

**North Coast Bernese Mountain Dog
Club of Ohio, Inc.**



CONSTITUTION

Section 1 ***The name of the Club shall be North Coast Bernese Mountain Dog Club of Ohio, Inc.***

Section 2 ***The objectives of the Club shall be:***

A.) To encourage and promote quality in the breeding of purebred Bernese Mountain Dogs and to do everything possible to bring their natural qualities to perfection

B.) To urge members and breeders to accept the standard of the breed as approved by the American Kennel Club as the only standard of excellence by which Bernese Mountain Dogs be judged

C.) To do all in its power to protect and advance the interests of the breed by encouraging sportsman like competition at dog shows and obedience trials

D.) To conduct sanctioned and licensed specialty shows and obedience trials, and other events under the rules and regulations of the American Kennel Club

E.) To educate members about the breed and other matters relating to dog ownership.

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

Section 4 ***The members of the Club shall adopt, and may from time to time revise, such By Laws as may be required to carry out these objectives.***

Section 5 ***The Club shall keep liability insurance in effect at all times. The coverage amount will be no less than three million dollars and may from time to time be fixed by the Club***

BY - L A W S

ARTICLE I MEMBERSHIP

Section 1 Eligibility

There shall be five types of membership open to all persons who are in good standing with the American Kennel Club. While membership is to be unrestricted as to residence, the Club's primary purpose is to be unrestricted as to residence.)

A.) Single Membership

Open to person 18 years of age and older who enjoy all privileges of the Club including voting and holding office.

B.) Household Membership

Open to two persons 18 years of age and older, residing at the same address, both may enjoy all privileges of the Club including voting and holding office.

C.) Associate Membership

Open to persons 18 years of age and older, who are unable to attend meetings as required. Associate members are entitled to all privileges, except voting and holding office. Associate members are not to be included in determination of a quorum.

D.) Junior Membership

Open to persons under 18 years of age. Junior members have no voting privileges and may not hold office.

E.) Life Membership

Offered to any regular member in recognition of long time service to the Club, after a unanimous recommendation by the Directors.

An affirmative vote of 90% of the members in attendance at the regular meeting of the Club at which membership is considered, shall be required. Said life membership carries all the privileges of the Club including voting, member is exempt from paying dues.

Section 2 Dues

Membership dues shall not exceed \$80.00 per year. Membership dues, as fixed from time to time by the Board of Directors, shall be payable on or before the first day of January of each year. No member may vote whose dues are not paid for the current year. During the month of October, the Recording Secretary shall send to each member a statement of his/her dues for the ensuing year. Those members elected to membership in the months of October, November, or December shall be exempted from paying dues for the year following their election to membership. Those members not paid on January 1 will be sent a second statement. A notice of lapse of membership will be sent on January 31 for all unpaid dues.

Section 3 Election to Membership

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 this Constitution and By-Laws and the rules of the American Kennel Club. The application shall state the name, address and occupation of the applicant and it shall carry the endorsement of two unrelated members in good standing. Accompanying the application, the prospective member shall submit dues payment for the current year. Applicant for regular membership must have attended one Club meeting.

All applications are to be filed with the Corresponding Secretary and each application is to be read at the first meeting of the Club following its receipt. At the next meeting, the vote on membership applications shall be by secret ballot. An affirmative vote of of the members

present and voting at that meeting shall be required to elect the applicant.

Applicants for membership who have been rejected by North Coast Bernese Mountain Dog Club of Ohio, Inc. may not re-apply for six months after such rejection. At the time of re-application the applicant shall have the endorsement of two new sponsors.

Section 4 Termination of Membership

Membership may be terminated:

A.) By resignation; any member in good standing may resign from the Club upon written notice to the Corresponding Secretary, but no member may resign when in debt to the Club and they become incurred on the first day of each fiscal year.

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

ARTICLE II MEETING AND VOTING

Section 1 Club Meeting

Monthly meetings shall be held in the greater Cleveland area at date, hour and place as may be designated by the Board of Directors. Written notice of each meeting shall be mailed by the Recording Secretary at least 10 days prior to the date of the meeting. The quorum for such meetings shall be 20% of the members in good standing.

Section 2 Special Club Meetings

Special Club meetings may be called by the President or by a majority vote of the members of the Board who are present and voting at any regular or special meeting of the Board; and shall be called by the Recording Secretary upon receipt of a petition signed by five members of the Club who are in good standing. Such special meetings shall be held in the greater Cleveland area at such place, date and hour as may be designated by the person or persons authorized herein to call such meetings. Written notice of such a meeting shall be mailed by the Recording Secretary at least five days and not more than 15 days prior to the date of the meeting and said notice shall state the purpose of the meeting and no other Club business may be transacted thereat. The quorum for such a meeting shall be 20% of the members in good standing.

Section 3 Board Meetings

Meetings of the Board of Directors shall be held at least quarterly in the greater Cleveland area. Notice of each such meeting shall be made by the Recording Secretary at least seven (7) days prior to the date of the meeting. The quorum for such a meeting shall be a majority of the Board.

Section 4 Special Board Meetings

Special meetings of the Board may be called by the President and shall be called by the Recording Secretary upon a receipt of a written request signed by at least three members of the Board. Such special meetings shall be held in the greater Cleveland area, at such a place, date and hour as may be designated by the person authorized to call such meeting. Written notice of such meeting shall be mailed by the Recording Secretary at least five days and not more than 20 days prior to the date of the meeting or telegraphic notice shall be filed at least three days and not more than five days prior to the date of the meeting. Any such notice shall state the purpose of the meeting and no other business shall be transacted thereat. A quorum for such a meeting shall be a majority of the Board.

Section 5 Voting

Each member in good standing whose dues are paid for the current year shall be entitled to one vote at any meeting of the Club at which he/she is present. Proxy voting will not be permitted at any Club meeting.

ARTICLE III DIRECTORS AND OFFICERS

Section 1 Board of Directors

The Board shall be comprised of the President, Vice President, Corresponding Secretary, Recording Secretary, Treasurer and four other directors, all of whom shall be members in good standing, their term of office is two years. The four directors shall consist of two classes of directors each selected on successive years for a two year term, at the annual meeting, provided in Article IV and shall serve until their successors are elected. General management of the Club's affairs shall be entrusted to the Board of Directors

Section 2 Qualifications

Other directors, all of whom shall be members in good standing, their term of office is two years. The four directors shall consist of two classes of directors each selected on successive years for a two year term, at the annual meeting, provided in Article IV and shall serve until their successors are elected. General management of the Club's affairs shall be entrusted to the Board of Directors

No member shall be elected an officer or to the Board of Directors unless he/she is a regular or life member and in good standing and has attended at least four of the regular meetings of the Club during the current year. No officer may hold the same elective office for more than two consecutive terms.

Section 3 Officers

The Club's officers consisting of the President, Vice President, Recording Secretary, Corresponding 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 appurtenant to the office of President in addition to further duties as shall be from time to time required by the Directors.

B.) The Vice President shall have the duties and exercise the powers of the President in case of the President's death, absence or incapacity.

C.) The Recording Secretary shall be in charge of all internal correspondence as well as keep a record of all meetings of the Club and Board. The Recording Secretary is responsible for all matters such as: Membership, notification of all meetings of the Club, and any other business ordered by the Club.

D.) The Corresponding Secretary shall be responsible for all external correspondence, including correspondence with The American Kennel Club and The Bernese Mountain Dog Club of America. The Corresponding Secretary shall notify new members of their election to the membership and carry out such other duties as prescribed in these By-Laws, or as directed by the Board.

E.) The Treasurer shall collect and receive all monies due or belonging to the Club. He/She shall deposit the same in a bank designated by the Board in the name of the Club. His/Her books shall at all times be open to the inspection of the Board and he/she shall report to them at every meeting the condition of the Club's finances and every item of receipt or payment not before reported; and at the annual meeting, he/she shall render an account of all monies received and expended during the fiscal year. Treasurer is to be audited a minimum of every two years by persons appointed by the Board. The Treasurer will be bonded in such amount as may be determined by the Board, the expense to be paid by the Club.

Section 4 Vacancies

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.

A Board member who has missed four meetings without just cause in a calendar year may be suspended.

ARTICLE IV THE CLUB YEAR, ANNUAL MEETING, ELECTIONS

Section 1 Club Year

The Club's official and fiscal year shall begin on the first day of January and end on the 31st of December.

Section 2 Annual Meeting

The annual meeting shall be held in the month of November at which officers and directors for the ensuing year shall be elected by secret ballot from among those nominated in accordance with Section 4 of this article. They shall take office on January 1 and each retiring officer shall turn over to his/her successor in office all properties and records relating to that office within 30 days after the election.

Section 3 Elections

The nominated candidate receiving the greatest number of votes for each office shall be declared elected. The four nominated candidates for the other positions on the Board who receive the greatest number of votes for such positions shall be declared elected.

Section 4 Nominations

No person may be a candidate in the Club who has not been nominated. The Board shall select a Board Development Committee consisting of three (3) members, not more than one (1) of whom may be members of the Board. The Board shall appoint a chairman for the committee and it shall be his/her duty to see that nominations are made for all offices before October 1.

A.) The committee shall nominate one candidate for each position on the Board and after securing the consent of each person so nominated, shall immediately report their nominations to the President and Recording Secretary in writing.

B.) Upon receipt of the Board Development Committee's report to the Recording Secretary, he/she shall notify the membership in writing at least fourteen (14) days before the October meeting of the candidates so nominated.

C. Additional nominations may be made at the October meeting by any member in attendance provided that the person so nominated does not decline when his/her name is proposed and providing further that if the proposed candidate is not in attendance at this meeting, his/her proposer shall present to the Recording Secretary a written statement from the proposed candidate signifying his/her willingness to be a candidate. No person may be a candidate for more than one position and must meet the qualifications of Article 111 Section 2.

D.) Nominations can not be made at the Annual meeting or in any manner other than as provided in this section.

ARTICLE V COMMITTEES**Section 1 Committee Appointment**

During the month following the Annual Meeting, the Board elect shall establish and appoint such standing and special committees as it deems necessary and appropriate to assist the Board in fulfilling its duties as outlined herein, including as a minimum the following standing committees; Board Development, Finance, Public Relations, Rescue and Show Committees.

The President shall with Board approval name the chairman of these committees and each standing committee shall include one member of the Board. The President and the Board shall appoint the members of these committees, define their responsibilities and may change their personnel at will.

Section 2 Committee Responsibilities

The responsibilities and duties of the Board Development Committee are: analyze composition of the Board; identify and recruit prospective Directors for the Board; provide orientation for new Directors; act as nominating committee to determine slate of Directors and officers; review and suggest amendments to Constitution; develop advisory/auxiliary committees; write job descriptions for the committees; recommend governance policies to the Board.

The President and Board shall select a Breeder Referral person, a Librarian/Historian, a Regional Club Council representative, a Show Chairperson, a Match Secretary, Match Chairperson, and a Trophy Chairperson.

The President is an ex-officio voting member of all committees, except the Board Development Committee (Nominating).

ARTICLE VI DISCIPLINE**Section 1 American Kennel Club Suspension**

Any member who is suspended from the privileges of the American Kennel Club automatically shall be suspended from the privileges of this Club for a like period.

Section 2 Misconduct Charges

Any member may prefer charges against a member for alleged misconduct prejudicial to the best interest of the Club or the breed. Written charges with specifications must be filed in duplicate with the Recording Secretary together with a deposit of \$25.00, which shall be forfeited if such charges are not sustained by the Board following a hearing. The Recording 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 interest of the Club. If the Board entertains jurisdiction of the charges, it shall fix a date of the hearing by the Board not less than three weeks or more than six weeks thereafter. The Recording Secretary shall promptly send one copy of the charges to accused member by Certified/Return Receipt mail together with a notice of the hearing and an assurance that the defendant may personally appear in his/her own defense and bring witnesses if he/she wishes.

Section 3 Board Hearings

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 complain-

ant and defendant, the Board may by a majority vote of those present reprimand or suspend the defendant from all privileges 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 by expulsion. In such case, the reprimand or suspension shall not restrict the defendant's right to appear before his/her fellow members at the ensuing Club meeting which considers the Board's recommendation. Immediately after the Board has reached its decision, its findings shall be put into written form and filed with the Recording Secretary. The Recording 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 no earlier than 30 days after the date of the Board's recommended expulsion. The defendant shall have the privilege of appearing on his/her own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the Board's findings and recommendations and shall invite the defendant, if present, to speak on his/her own behalf, if he/she wishes. The Club shall then vote by secret ballot on the proposed expulsion. A $\frac{2}{3}$ vote of those present and voting at the meeting shall be necessary for expulsion. If the expulsion is not so voted, the Board's suspension shall stand.

ARTICLE VII AMENDMENTS**Section 1 Amendments**

Amendments to the Constitution and By-Laws may be proposed by the Board of Directors or by written petition addressed to the President and Recording Secretary, signed by 20% of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board Development Committee and then the Board of Directors and must be submitted to the members with recommendations of the Board by the Recording Secretary for the vote within three months of the date when the petition was received by the President.

Section 2 Amendment Vote

The Constitution and By Laws may be amended by a $\frac{2}{3}$ 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. The vote on amendments shall be by secret ballot. Amendments to the ByLaws or Constitution become effective upon being voted upon by the membership.

Section 3 Ratification

All amendments must be ratified by the American Kennel Club.

ARTICLE VIII DISSOLUTION**Section 1 Dissolution**

The Club may be dissolved at any time by the written consent of not less than 75% of the members. In the event of the dissolution of the Club other than for the purpose of re-organization, whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds thereof nor any assets of the Club shall be distributed to any members of the Club, but after payments of the debts of the Club, its property and assets shall be given to a charitable organization for the benefit of dogs selected by the Board of Directors.

ARTICLE IX ORDER OF BUSINESS**Section 1 Order of Business at Club Meetings**

At meetings of the Club, the order of business so far as the character and nature of the meeting may permit, shall be as follows:

- Roll Call
- Minutes of Last Meeting
- Report of President
- Report of Secretary
- Report of Treasurer
- Report of Committees
- Election of Officers and Board (Annual Meeting)
- Election of New Members
- Unfinished business
- New business
- Adjournment

Section 2 Order of Business at Board Meetings

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

- Minutes of last Board Meeting
- Report of Secretary
- Report of Treasurer
- Report of Committees
- Unfinished Business
- New Business
- Adjournment

ARTICLE X PARLIAMENTARY AUTHORITY

On all questions and points of procedure not covered by this Constitution and By-Laws, the current Robert's Rules of Order newly revised, shall determine the procedure and governing rules.

Board Approved 3/14/01

Club Approved 6/24/01