

BIEWER TERRIER CLUB OF CANADA – CONSTITUTION & BY-LAWS

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BIEWER TERRIER CLUB OF CANADA
CONSTITUTION & BY-LAWS

1. NAME, AREA OF OPERATION, AND OBJECTS

1.1 The name of the Club shall be Biewer Terrier Club of Canada, Inc. (BTCC), hereinafter referred to as the Club.

1.2 The Club shall serve all provinces and territories of Canada.

1.3 The Club shall be a non-profit Club. The objects and aims of the Club shall be to:

- Encourage and promote Biewer Terriers.
- Require members and breeders to accept the Biewer Terrier Breed Standard, as approved by the Canadian Kennel Club (CKC), as the only standard of excellence by which the Biewer Terrier shall be judged in Canada.
- Encourage, protect, and advance quality in the breeding of purebred Biewer Terriers and to do everything possible to bring their natural qualities to perfection.
- Liaise with our counterparts from National Clubs of other countries. In addition, the President and/or Vice President shall be members of our sister Club, the Biewer Terrier Club of America (BTCA)
- Encourage respect and ethical sportsmanship to others at all events held under the CKC Rules and Regulations and any other sponsored activity or function of the Club.
- Encourage and educate judges or prospective judges.
- Encourage respect and ethical treatment of dogs in general.
- Hold CKC Conformation Shows, Obedience Trials, Rally Obedience Trials, and other performance events as approved by CKC.
- Encourage the organization of independent local Biewer Terrier Specialty Clubs in those localities where there are sufficient fanciers of the Biewer Terrier to meet the requirements of the CKC.

2. MEMBERSHIP

2.1 Application for membership in the Club shall be received from any location in Canada and from other countries at the discretion of the Board of Directors.

2.2 Each applicant for membership must agree to abide by the Club's Constitution & By-Laws and Code of Ethics.

2.3 The Membership Year shall start on January 1 and finish on December 31.

2.4 Classes of Membership:

- *Regular (Individual) Membership:* Enjoys all Club privileges including the right to vote and hold office.
- *Household (Family) Membership:* Two (2) adult members residing in the same household, each eligible to vote and hold office.
- *Non-Resident Membership:* Individuals who are not Canadian residents (or its territories and possessions) shall be entitled to all Club privileges except voting and office holding.
- *Junior Membership:* Open to children under the age of 18 and may automatically convert to a regular membership at the age of 18. Junior members do not pay dues, but are entitled to all Club privileges except voting or holding office.
- *Lifetime Membership:* May be awarded to individuals from among the membership who have made significant contributions to the Club and the Biewer Terrier breed. Lifetime members do not pay dues, but are eligible to vote and hold office.
- *Honorary Membership:* An individual who has made significant contributions to the sport, breed or the Club. Honorary members pay no dues and are not eligible to vote or hold office unless they maintain a "Regular" or "Household" membership upon paying dues.

2.5 Membership Dues:

- \$50 per year for individuals or \$75 per year for households.
- Dues are payable on or before January 1 each year. No member may vote whose dues are not paid for the current year.

- Dues shall not be prorated. If you join in a month other than January, dues shall be due again in January.
- Membership dues shall be reviewed and revised, as necessary, at the Annual General Meeting (AGM).
- The Treasurer track fees.
- During the month of December, the Treasurer shall send each member a statement of dues for the next year.

2.6 Application for Membership:

- Membership application and fees are to be completed and submitted online at the Club website www.biewerterrierclubofcanada.org
- Members may contact BTCCmembers@proton.me for other information, alternate ways to submit an application, and/or alternative payment methods.
- The application shall state the name and address of the applicant and carry the endorsement of two (2) members in good standing.

2.7 Approval of Membership

- Applications shall be forwarded to the Board of Directors.
- Applications shall be added to the next agenda for the next Board Meeting.
- Applications must be voted on and approved by 2/3 of the membership in attendance at the meeting.
- An applicant whose membership application has been rejected or denied shall be provided with a reason for such rejection or denial, in writing, within 30 days of the decision.
- An applicant whose membership application has been rejected or denied may not reapply within 12 months of such rejection.
- New members shall have a one-year probationary period. If the Board finds the applicant to be in violation of the Constitution & By-Laws of the Club or conduct prejudicial to the best interests of the Club or breed, their membership shall not be renewed.
- New breeder members shall have the opportunity to apply to the Club's preferred breeder program after a three-month probation period.

- The absence of a voting member from three (3) consecutive meetings, unless excused by the Board, shall result in a membership status change from voting to non-voting. The Board shall consider all written requests for excusal with confirmed delivery receipts. There shall be no reduction in dues in such cases.

2.8 Termination or Suspension of Membership:

- Any member suspended, debarred, expelled or deprived from the privileges of the CKC shall, without notice, be suspended from the privileges of this Club for a like period.
- *By Resignation:* Any member in good standing may resign from the Club upon verifiable written notice to the Secretary, but no member may resign when in debt to the Club. All materials belonging to the Club must be surrendered in proper condition to the Secretary no later than 10 days after termination of membership. Obligations other than dues are considered a debt to the Club and must be paid in full prior to resignation.
- *By Lapsing:* A membership shall be considered lapsed and automatically terminated if such member's dues remain unpaid 60 days after the first day of the fiscal year, which is January 1. The Board may grant 30 days of grace to such delinquent members in meritorious cases. In no case may a person be entitled to vote whose fees are unpaid.
- *By Suspension or Expulsion:* Membership may be suspended as provided in Section 8: Discipline of this document. Membership fees shall not be returned in such cases.

3. BOARD OF DIRECTORS

3.1 The Board of Directors shall hereinafter be referred to as the Board, which shall be composed of the officers and directors. All members of the Board must be members of the Club in good standing and residents of Canada. General management of the Club's affairs shall be entrusted to the officers and directors.

3.2 There must be Board representation (officers or directors) from the following three (3) regions:

- BC, AB, MB, SK, YT, NT, or NU
- ON
- QC, NB, NS, PE, or NL

3.3 Officers

- The Club's Officers shall be President, Vice President, Secretary, and Treasurer.
- The Club's Officers shall serve in their respective capacities with regard to both Club Meetings and Board Meetings.
- A Club Officer cannot also be a Club Director.
- A minimum of three (3) Club Officers must be CKC ^[SEP] members, one of whom must be the President.
- The Past President may serve on the Board for a period of two (2) years with full voting privileges, providing they are not under discipline from the Club or CKC.

3.4 Directors

- The Board shall maintain four (4) director positions.
- The Club's Directors shall serve in their respective capacities with regard to both Club Meetings and Board Meetings.
- A Club Director cannot also be a Club Officer.
- Clubs may add other positions such as Regional Director, Show/Trial Chair, Past President, etc. as part of the Board, as needed.

3.5 Duties and Responsibilities

- The President shall preside at all Club Meetings and call Special Meetings of the Board. The President shall ensure the Club's Constitution & By-Laws are up-to-date and adhered to by all members of the Club. Any other duties that the Club deems applicable to the office of the President shall be assigned to the President. The President may delegate duties to the Vice President and/or other members of the Board as needed.
- The Vice President shall attend all Club Meetings. The Vice President shall take over the duties of President and exercise the powers of the President in case of absence, resignation, vacancy, or incapacity. The Vice President is responsible for coordinating all official Club events.
- The Secretary shall attend all Club Meetings and be responsible for the Club's correspondence as directed by the President and/or Board of Directors. The Secretary shall (a) notify the

membership of meetings; (b) keep a record of all meetings of the Club and Board; (c) record all votes taken, by mail or electronically; (d) notify new members of their election to membership; (e) notify officers and directors of their election to office; (f) keep a roll of the members of the Club who are in good standing with their contact information; (g) keep a record of all matters ordered by the Club; (h) have charge of correspondence; and (i) issue notices regarding discipline proceedings.

- The Treasurer shall attend all Club Meetings; collect and receive all monies paid to the Club; and be responsible for deposits to the designated bank account in the name of the Club. The books shall at all times be open to inspection by the Board. A report shall be given at every meeting regarding the finances of the Club and every item of receipt or payment not previously reported. At the AGM, an accounting shall be rendered of all monies received and expended during the previous fiscal year.
- The Directors are members of the Board and shall attend all Club Meetings. The Directors shall make recommendations to the Club as directed by their members and transact the business of the Club as provided for in this document.
- Original President & Vice President of BTCC, Inc.: Vanessa Venditello (P) & Brenda Lawson (VP), the original Board of BTCC, Inc., shall have the option to attend any Club and Board Meetings for life to assure the Club is running smoothly. In addition, they shall both have full Board and Member voting privileges for life.

3.6 Execution of Documents

- The President or Vice President and the Secretary shall sign contracts, documents, or instruments in writing requiring the signature of the Club. All contracts, documents, or instruments in writing so signed shall be binding upon the Club without any further authorization or formality. The Signing Officers may, in all cases in which they deem it necessary or useful, affix thereto the corporate seal of the Club.

3.7 Term of Office

- The term of office for BTCC, Inc.'s President, Vanessa Venditello, and Vice President, Brenda Lawson, shall be for a period no less than two (2) years after the Biewer Terrier

reaches CKC full acceptance as a purebred dog. After that time, the term of office for Presidents and Vice Presidents shall be for a period of two (2) years or until their successors have been elected.

- The term of office for the Secretary, Treasurer, and Directors of the Club shall be for a period of two (2) years or until their successors have been elected.
- An Election General Meeting shall be held every second year on the last Sunday of December unless it can be held in conjunction with a National Specialty in November or December.
- Terms shall begin on the first day of January after the election is declared.

3.8 Vacancies

- The office of a member of the Board shall automatically be vacated if (a) an Officer or Director sends a written resignation to the Secretary, (b) a resolution is passed by a 2/3 majority vote of voting members that they be removed from office, (c) they are found by the court to be unsound of mind; or (d) they pass away.
- The Vice President shall automatically become the Acting President should the position of the President become vacant during the year.
- Any Board vacancy, other than that of the President, occurring during the year shall be filled for the remainder of the position's term by a majority vote of the Board.
- An office shall automatically become vacant if the Board member is absent for more than two (2) meetings in a year, unless excused by the President.
- Each retiring Board member shall turn over all properties and records relating to that office to their successor within 30 days after the election.

4. ELECTIONS



4.1 The Club Year shall be January 1 to December 31. An Election General Meeting shall take place biannually on the first Sunday of December.

4.2 Nominations

- No person shall be a candidate in a Club Election who has not been nominated in accordance with this Constitution & By-Laws.
- The Board shall choose a Nomination Committee on or before two (2) months before the Election General Meeting. The committee shall consist of three (3) voting members from different provinces all in good standing, and no more than one (1) shall be a current Board member. The Nomination Committee shall designate one member of the committee as Inspector.
- The Nomination Committee shall nominate from eligible members one candidate in good standing for each Board position, whilst considering the regional requirements of Article 3.2, and shall procure acceptance of each nominee so chosen. All nominees must have been Club Members in good standing for two (2) years to be eligible for a position on the Board.
- The Inspector shall submit its slate of candidates to the Secretary, who shall email the list, including the full name of the candidate and the province in which the person resides, to each member of the Club on or before six (6) weeks before the Election General Meeting.
- The Secretary must receive additional nominations of members in good standing via email on or before one (1) month before the Election General Meeting. The Secretary shall forward the additional nominations to the Nomination Committee, who shall consider whether the new nominations fulfill the regional requirements of Article 3.2 and, if so, the additional nominations may be considered. The Nomination Committee shall procure acceptance of each additional nominee so chosen.
- No person shall be a candidate for more than one position.
- Nominations cannot be made at the Election General Meeting or in any other manner other than provided above.

4.3 Voting and Ballots

- Only those members in good standing with the Club are eligible to vote.
- The quorum for all votes shall be the majority of the votes based on ballots returned via email.
- If no valid additional nominations are received by the Secretary on or before one (1) month before the Election General Meeting, the Inspector shall declare the slate of the Nomination

Committee elected and no ballot shall be required.

- If one or more nominations of members in good standing are received by the Secretary on or before one (1) month before the Election General Meeting and the Nomination Committee deems that accepting a nomination shall still fulfill the regional requirements of Article 3.2, the Nomination Committee shall direct the Secretary to email a ballot to any member eligible to vote, listing all of the nominees for each position with the names of the provinces in which they reside. Members must return the ballots to the Secretary via email on or before two (2) weeks before the Election General Meeting. The Secretary shall forward the return ballots to the Nomination Committee and the Inspector shall certify the results of the voting at the Election General Meeting.
- In the event of a tie, a revote shall be cast until such time as there is a declared winner.
- If a declared winner does not accept the position and more than one other candidate was nominated for the position, there shall be a revote cast until such time there is a declared winner. If there was only one other nominee for the position, the Inspector shall declare that person elected. If there were no other nominees for the position, the Nomination Committee shall declare another member in good standing to the position and no ballot shall be required. ^L_{SEPP}

5. MEETINGS

5.1 Annual General Meeting

- The AGM shall be held after the National Specialty and/or via teleconference and/or videoconference as designated by the Board.
- Notice of the AGM shall be emailed to all members by the Secretary via email a minimum of three (3) months in advance of the date.

5.2 Special Club Meetings

- Special Meetings may be called by the President or by the majority vote of the Board who are at a meeting of the Board.
- Special Meetings may be called upon receipt of a petition signed by 5 Club members who are in good standing sent to the Secretary.

- Special Meetings shall be held at such times and places or via teleconference or videoconference as designated by the Board.
- Notice of Special Meetings, once approved by the President, shall be sent by the Secretary in advance of the date. The notice of the meeting shall state the purpose of the meeting and no other business may be transacted.

5.3 Board Meetings

- Board Meetings shall be held bi-monthly on the last Sunday of the month at such times and places or via teleconference or videoconference as designated by the President or by a majority of the Board.
- A Board Meeting shall be held immediately after any election.
- Notice of other Board Meetings shall be sent by the Secretary via email a minimum of fourteen (14) days in advance of the date.

5.4 Quorum

- The quorum for the AGM shall be 10% of the members in good standing.
- The quorum for Special Meetings shall be 10% of the members in good standing.
- The quorum for Board Meetings shall be a majority of the Board.

5.5 Board Business

- Members of the Board may also conduct other business, including disciplinary hearings, in person or by teleconference or videoconference.
- Items requiring a vote shall be put on the agenda of the next Board Meeting.
- If a situation requires an immediate decision before a meeting of the Board is possible and the President is not available, an explanation must be emailed to the Secretary and President within seven (7) days.

6. FINANCES

- 6.1 The fiscal year is January 1 to December 31.
- 6.2 The Treasurer and one (1) of the following shall sign Club cheques: President or Vice President. They should not reside in the same household.
- 6.3 No Officer, Director, or member of the Club shall receive any remuneration for volunteerism.

7. COMMITTEES

- 7.1 The Board, at its discretion, may appoint Standing Committees by a majority vote in order to further the interests of the Club in the area of elections; events the Club is recognized to hold; discipline and membership; trophies and prizes; and any other project that may require the resources of a committee.
[1]
[2]
[SEP]
- 7.2 The Board, with a majority vote, may terminate any committee formed for the above purpose once the committee has fulfilled its purpose.

8. DISCIPLINE

8.1 CKC Removal of Privileges

- Any member who is suspended, debarred, expelled, or deprived from the privileges of the CKC shall, without notice, be suspended from the privileges of this Club for a like period. We cannot add your suggestion here. CKC requires this exact statement. It would be whatever CKC has determined in regards to suspension or expulsion.

8.2 Misconduct Process

- Any member may file a complaint against another member of the Club for alleged misconduct prejudicial to the best interests of the Club, Constitution, Code of Ethics, or to the breed.
- Complaints must be filed in writing to the Secretary and accompanied by a deposit of \$100, which shall be forfeited if such charges are not sustained by the Board or a Board Committee following a hearing.
- The Secretary shall promptly send a copy of the charges to each Board member and/or present them at a Board meeting.

- The Secretary shall notify the defendant of the complaint and the procedures within forty-five (45) days of receipt of the complaint.
- The Board shall meet in person or by teleconference or videoconference to first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the Club or the breed.
- If the Board determines that the charges do not allege conduct prejudicial to the best interests of the Club or breed, it may refuse to entertain jurisdiction. The Secretary shall inform the complainant and defendant of the Board's decision.
- If the Board entertains jurisdiction of the charges, both the complainant and defendant shall be provided with a date and time of hearing of the complaint a minimum of thirty (30) days before the complaint shall be heard/considered. The Secretary shall promptly send one copy of the charges to the defendant by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in their defense and bring witnesses if they wish.
- A member who resigns while charges have been preferred against them or allows their membership to lapse during the fiscal year in which the charges were sustained may not apply for membership for a minimum period of five (5) years from the time of resignation or lapse or the end of any suspension, after which they may reapply for admission to membership according to the process outlined in Article 2.6, but with five (5) Club members in good standing as sponsors.

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8.3 Board Hearing [L] [SEP]

- Disciplinary hearing may be conducted in person or teleconference or videoconference.
- 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.
- Both the complainant and defendant shall have the right to attend the hearing and to present any evidence.
- Both the complainant and defendant shall be treated fairly and without prejudice.
- The meeting procedures shall be Call to Order, Chair Opening Remarks, Complainant, Defendant, Questions, and Deliberations.

- Should the charges be sustained after hearing all the evidence and testimony presented by complainant and defendant, the Board or Board Committee may, by a majority vote of those present, reprimand or suspend the defendant from all privileges of the Club for six (6) months from the date of the hearing.
- If it deems the above punishment is insufficient, the Board or Board Committee may, by a majority vote of those present, expel the defendant from all privileges of the Club permanently.

8.4 Notification of Misconduct Decision

- Immediately after the Board or Board Committee has reached its decision, its findings shall be put in written form and filed with the Secretary.
- The Secretary, in turn, shall notify the complainant and defendant, in writing, of the decision itself, the reasons for the decision, who was involved in the decision, and any penalty. This must be provided to the complainant by way of registered letter and defendant within thirty (30) days of the decision being made.
- No letters of appeal shall be accepted for reprimands or suspensions.
- Appeals for expulsions must be filed in writing and forwarded to the Club Secretary. The Secretary shall promptly send a copy of the appeal to each Board member and/or present them at a Board meeting. An appeal hearing shall be scheduled within thirty (30) days of the receipt of the appeal. The complainant and defendant shall be provided with a date and time for the appeal hearing a minimum of thirty (30) days before the appeal shall be considered. Both the complainant and defendant have the right to attend the appeal hearing, which may be conducted in person or teleconference or videoconference. This shall not be a retrial, but rather a hearing to determine whether or not there is just cause to overturn the expulsion. Arguments during the appeal process are limited to this aspect. After hearing the testimony presented by the complainant and defendant, the Board may, by a majority vote of those present, decide to sustain or overturn the expulsion. The Secretary shall inform both the complainant and defendant of any decision in writing within thirty (30) days of the hearing.

9. AMENDMENTS [SEP]

9.1 Constitution & By-Laws

- The Club shall have the power to add, modify, and/or rescind items in the Constitution & By-Laws according to the process outlined below.
- Amendments may be proposed by the Board or by written petition addressed to the Secretary signed by 20% of the membership in good standing.
- All proposals shall be accumulated and included in an agenda for the next AGM.
- All proposals shall be emailed to each member thirty (30) days in advance of the AGM.
- The Secretary shall prepare ballots to be emailed to the general membership. Ballots must be returned to the Secretary via email by a specified date.
- Amendments to the Constitution and By-Laws require a 2/3 majority vote of the ballots received from members in good standing.
- Amendments shall be forwarded to the CKC Shows & Trials Division within thirty (30) days of being passed.

9.2 Breed Standard

- Any proposal for amendment of the Breed Standard shall be submitted in writing to the Secretary of the Club.
- Proposals for amendments to the Breed Standard by the Club must meet CKC Procedure RG002 – Proposed Changes to a Breed Standard.

10. DISSOLUTION

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- 10.1 The Club may be dissolved at any time by the written consent of not less than 2/3 of the members in good standing.
- 10.2 In the event of dissolution of the Club, other than for the purposes of reorganization, no property, assets of the Club, nor any proceeds thereof shall be distributed to any members of the Club.
- 10.3 After all payment of debts of the Club, its property and remaining assets shall be donated to a charitable organization for the benefit of dogs.

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11. RULES OF ORDER

11.1 The order of business at Club Meetings, so far as the nature of the meeting permits, shall be as follows:

- Roll call
- Approval of Agenda
- Reading of Minutes of Last Meeting
- Reports from Executive
- Committee Reports
- Election of New Members
- Unfinished Business
- New Business
- Notice of Next Meeting
- Adjournment [SEP]