CONSTITUTION AND BY-LAWS
OF
THE BAIE D'URFÉ AQUATIC CLUB

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1. NAME AND LOGO

The name of the organization shall be **The Baie d'Urfé Aquatic Club** in English, and **Club Aquatique Baie d'Urfé** in French, and its logo will be that which appears below:

2. ORGANIZATION AND STATEMENT OF PURPOSE

The Baie d'Urfé Aquatic Club (The Club) is a non-profit, bilingual, outdoor community aquatic organization incorporated under the laws of Quebec (central file number: 1355-1296). It is managed and operated by a volunteer board of directors (The Executive Committee) in collaboration with the Town of Baie d'Urfé.

The Club seeks to provide a safe and healthy pool environment for its users. A member of the Association of Lakeshore Pools (ALPS), the Baie d'Urfé Aquatic Club fosters a spirit of community where sportsmanship, athletic and personal development, friendly competition, and leadership are promoted through its various programs and services, which are offered in both French and English. A volunteer-based organization, all members are encouraged to become involved in the functioning of their Club through volunteering their time to perform some of the various duties necessary to the smooth operation of the Club.

A professionally-trained staff of lifeguards and instructor-coaches is hired by the Club each year on a seasonal basis to carry out the teaching, competition training, pool supervision, and maintenance functions essential to the quality and safety of the pool and facilities.

3. MEMBERSHIP AND USE OF FACILITIES

3.1 Membership in the Club

3.1.1 Membership in the Club shall be available to any person as long as at any time, 75% of the members of the corporation are residents of the Town of Baie d'Urfé.
3.1.2 Persons requesting membership must complete and submit the required forms and documentation and present them at the time of registration, as determined by the Committee.
3.1.3 All applicable fees are to be paid in full at the time of registration.
3.1.4 Membership is issued on an annual basis. It shall commence at the time of registration and shall be valid through one full pool season, expiring the day of the official pool opening of the following year.
3.1.5 The Committee reserves the right to refuse an application for membership where there is just cause. In such cases, the Committee will advise the applicant of the reason for refusal in writing.
3.1.6 The board of directors can, by resolution, suspend for a period that it determines or to cross off definitively, any member who omits to pay the yearly fee, or who commits an act considered despicable, opposite or fatal of the goals of the corporation. The decision of the board of directors will be final and without appeal, and the board of directors is authorized to adopt and to follow in this subject the procedure which they can determine from time to time. In such cases, the Committee will advise the applicant of the reason for suspension or removal in writing.
3.1.7 Members are granted full use of the pool and its facilities subject to the posted opening hours, weekly schedule, and Pool Safety Rules (Appendix1).

3.2 Membership Categories

The following categories of membership shall be available at the Baie d'Urfé Aquatic Club:

- Family: All members of the same family residing at the same address*
    - Full Programs Family
    - Young Family – All children must be under the age of 5 as of June 24th of that year.
    - Leisure Family – Open only to Free Swim – No Programs
- Couple: Two persons, residing at the same address*
- Single Adult: 18+
- Senior Couple: 60+**, residing at the same address*
- Senior Single: 60+**
- Student (12-17)

* Proof of residency will be required.
** Proof of age will be required, where applicable.

3.3 Membership Fees and Entry Fees

3.3.1 Membership fees for the various categories as well as daily fees for guests and non-members will be determined annually by the Committee.
3.3.2 Annual membership fees for the current year will be published in the annual flyer, and will be posted on the Club's web site in the spring of the year. They will also be indicated on the registration forms.
3.3.3 Annual membership fees as well as any accessory fees for means of identification (section 3.4, below) will be payable in full at the time of registration.
3.3.4 Membership fees are non refundable. However, under exceptional circumstances the Committee may grant a partial refund when a member must resign their membership on or before July 15th of the current season. No refunds will be issued for resignations after that date.

3.4 Identification of Members

In order to identify members using the facilities of the Club, members must check in with the gate guard on duty to sign in and to have their membership status verified by the staff on duty.

3.5 Use of the Facilities by Non-Members

3.5.1 Residents of Baie d'Urfé may use the facilities for free swim at the times designated on the web site by June 15. Proof if residency is required.
3.5.2 Any non-member who wishes to use the Club's facilities for free swim or adult swim must register at the gate and pay the required daily fee ("gate fee") in full.
3.5.3 Non-members are not permitted to participate in the Club's structured programs.
3.5.4 Persons visiting the pool exclusively to participate in or to observe a recognized competition or event are not required to pay an entrance fee.
3.5.5 The Committee, at its sole discretion, may from time to time approve special arrangements for certain groups to use the pool facilities under specific circumstances (e.g.: day cares, community groups etc.) Requests for such arrangements must be submitted to the Committee in advance in writing, and may be subject to a special access fee determined on an individualized basis. Furthermore, the Committee must ensure that such arrangements will not interfere with the access to the pool by the regular members.

3.6 Members' Conduct

3.6.1 Members must abide by the Pool Safety Rules and any other rules of member conduct.
3.6.2 Members involved in competitions, including spectators, must adhere to the applicable rules of conduct as established by ALPS.

4. MEETINGS OF MEMBERS

4.1 Types of Meetings

4.1.1 The **Annual General Meeting** of the members of the corporation takes place in the Town of Baie d'Urfé on the date determined by resolution by the board of directors, upon the call of the president or one of the vice-presidents and upon a written notice of fourteen (14) days to every member of the corporation, sent to their mailing or e-mail address, to receive the annual report of the administrators, the balance sheet, the state of the revenue and the expenses and the report of the auditors of the corporation, to elect the administrators and, name the auditors for the next year and to settle the general affairs of the corporation. (see section 4.3.).

4.1.2 Special general meetings of the members of the corporation can be held on the summons of the president or one of the vice-presidents or at the request of the majority of the board of directors or the written demand of at least twenty five (25) of a member in good standing and sent to the board of directors. The notice of the special general meeting must be given to the members in the same way as for that of the annual general meeting, and must clarify the nature of the business that is to be treated.

4.2 General Rules for Meetings of Members

4.2.1 Meetings of members are open to all members of the Baie d'Urfé Aquatic Club. Voting, when required, will be limited to members who have reached the age of majority (18 and over) at the time of the meeting (member with voting rights.) Each such member will be entitled to one vote, including each such member of a couple or family membership.

4.2.2 Quorum for meetings of members shall be set at five (5) voting members personally present.

4.2.3 If quorum is not reached at the time a meeting of the members or of the Board of Directors was convened, the meeting can be adjourned, fifteen (15) minutes after that time, by the members present or by the directors present, for period not exceeding one month in same hours without other notice than the announcement of the meeting until there is quorum. A meeting where the quorum is reached can be also adjourned in the same way for the duration which can be determined by vote. In any resumption of meeting which the quorum is reached, all the questions can be addressed as they would have had the meeting been initially convened.

4.2.4 Coaches, staff, and other interested non-members may attend meetings only upon invitation by the Committee. Such persons may also give presentations or speak when requested to do so, but will have no voting privileges.

4.2.5 Meetings of members will be chaired by the President, or in his/her absence the Vice-President or a delegated Committee member. The usual Rules of Order adopted for Committee meetings will be applied to meetings of members.

4.2.6 The Secretary of the Committee will record minutes of the proceedings.

4.2.7 Any member with voting rights may request an item of business be placed on the agenda of a regular meeting either by informing the secretary prior to the meeting or by adding the item during approval of the agenda at the beginning of the meeting.

4.2.8 Any member with voting rights may propose, second, or vote on a motion at a meeting of members, in accordance with the Rules of Order in place.

4.2.9 Except where otherwise noted in these by-laws, motions voted in favour of by a simple majority (50% + 1 of eligible voters present) will be considered to be carried.

4.3 Elections of The Executive Committee

4.3.1 Elections will be held for the officers of the Executive Committee (the Committee) each year at the AGM. Elections may also be held to fill vacant positions at other membership meetings when required (see section 5.2).

4.3.2 The nominating committee, if necessary, consists of the president, the past president and of one other member in good standing. If the past president is not available he can be replaced by another member of the board of directors. The past president or his substitute will act as president of the committee and will report the recommendations of the nominating committee at the annual general meeting of the members.

4.3.3 The membership will be notified of elections in the same manner as for a general membership meeting (see section 4.1.1).

4.3.4 At a meeting where elections are being held, a president and recording secretary of the elections will be chosen from amongst the members present. Usually these members would not be running for election themselves.

4.3.5 The elections president, prior to the election for all open positions, will accept nominations. Any voting member may nominate either him/herself or another member. All nominations must be seconded by a second voting member and must be accepted by the nominee. Nominations will be held for the following positions, in order:

1. President
2. Vice-President
3. Secretary
4. Treasurer
5. ALPS Rep
6. Maintenance Director
7. Membership Coordinator
8. Publicity and Communications Director
9. Social Director
10. Spiritwear Director
11. Equipment Director
12. Hiring & Staff Liaison Coordinator
13. Member at Large Coordinator
14. Past President

4.3.6 **Acclamation:** Where only one member is nominated for a position unopposed, that member will be acclaimed with no vote being taken.

4.3.7 **Voting:** Where there is more than one candidate for a position, a vote will be held either by ballot or by show of hands at the discretion of the president of the elections. Both the elections president and secretary will perform counting of votes. The nominee who obtains the most votes will be declared elected.

4.3.8 When necessary, the election process will continue, including new rounds of nominations and voting until the compulsory minimum seven (7) Committee positions have been filled (see sections 5.2.1 and 5.2.2)

4.4 Selection of the Hiring Committee

A Hiring/Selection Committee will be formed at the AGM as described in Section 6.1.2.

4.5 Amendments to the Constitution and By-Laws

4.5.1 Amendments, additions or revisions to the Constitution and By-Laws of the Club may be undertaken at a general meeting of members provided that the following four (4) conditions are met:

4.5.2 That the usual notice of meeting of 14 days has been provided (see section 4.1.1).

4.5.3 That the notice of meeting specifically stipulates that an amendment to the constitution and by-laws is on the agenda.

4.5.4 That quorum is achieved at the meeting (see section 4.2.2), and that any motion amending the Constitution and By-Laws will require a two-third (2/3) majority of votes in favour of in order to be carried.

5. THE EXECUTIVE COMMITTEE

5.1 Officers of the Club

The officers of the Club elected as per section 4.3 shall together form the Executive Committee of the Baie d'Urfé Aquatic Club (the Committee), also referred to as the Board of Directors. The purpose of the Committee is to manage the affairs of the Club on behalf of the membership body as a whole.

5.2 Composition and Roles of the Executive Committee

5.2.1 The Committee will consist of not less than seven (7) members of the Club who will be elected at the annual general meeting of members or any other meeting of members where elections are held. Their services will be voluntary and not remunerated.

5.2.2 The Committee must have as a minimum a president, a secretary, a treasurer, a meet manager, a maintenance director, a membership coordinator, and one other member in order to be complete. Ideally, all Executive Committee positions are to be filled.

5.2.3 The titles, roles and responsibilities* of the members of the Committee are the following:

President
The president is responsible for the overall coordination of the work of the Committee. S/he presides over members' meetings as well as meetings of the Committee. S/he represents the pool at the Town of Baie d'Urfé The president calls meetings of the Committee and/or the membership when necessary. The president shall have signing authority**. The president will have the dominant vote in case of a tie.

Vice-president
The vice-president (vp) shall perform the duties of the president in their absence. S/he will also assist in coordinating the Committee with the president and shall perform other duties that the Committee may assign to ensure a smooth functioning of the Club. The vp shall have signing authority**.

Secretary
Keep the minutes of the members meetings as well as those of the Board of Directors in a book designated for this reason. Ensure that all notices are duly given according to the by-laws of the corporation. The Secretary will ensure that all the books, reports, certificates and all other documents and the registers required by the law as well as the corporate seal, if necessary, are suitably kept and classified; and execute all the relative functions of the position of secretary and all other functions which can be assigned by the board of directors. The secretary shall have signing authority**.

Treasurer
The treasurer shall be responsible for managing the finances of the Club. The tasks including maintaining the bank account, staff payroll, receiving and processing expense reports, and along with the president, drawing up the annual budget. The treasurer shall regularly present the Club's financial statements to the Committee as well as present a financial report to the members at the AGM. The treasurer shall have signing authority**.

Meet Manager / ALPS Rep
The meet manager coordinates competitions at the pool and regularly attends the meetings of ALPS and brings this information back to the Baie d'Urfé Committee. S/he will also bid on and plan special competitive events on behalf of the Club.

Maintenance Director
The maintenance director oversees and coordinates all maintenance functions at the pool including opening and closing as well as addressing issues with facilities and grounds that arise during the pool season.

Membership Coordinator
The membership coordinator organizes registration and maintains an active list of the pool membership. Furthermore s/he organizes, along with the Committee, measures to recruit new members to the pool.

Publicity and Communications Director
The publicity and communications director is responsible for the design and editing of materials to be distributed to members and to the community at large. S/he also advises the Committee on signage and the Club logo and its visual image. S/he shares the responsibility with other members of the Committee for the dissemination of announcements and advertising to members and to the community at large.

Social Coordinator
The social coordinator organizes, in consultation with the Committee, all social events at the pool. S/he also participates on the organizing Committee of any special events that the pool hosts and oversees the social planning aspects of such events (ex: ALPS finals).

Hiring and Staff Liaison Coordinator
The Hiring and Staff Liaison Coordinator is responsible for coordinating the recruitment and hiring of pool staff and acting as the primary liaison between staff and the Committee. This includes overseeing the hiring process, preparing staff contracts, and ensuring that all necessary employment documentation is completed and provided for payroll purposes.
The Coordinator works closely with the Pool Manager to review staff performance evaluations, provide guidance and coaching when needed, and address any significant staff-related concerns. The Coordinator also communicates relevant staffing matters to the Committee and advises on disciplinary issues requiring Committee involvement.
The Coordinator works in consultation with the Committee to support a positive, professional, and well-organized working environment for all pool staff.

Spiritwear Director
The Spiritwear Director is responsible for coordinating the selection, purchasing, and distribution of staff uniforms and club-branded apparel. This includes working with suppliers to ensure competitive pricing, quality products, and timely delivery. The Spiritwear Director also organizes the club's annual T-shirt, when applicable, and other spiritwear offerings for members and families. This includes coordinating orders, managing distribution, and working with the Treasurer to ensure all payments are received and properly accounted for. The Spiritwear Director works in consultation with the Committee to promote club spirit and ensure apparel reflects the identity of the Baie-D'Urfé Aquatic Club.

Member at Large Coordinator
The member at large coordinator bears responsibility of collecting members' input on any of the various issues the Committee may need to address in its day-to-day business and bringing this to the meetings. In addition, the member at large may be assigned various other tasks to help in the functioning of the Committee. * Where certain positions remain unfilled, the elected Committee members will divide the responsibilities of these positions amongst themselves.

Past President
The Past President serves in an advisory role to the President and Committee, providing guidance, support, and continuity based on their previous experience with the club. The Past President assists with the transition of responsibilities to the incoming President and helps ensure that the club's traditions, policies, and objectives are maintained.
The Past President may also assist with special projects and other responsibilities as requested by the Committee.

** "Signing authority" means that the person's signature is authorized for the financial instruments (cheques etc) and banking transactions of the club.

5.3 Duration of Mandate

The terms of elected members will begin immediately after the closing of the meeting in which they are elected and will terminate at the closing of the following Annual General Meeting of members, where a new Committee will have been elected.

5.4 Duties of the Executive Committee

The purpose of the Executive Committee is to manage the day-to-day affairs of the Club. In addition to the powers and authority by these by-laws expressly conferred upon them, the Executive Committee may exercise all such powers of the Club and do all such lawful acts and things that are not by statute or these laws required to be exercised by the members at general membership meetings. Therefore, the Executive shall have the following authority and responsibilities:

5.4.1 The Committee can purchase or otherwise acquire for the Club any property, rights, privileges, or other securities that the Club is authorized to acquire in a manner consistent with the Club's best interests.

5.4.2 The Committee can sell, lease or otherwise dispose of any property of the Club when needed. Also, to borrow money upon the credit of the Club.

5.4.3 The Committee is responsible for overseeing the finances of the Club; to ensure the collection of membership and other user fees; to draft and monitor the annual budget of the Club; to approve signing authority amongst Committee members; to receive regularly the financial statements of the Club, and to execute all other matters related to the financial integrity of the Club.

5.4.4 The Committee will oversee the staffing of the Club. The Committee will approve the hiring of all managers, lifeguards, instructors, and other staff for the Club annually. The Committee may choose to form selection committees from amongst themselves and/or the general membership to help them with the tasks of interviewing and evaluation of applicants. The Committee will adopt a hiring policy for staff and maintain job descriptions including salary range for each. It will also provide supervision and support to senior staff through regular evaluations and feedback on staff performance issues. It will work to provide opportunities for professional development of its staff and a safe and healthy work environment. It will, along with the pool managers, ensure that the staff conduct themselves with integrity and respect.

5.4.5 The Committee is to ensure that the maintenance of the pool and its surroundings and buildings is done in a manner consistent with current laws and standards of hygiene and safety. This is accomplished in collaboration with the pool staff, the Town of Baie d'Urfe, as well as regional, provincial or national authorities.

5.4.6 The Committee must approve any social events that will occur at the Club and ensure their conformity with the philosophy and values of the Club.

5.4.7 The Committee oversees the operation of the Canteen, whose profits are used to finance pool operations. The Committee also must approve the proposed sale

or promotion of any items of merchandise at the pool whether by members or by outside interests as well as the terms by which this is to be done.

5.4.8 The Committee oversees athletic competitions and events that are hosted at the Club in accordance with ALPS guidelines. It tries to ensure an adequate presence of volunteers to make the events run smoothly. The Committee may bid to host larger scale events (ex: ALPS finals) in a given year.

5.4.9 The Committee is responsible to ensure that membership rules are respected by all users and impose disciplinary sanctions where necessary. Above all, Committee members must ensure that Baie d'Urfé Aquatic Club continues to offer a fun and safe environment to all users at all times.

5.5 Meetings of the Executive Committee

5.5.1 The Baie d'Urfé Aquatic Club Committee shall meet no less than ten (10) times during a twelve (12) month period, at a frequency judged adequate by the Committee to effectively manage the ongoing affairs of the pool.

5.5.2 The date, time, and place of Committee meetings will be decided by the President, or in his/her absence the Vice-President or the Secretary.

5.5.3 Meetings will be chaired by the President, or in his/her absence the Vice-President or the Secretary.

5.5.4 Quorum for the Executive Committee meetings is five (5) members.

5.5.5 A modified Roberts' Rules of Order will be employed for the running of meetings, as determined annually by the Committee in office.

5.5.6 Although consensus will be preferred for the passing of motions, a motion will carry when voted in favour of by a simple majority of members present (50%+1), except where otherwise stipulated in these by-laws. All Committee members present may vote at a Committee Meeting.

5.6 Vacancies on the Committee

In the event one position on the committee becomes vacant during a term, a pool member upon a majority vote of the remaining Committee members may fill the position. Rules of Quorum (see section 5.5.4) will apply.

5.7 Committee Conduct

In addition to being bound by all rules of Members' conduct (section 3.6), the Executive Committee members must in particular act justly and respectfully when exercising their duties as officers of the club.

5.8 Removal from Office

An elected member of the Committee may be removed from office for non-adherence to membership rules, repeated failure to fulfill the duties of his/her office, or for any other act considered derogatory or deleterious to the Club. A two-third (2/3) majority vote in favour of removal at either a Committee meeting or any membership meeting shall be required for the removal from office of any member of the Executive Committee.

6. FINANCIAL YEAR

The directors can determine the end of the financial year of the corporation, but if it is not determined, the end of the financial year of the corporation is the last day of December of every year.

7. RESPONSIBILITY AND INSURANCE

7.1 Even if the corporation will performs all its efforts to ensure the safety of the spectators or of the participants in the one or any of its activities, it assumes no responsibility towards the members, their friends, their relatives and the guests or to any person for injury or damage to property arising within the framework of these activities which are purely voluntary and at the risks of the spectators or the participants.

7.2 The corporation will sign, or will see to it that is in effect, a civil insurance and property damage policy for the amounts which the board of directors can consider sufficient to assure the reasonable protection of the corporation.

8. BAIE D'URFÉ STAFF

8.1 Composition, Hiring, and Salaries

8.1.1 Each year the newly-elected Executive will determine its staffing needs and propose a staffing plan for the coming season. The selection process will be completed as soon as feasible.

8.1.2 A separate selection/hiring committee of the members will be formed at the AGM and will include the President-elect as well as two other Executive Committee members-elect along with 2 or more Baie d'Urfé Aquatic Club members, both male and female whenever possible. This committee will be mandated to interview candidates for all lifeguard staff positions, including manager and

assistant manager, for the upcoming year and for making recommendations to the Executive Committee.

8.1.3 The new Pool Manager will participate in the selection process for all subordinate positions, once hired.

8.1.4 The Hiring Committee will determine its selection procedures, which may involve interviews with new and returning applicants, meetings, simulations and the like. Year-end evaluations of interested returning applicants will also be available for review.

8.1.5 All candidates for employment shall submit a written application or curriculum vitae to be considered for employment and will have done so before the established deadlines.

8.1.6 The Hiring Committee will consider the interests and qualifications of all applicants before submitting its recommendations to the Executive.

8.1.7 Staff will be hired only upon approval by the Executive Committee.

8.1.8 The Lifeguarding Staff will be hired on a seasonal ten (10) week, one (1) year contract. No pre- or post- season pay is included in this contract.

8.1.9 Salaries for all staff will be approved by the Committee.

8.1.10 Additional support staff may be hired when conditions allow (e.g., Pre-Juniors, Canteen).

8.1.11 Lifeguarding staff may use the facilities and participate in competitions in the same manner as members. However, they can not vote at meetings of members and are not subject to membership fees while employed by the Club.

8.2 Staff Conduct

In addition to the provisions contained in their contracts, members of the Baie d'Urfé Aquatic Club staff will conduct themselves professionally at all times when they are present at the pool-whether on duty or not- and must respect the Pool Safety Rules in the same manner as members. Staff must behave in a manner that is respectful of the pool's environment, the members and other pool users, as well as other staff.

Appendices

Appendix 1 -
Pool Safety Rules

1. No running on the pool deck.
2. Glass containers are forbidden on pool grounds.
3. Pushing and rough play are prohibited.
4. No standing or swinging on the ladders.
5. No jumping or diving from the starting blocks during public swim.
6. No diving in the shallow end during public swim.
7. No diapers allowed in the pool.
8. During adult swim, all those under the age of 16 must exit the pool.
9. Bubbles, life jackets, and armbands are permitted in the shallow section of the pool only. Children using these aids must be supervised by an adult in the water at all times.
10. Only one person is allowed on the diving boards at a time. Children jumping or diving from the boards must be able to swim to the side of the pool by themselves.

1. Whistle Signals

1 short blast: lifeguard requires patron attention.
2 short blasts: minor emergency.
3 short blasts: major emergency, all swimmers must clear the pool and remain behind the line.
1 long blast: change of program, adult swim.

These by-laws will come into effect upon ratification by the general membership and will remain in force until such time as they are amended.

Ratified at a General Meeting of the Executive Committee of the Baie d'Urfé Aquatic Club on November 22, 2022 at Baie d'Urfé, Québec.

In Witness whereof, we have signed this Constitution.

_____ _____

Elizabeth Williamson, President Cynthia McIntosh, Vice-president

_____

Craig Domanski, Treasurer