's absence or inability to serve.

C. The secretary shall keep a record of all meetings of the club and of the board; shall keep a roll of the members; shall notify officers and board members of their election to office; have charge of correspondence; notify members of meetings; and shall carry out such other duties as are prescribed in these by-laws.

D. The treasurer shall pay all bills and account for all dues and other monies due or belonging to the club. All such monies shall be deposited in a bank satisfactory to the board, in the name of the club. The treasurer shall prepare reports for each meeting of the board; and shall make a detailed report semi-annually of the financial condition of the club, showing its expenditures and receipts for the current year, the number of members and other matters of interest to the club. A copy of this report shall be handed out at business meetings. The treasurer may be bonded in the amount as the board may determine and shall submit any or all records for audit at the request of the board. An audit committee composed of two club members shall be appointed by the president and shall review and informally audit the treasurer's records once per year.

**Section 3.** Term of Office: The officers and board shall take office at the September business meeting and shall serve for a term of two years, or until their successors are elected. No person may hold the same office for more than two successive terms, except for the Treasurer, who may hold office for as many terms as are approved by the board. No officer or board member attending less than half of the year's meetings may be eligible for election to a second term.

**Section 4.** Any vacancies occurring on the board or among the offices during the year shall be filled until the next annual election by a majority vote of all the then members of the board at its first regular meeting following the creation of such vacancy, or at a special board meeting called for that purpose; except that a vacancy in the office of president shall be filled automatically by the vice president and the resulting vacancy in the office of vice president shall be filled by the board.

#### **ARTICLE IV. MEETINGS AND VOTING**

**Section 1:** The club's fiscal year shall follow the regular calendar year: January 1 through December 31. The club's official year shall begin immediately at the conclusion of the election at the annual meeting in September and shall continue through the election at the next annual meeting.

**Section 2:** Business meetings: The club shall hold an annual business meeting in September, and additional monthly meetings as needed. The time and place of meetings shall be determined by the board; meetings will be held in the greater Hendersonville area. Notice of the meetings, as well as minutes of the previous meeting, shall be in writing and mailed by the secretary to each member no later than 14 days prior to the date of the next meeting. The business of the September meeting shall include the election of officers and board members for the ensuing year. Twenty percent of members in good standing shall constitute a quorum.

**Section 3:** Special meetings: Additional meetings may be called by the president; or by four members of the board; or shall be called by the secretary upon receipt of a petition signed by 10 percent of regular members in good standing. Twenty percent of members shall constitute a quorum. Meetings will be held in the greater Hendersonville area.

**Section 4:** Board meetings: Written notice of such meetings shall be mailed to all board members by the secretary five days prior to the meeting and include notice of the agenda. Only this agenda can be acted on at this meeting. The quorum for such a meeting shall be a majority of the board. Board meetings may be called upon request by the president; and shall be called by the secretary upon receipt of a written request signed by at least three board members. Board meetings will be held in the greater Hendersonville area.

**Section 5:** Voting: Each member in good standing shall be entitled to one vote at any meeting of the club at which he is present. Proxy voting will not be permitted at any club meeting or election, as stated in Article VI, Section 2. Household membership entitles two members of the household to vote.

**Section 6. Annual Meeting:** The annual meeting shall be held in the month of September, at which officers and directors for the ensuing year shall be elected by secret ballot from among those nominated in accordance with Article 5 of these by-laws. They shall take office immediately upon the conclusion of the election and each retiring officer shall turn over to the successor in office all properties and records relating to that office within 30 days after the election.

## **ARTICLE V. NOMINATIONS**

**Section 1:** No person may be a candidate in a club election who has not been nominated. In the month of June, the board shall appoint a nominating committee of three members and two alternates, not more than one of whom may be a member of the board. The secretary shall immediately notify the committee members and alternates of their selection. The board shall name a chairman for the committee and it shall be that person's duty to call a committee meeting, which shall be held before July 15.

**Section 2:** The committee shall nominate one candidate for each of the offices to be filled, as provided in these by-laws. After securing the consent of each person so nominated, they shall report their nominations to the secretary. Upon receipt of the nominating committee's report, the secretary shall, at least two weeks before the August meeting, notify each member in writing of the candidates so nominated.

Additional nominations may be made at the August meeting by any member in attendance, provided that the person so nominated does not decline when their name is proposed, and provided further that if the proposed candidate is not in attendance at this meeting, the proposer shall present to the secretary a written statement from the proposed candidate signifying willingness to be a candidate. No person may be a candidate for more than one position on the board.

Nominations cannot be made at the annual September meeting or in any manner other than as provided in this Section.

## **ARTICLE VI. ELECTIONS**

**Section 1: Vote:** Any member in good standing, with the exception of junior members, shall have the right to vote at all meetings and in all elections.

**Section 2:** Election of officers and board members shall be carried out at the September business meeting by secret ballot. No proxy voting shall be permitted. The secretary shall distribute ballots to those members in good standing present and voting and shall collect the marked ballots. These ballots shall be submitted to a tally committee at this meeting, who shall report the count of votes to the president and the results shall be

announced at this time. If only one candidate per office is nominated, the secretary shall cast one vote for the slate as presented.

**Section 3.** Elections: The nominated candidate receiving the greatest number of votes for each office shall be declared elected.

## ARTICLE VII. COMMITTEES

**Section 1:** The board may, at its discretion, appoint such committees as may be required from time to time, to carry out specific assignments pertinent to the business of the club.

Such committees shall always be subject to the final authority of the board. Special committees may also be appointed by the board to aid it on particular projects.

**Section 2:** Any committee appointment may be terminated by a majority vote of the full membership of the board upon written notice to the appointee; and the board may appoint successors to those persons whose services have been terminated.

## ARTICLE VIII. DISCIPLINE

**Section 1:** Sanctioning body suspensions: Any member who is suspended from the privileges of any governing agility body, including, but not limited to USDAA, NADAC, AKC, ASCA, and UKC, shall be automatically suspended from the privileges of this club for a like period.

**Section 2:** Charges: Any member may prefer charges against another member for alleged conduct prejudicial to the best interests of the club. Written charges with specifications must be filed in duplicate with the secretary together with a deposit of \$50, which shall be forfeited if such charges are not sustained by the board following a hearing. The secretary shall promptly send a copy of the charges to each member of the board or present them at a board meeting, and the board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the club. If the board considers that the charges do not allege conduct which would be prejudicial to the best interests of the club, it may refuse to entertain jurisdiction.

If the board entertains jurisdiction of the charges, it shall fix a date for a hearing by the board not less than three weeks nor more than six weeks thereafter. The secretary shall promptly send one copy of the charges to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his own defense and bring witnesses if he wishes.

**Section 3.** Board Hearing: The board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained after hearing all the evidence

and testimony presented by a complainant and defendant, the board may by a majority vote of those present suspend the defendant from all privileges and benefits of the club for not more than six months from the date of the hearing.

And, if it deems that punishment insufficient, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant's right to appear before his fellow members at the ensuing club meeting which considers the board's recommendation. Immediately after the board has reached a decision, its finding shall be put in written form and filed with the secretary. The secretary, in turn, shall notify each of the parties of the board's decision and penalty, if any.

**Section 4:** Expulsion: Expulsion of a member from the club may be accomplished only at a meeting of the club following a board hearing and upon the board's recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the club to be held within 60 days but not earlier than 30 days after the date of the board's recommendation of expulsion. The defendant shall have the privilege of appearing in his own behalf, though no evidence shall be taken at this meeting. The president shall read the charges and the board's finding and recommendation, and shall invite the defendant, if present, to speak in his own behalf if he wishes. The members shall then vote by secret ballot on the proposed expulsion. If expulsion is not so voted, the board's suspension shall stand. A two-thirds vote of those present and voting at the meeting shall be necessary for expulsion.

## **ARTICLE IX. AMENDMENTS TO THE BY-LAWS**

**Section 1:** Amendments to the by-laws may be proposed by the board or by written petition to the secretary signed by 20 percent of the membership in good standing.

**Section 2:** Amendments by petition shall be considered by the board at the first meeting of the board following receipt of such petition and must be submitted to the membership forthwith, with the recommendations of the board, by the secretary for a vote within three months of the date when the petition was received by the secretary.

**Section 3:** The by-laws may be amended by a two-thirds vote of the members present and voting at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meeting and mailed to each member at least two weeks prior to the date of the meeting.

## **ARTICLE X. ORDER OF BUSINESS**

**Section 1:** At meetings of the club and board, insofar as the character of the meeting may permit, the order of business shall be as follows:

Call to order  
Roll Call  
Approval of minutes of previous meeting  
Report of president  
Report of the secretary  
Report of the treasurer  
Reports of committees  
Election of officers and board (at annual meeting)  
Election of new members  
Old Business  
New Business  
Adjournment

**Section 2:** At meetings of the board, the order of business, unless otherwise directed by majority vote of those present, shall be as follows:

Reading of minutes of last meeting  
Report of secretary  
Report of treasurer  
Reports of committees  
Unfinished business  
New business  
Adjournment

**Section 3:** *Robert's Rules of Order -- Newly Revised* shall be the authority in all cases which are not incompatible with these by-laws.

## **ARTICLE X. DISSOLUTION**

The board may, or by petition of 20 percent of members in good standing, propose dissolution of the club. The proposal must be approved by two-thirds vote of the membership by written ballot. If the club is to be dissolved, the board, after paying or making provision for payment of all liabilities of the club, and selling all of its physical assets, shall select a dog-related charitable organization which shall be the beneficiary of its residual assets.