

# Asheville Hockey League By-Laws

## Article One - Name

The name of the Association shall be the "Asheville Hockey League" and may be referred to as "AHL", or herein as the "league".

## Article Two - Purpose

The purpose of the AHL shall be:

- A. To foster, promote and improve amateur inline and ice hockey in Asheville, North Carolina and the surrounding area.
- B. To foster good sportsmanship, to promote good citizenship and good fellowship through the sport of amateur hockey.
- C. To develop and supervise amateur hockey in the Asheville, North Carolina community, in accordance with the rules and guidelines of USA Hockey Inline, USA Hockey, Inc. and the Carolina Amateur Hockey Association (CAHA).
- D. To conduct hockey tournaments.
- E. To associate with other hockey organizations.
- F. To select and develop coaches and officials through sponsorship of organized teaching clinics and seminars.
- G. To do any and all desirable acts on the furtherance of the foregoing purpose.

## Article Three - Non Profit Association

This shall be a nonprofit Association and provides that:

- A. It shall have no capital stock.
- B. It shall not be conducted for profit.
- C. All assets are pledged to charitable purposes.
- D. Upon the dissolution of the Association, assets shall be distributed to the Asheville Parks and Greenway Foundation (a 501 (c) (3) organization) to be placed in a fund dedicated to recreational hockey programs and facilities or to another nonprofit association for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code. Any such assets not so disposed of shall be disposed of by the Circuit Court of the place in which the principal office of the Association is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

## **Article Four – Affiliation**

- A. The Asheville Hockey League is sanctioned by USA Hockey and the CAHA.
- B. The AHL as an affiliate of USA Hockey and the CAHA, shall abide by and act in accord with the Constitution, By-laws, Rules and Regulations of USA Hockey and CAHA, and the decisions of USA Hockey and CAHA. The decisions of USA Hockey and CAHA, shall take precedence over and supersede all similar governing documents and/or decisions of the AHL. The AHL shall assist USA Hockey and CAHA in the administration and enforcement of the provisions of the Constitution, By-laws, Rules and Regulations, and decisions of the Board of Directors of USA Hockey and CAHA.

## **Article Five - Membership**

Members of the AHL are adult persons, 18 years or older and shall include:

- A. Members of the Executive Board.
- B. Appointees of the Executive Board.
- C. Coaches and assistant coaches.
- D. All past Officers of the Executive Board.
- E. Adult players (18 and older) and the parent(s) or legal guardian(s) of any player registered with the league and having paid in full all player fees.
- F. Any other individual who wants to become a member may apply in writing to the Board for a one-year membership. The Executive Board will consider and vote on the application.

Each member of the Association shall have one vote.

An individual's membership in the league will begin at the time they join the league as a result of election, appointment, player registration, or the registration of their child with the league and will end on July 31 following the season for which they joined the league except as noted elsewhere in the By-laws. Registration of a player shall be when fees are up to date.

Registration fees are established by the Executive Board. Membership fees as well as utilization of all such fees shall be communicated to all Association members.

## **Article Six – Government**

- A. The property and affairs of the AHL shall be managed by the Executive Board, hereinafter known as the Board. The Board shall have general management and control of the business and affairs of the league and shall exercise all of the powers that may be exercised or performed by non-profit organizations under the statutes of the State of North Carolina and these By-laws.
- B. The Board of the Association shall consist of nine elected and/or appointed officers (herein referred to as the Officers). One member of the Board shall be appointed by the Asheville Department of Parks and Recreation and shall serve as a Liaison between the Association

and the City. All members of the Board shall serve three-year terms. Board members may be elected or appointed to any number of consecutive terms.

- C. No member of the Executive Board shall be compensated in any way. All elected positions of the Board are completely voluntary.
- D. Members of Board are required to declare a conflict of interest in matters where their vote could potentially result in their own personal benefit – financially or other wise. Members shall not vote in such instances.
- E. The Executive Board shall elect from among its members the following:

- 1. President
- 2. Vice-President
- 3. Secretary
- 4. Treasurer
- 5. Registrar

F. Powers and Duties of the Board

- 1. The President shall:
  - a. preside at all meetings held by the Board.
  - b. uphold and enforce the By-laws and rules of the league.
  - c. act as an ex-officio member of all committees established by the league.
  - d. register and represent the league in any outside leagues in which league teams may participate.
  - e. enter into any and all legally binding contracts, agreements and other relationships, acting on behalf of the league and at the direction of the Board.
- 2. The Vice-President shall:
  - a. preside at all meetings of the Board in the absence of the Board President.
  - b. in the event of disability to the Board President, assume the duties of the President's office, until such time the President is able to resume the duties of the office or until a new President is elected in accordance with the provisions of the By-laws.
  - c. report all rule and guideline changes (except playing rules within USA Hockey/CAHA) to the membership. Such report shall be given at the first membership meeting after August 15th and thereafter, as changes occur.

3. the Secretary shall:

- a. make and keep a true record (minutes) of all proceedings of all membership meetings and provide copies to all members on a timely basis.
- b. make and keep a true record (minutes) of all proceedings of all Board meetings and provide copies to all Board members on a timely basis.
- c. give notice of all meetings as directed by the Board.
- d. conduct all official correspondence as directed by the Board.
- e. report to the Board any and all correspondence and other information received.
- f. maintain an accurate and up-to-date file of all correspondence.
- g. provide the membership with up-to-date copies of the By-laws and Rules of the Association to all members and other interested parties.
- h. supply the membership with copies of any approved revision to the By-laws or Rules within thirty days of such approval

4. the Treasurer shall:

- a. collect all funds due the league and disburse all payments to meet its obligations, as authorized by the Board
- b. maintain and /or supervise the maintenance of suitable accounting records covering the Association's receipts, with corresponding records of expenditures and a list of all funds and other assets.
- c. deposit funds in his/her charge in depositories approved by the Board. Whenever possible, the service of local businesses will be utilized.
- d. close the books of the Association and prepare a comprehensive financial statement at the end of each year.
- e. at the discretion of the Board, submit the books, statements, records and all supporting data to an independent professional Accountant, who shall, at the league's expense perform an audit of the records.
- f. make all disbursements by league check. All checks over one thousand dollars (\$1000) must bear two signatures; that of the Treasurer and the Board President.
- g. have the specific approval of the Board for any disbursement.

5. the Registrar shall:

- a. organize and maintain all membership and player information.

- b. register all players, coaches and other team officials and teams with the league, USA Hockey and CAHA.

6. At-Large-Members shall:

- a. serve on and perform various duties as assigned by the Board.

G. Additional Officers (elected to one-year terms):

Inline Hockey Program

|                              |                              |
|------------------------------|------------------------------|
| Youth Commissioner           | Adult Commissioner           |
| Assistant Youth Commissioner | Assistant Adult Commissioner |
| Youth Member-at-Large        | Adult-Member-at-Large        |

Ice Hockey Program

|                              |                              |
|------------------------------|------------------------------|
| Youth Commissioner           | Adult Commissioner           |
| Assistant Youth Commissioner | Assistant Adult Commissioner |
| Youth Member-at-Large        | Adult-Member-at-Large        |

H. Duties of other Association Officers:

1. Commissioners:

- a. represent the program (ice or inline) at general membership meetings and meetings of the Board.
- b. coordinate organized skills clinics and seminars.
- c. facilitate the selection and development of coaches and/or player/coaches.
- d. call and preside over disciplinary hearings for the program (ice or inline).
- e. serve on various committees and perform various duties as assigned by the Board.

2. Assistant Commissioners:

- a. serve as 'Referee-in-Chief' for the program (ice or inline). This responsibility entails the supervision of league referees, coordinating the scheduling of referees during the course of each season, and coordinating referee training.
- b. perform enough duties, given by the Commissioner, that can prepare him/her for the possibility of occupying the Commissioner's office.

3. Members-At-Large:

- a. be responsible for maintaining an inventory of all league equipment and determining that such equipment is accounted for and properly stored. Such accounting and storage shall be accomplished by placing the equipment in a secure storage area, entrusting the equipment to a member for the purposes of storage and/or transmittal to the team which will use the equipment.
- b. serve on various committees and perform various duties as assigned by the Commissioner.

I. The Board shall have the power to elect or appoint (by a simple majority vote) assistants to the general officers of the corporation and such other officers, agents and servants as it may from time to time deem necessary who shall perform such duties as may from time to time be imposed or required by the Board of Directors or as may be prescribed from time to time by the By-laws for a term of one year beginning in August of each year.

J. Election of the Officers:

The procedure for the election of the officers shall be as follows:

1. Candidates shall be nominated via email or conventional mail directed to the Secretary prior to the “election meeting” or from the floor during the “election meeting”. The call for nominations shall be announced no later than one month before the “election meeting”.
2. Nominations shall be closed immediately before the election of officers.
3. Successful candidates will be voted into office by a simple majority of eligible voting members present at the “election meeting”.
4. Eligible voters shall be as described in Article Five - Membership.
5. The Board shall appoint one member of the league, not currently serving as a member of that Board, as election Steward. Such appointment shall be announced to the membership at a time not later than the call for nominations.
6. The election steward shall be responsible for the conduct of the election. Specific duties shall include the recording of nominations, compilation of a list of eligible voters, preparation and distribution of ballots, collection and counting of ballots, verification of total vote counts and the announcement of successful candidates.
7. The election shall be conducted by office in the following order: Board members shall be elected first, followed by Youth and Adult Commissioners and in order thereafter with the At-Large positions being the last officers elected.
8. One ballot shall be prepared for all offices listing all nominated candidates for each office. The candidate receiving the most votes for any office, providing that the total votes received constitutes a simple majority of the total votes cast, shall be the winner of that office.

9. Votes shall be cast by secret ballot, except in cases where only one candidate has been nominated for a given office. Such candidate shall be placed in office by acclamation.
10. Incoming officers shall assume their respective offices on the fifteenth day of August.
11. In the case of any condition that would preclude the completion of the term of office by any elected officer, the membership shall hold nominations and an election to fill that office for the remainder of the term. The nomination and election process shall be conducted in its entirety at the next membership meeting.
12. Each voting member must be present to vote and is entitled to one vote only.
13. Members of the Executive Board or Association Officers may be removed from office for just cause by a two-thirds majority vote of the Executive Board.

## **Article Seven - Fiscal Year**

The fiscal year of the Association shall end on the 31st day of July in each year, unless otherwise voted by the Executive Board.

## **Article Eight – Indemnity**

- A. It shall be the policy of the league to indemnify to the maximum extent permitted by Chapter 55A of the General Statutes of North Carolina any one or more of the Directors, Officers, or Agents and persons who serve at the request of the league against judgments, penalties, settlements and other liabilities incurred by them in connection with any pending, threatened or completed action, suit or proceeding, whether civil, criminal, investigative or administrative (a “proceeding”) and against reasonable cost and expenses (including attorneys’ fees) in connection with any proceeding, where such liabilities and litigation expenses were incurred incident to the good faith performance of their duties.
- B. The league may advance expenses in connection with any proceeding to any such person in accordance with applicable law. The use of funds of the corporation for indemnification or for the purchase and maintenance of insurance for the benefit of the persons designated in paragraph A of this Article shall be deemed a proper expense of the Association.

## **Article Nine – Meetings of the AHL**

- A. General membership meetings shall be held in accordance with a schedule to be determined by the Executive Board.
- B. The Schedule shall include a minimum of the following meetings and dates:

Pre-season meetings (August & February)

Annual membership meeting (August).

Election of Officers (May).

New Officers take office on August 15.

End of season meetings (December & May)

Conduct evaluations of fall and spring sessions.  
Elect officers for following year (May).

- C. Dates of such meetings shall be published ten days prior to the meeting.
- D. Additional membership meetings may be called by the Board at any time, except that notice of such additional meetings shall be provided to the membership no less than seventy-two hours in advance of their start.
- E. Meetings shall be conducted and governed by standard rules of parliamentary procedure (Roberts Rules of Order).
- F. At any meeting of the general membership, whether a regular scheduled meeting or a special meeting, fifteen (15) members represented in person shall constitute a quorum.

## **Article Ten – Meetings of the Executive Board**

- A. Special Meetings may be called by the Board in accordance with the notice requirements set forth herein.
- B. At least 72 hours notice shall be given all Executive Board members for special meetings
- C. The Board shall develop schedule of regular meetings for the entire term of the Executive Board no later than June 1 and notify the entire Association the date, time and place of such regularly scheduled meetings.
- D. Meetings shall be conducted and governed by standard rules of parliamentary procedure (Roberts Rules of Order).
- E. At any meeting of the Board, 6 members present shall constitute a quorum.

## **Article Eleven – Voting**

- A. Members of the League

All Valid members, as defined in Article Five are allowed one vote for each election of the Officers on the Board and one vote to changes to the By-laws.

- B. Executive Board

At all Executive Board meetings, each Board member shall have one vote on all matters that come before the Board. In matters which require only a simple majority, the Board President shall vote only in the event of a tie. In all other matters which require more than a simple majority of those voting, the Board President shall have a vote.

## Article Twelve – Dispute and Resolution

- A. It is the express purpose of this article to establish a fair and orderly process for the resolution of disputes within this league and to strongly encourage all members of this league to utilize that process. In that connection, this League expressly adopts the USA Hockey Dispute Resolution procedure set forth in USA Hockey By-law 10, as it now exists or may hereafter be amended.
- B. The Board of directors of this league shall have the power to suspend any individual in accordance with the policies of this league and in accordance with USA Hockey By-law Section 10. When this is necessary a hearing shall be held as provided for in the dispute resolution policy and all parties involved shall be given the opportunity to give their version of the incident. Any party to a dispute shall have the right to appeal the findings of the hearing.
- C. Each member of this league and any other person within the jurisdiction of this league and/or USA Hockey (including, but not limited to each parent, guardian, agent or other person or group) agrees to abide by the Dispute Resolution Policy by virtue of their membership, affiliation or participation at any time and in any way in this league, USA Hockey or a game or program sanctioned by USA Hockey or this league, and agrees to forego completely any remedy and any recourse to court regarding the matters expressly or impliedly covered by the Dispute Resolution Policies of USA Hockey and the league.
- D. In addition to any other sanctions applicable hereunder, the failure to follow and abide by the Dispute Resolution Procedure may subject a member, and any person or entity representing, participating with or aiding such member, to the following: liability for any and all expenses and costs, direct and indirect, and including reasonable court costs and attorney fees and the value of volunteer time, incurred by this league and USA Hockey, and their directors, officers or agents; and a immediate suspension and/or disqualification from membership and forfeiture of the right to participate in this league, USA Hockey or any of their sanctioned events.

## Article Thirteen – Screening and Substance Abuse

- A. The Association shall conduct background checks for all league coaches and officials. The Association adheres to the Screening Policy set forth by USA Hockey, Inc.
- B. The Asheville Hockey League adheres to and adopts as policy, guidelines set for by USA Hockey, Inc., concerning the consumption/use/abuse of mood altering substances as set forth below.
  - 1. For the purposes of this policy, the words “mood altering substances” shall include the following.
    - a. Intoxicating substances, including but not limited to alcohol.
    - b. Non-prescription or prescribed controlled substances.
    - c. Prescription or prescribed controlled substances when used in excess in violation of doctors’ orders, or to produce the state of intoxication in the participant.

2. The AHL will not tolerate any violation of this policy. Accordingly, any alleged violation of this policy by a participant shall be brought to the attention of the members of the Board who shall investigate the alleged violation within 14 days of the notice. If upon a review of the circumstances it is found that a violation occurred, the participant shall be suspended from active play or participation for a period of at least fourteen (14) days. The participant shall be required to perform at least eight (8) hours of community service as approved by the Board. The Board has the right to make arrangements for other acceptable conditions being met, either in addition to the community service or in lieu of.

A participant, who is found to have violated this policy a second time, in the same or subsequent years, shall be suspended from further participation within the AHL for a period of one (1) year. After a period of one year the participant must formally request re-admittance to the AHL and must present the steps he/she has taken to address the substance use problem.

Suspension from the AHL, because of violation of this substance abuse policy will not be grounds of monetary refund.

## **Article Fourteen – Miscellaneous**

### **A. Non-discrimination Policy**

The AHL does not discriminate on the basis of race, sex, color, age, national origin, religion or disability.

### **B. Contractual Authority**

The Board may authorize any officer to enter into any contract or execute and deliver any contract or other instrument in the name of and on behalf of the AHL, and such authority may be general or confined to specific instances. Unless authorized to do so by these By-laws or the by the Executive Board, no officer or agent shall have any power or authority to bind the AHL by any contract or engagement, or to pledge its credit, or to render it liable pecuniarily for any purpose or in any amount.

### **C. Funds and Deposits**

All funds of the AHL not otherwise employed shall be deposited from time to time to the credit of the AHL in such banks, trust companies or other depositories as the Executive Board may from time to time designate. For the purpose of such deposits, all checks, drafts and other orders for the payment of money which are payable to the order of the AHL must be endorsed by the league Treasurer and all payments over the amount of one thousand dollars (\$1000) must be endorsed by one other officer.

### **D. Capitalization**

The capital for the league shall be derived from:

1. Team sponsor fees, which shall be established annually by the Executive Board and which shall entitle sponsors to display approved advertising on team uniforms.

2. Non-mandatory fund raisers, for which there shall be no individual requirement for participation. Participation shall be on a voluntary basis.
3. Tournament proceeds.
4. Non related investments and/or income including, but not limited to , outside investments, general donations, Corporate donations, civic donations, player development fees, and fees for schools and clinics sanctioned by the league.

## Article Fifteen – Amendments

Any part of the By-laws of the league may be amended in accordance with the following procedures:

- A. Members of the league wishing to submit an amendment should do so in writing to the Secretary who will bring it before the Executive Board for evaluation and the formulation of a recommendation to the membership
- B. All amendment proposals shall then be presented to the membership at a regularly scheduled or special membership meeting. Presentation shall be made in writing by the Secretary with copies for each member present, and shall include the recommendations of the Board. Open discussion shall take place at this presentations meeting, with further discussion if needed, and a vote for passage and denial to take place at the next membership meeting.
- C. Passage of any amendment to the By-laws shall require a two thirds majority of the qualified voting members present at the membership meeting.
- D. Members wishing to comment on any amendment proposal, during the time between the membership meetings, may do so in writing to the Secretary.
- E. All amendments proposals shall include a proposal effective date which shall be part of the consideration. Amendments approved by the membership shall take effect at the time specified in the amendment proposal.

Adopted: \_\_\_\_\_

President: \_\_\_\_\_

Vice-President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_