

# **Northern Nevada Australian Shepherd Club By-Laws**

## **ARTICLE 1. NAME**

The name of the club will be the Northern Nevada Australian Shepherd Club.

## **ARTICLE 2. OBJECTIVES**

The objectives of the club will be:

- a) To encourage and promote the breeding of pure-bred Australian Shepherds as working stock dogs;
- b) To encourage sportsman-like competition at dog events;
- c) To educate and promote a better understanding of Australian Shepherds to the general public;
- d) To conduct sanctioned matches: specialty shows, working trials, obedience and rally trials, tracking trials, and agility trials, under the rules of the Australian Shepherd Club of America;
- e) To maintain the breed standards (as set forth by A.S.C.A.), quality and integrity of the Australian Shepherd;
- f) To promote A.S.C.A. activities for all breeds, including mixed;
- g) To promote Aussie rescue.

## **ARTICLE 3. NON-PROFIT STATUS**

The club will not be conducted or operated for profit and no parts of any profits or remainder of residue from dues or donations to the club will inure to the benefit of any member or individual.

## **ARTICLE 4. MEMBERSHIP**

### **SECTION 1.**

There will be only three types of membership open to all persons who subscribe to the objectives set forth in these By-Laws:

- a) Single
- b) Household - Two family members of one household are eligible for one (1) vote per person (as long as each member is in good standing with A.S.C.A.).
- c) Junior - A member of 17 years of age or less with no voting privileges.

### **SECTION 2.**

Membership dues shall be set by the Board of Directors and approved by the membership and will be subject to change upon reasonable notification to the members. Single memberships are \$15 per year; Household memberships are \$20 per year; Junior memberships are \$8 per year.

### **SECTION 3.**

Application for membership will be in writing and presented to the Board of Directors, and be accompanied by the first year's dues. All new memberships initiated after the first of October will be good for the following year.

### **SECTION 4.**

Memberships may be terminated

- a) By resignation. Any member may resign from the Northern Nevada Australian Shepherd Club upon written notice to the Secretary, if they are not in debt to the Club.
- b) By lapsing. A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid as of January 31st of each year.
- c) By Board action. A membership may be terminated if a member is found to be in violation of the objectives of the Club. Members will be notified by letter of charges and will have 30 days in which to come before the Board of Directors for their rebuttal, which may be extended at the discretion of the Board. The Board will have 30 days to hand down their decision.
- d) Any member who is suspended or expelled from the privileges of the Australian Shepherd Club of America will automatically be suspended or expelled from the privileges of this Club. If such member is reinstated by A.S.C.A., he/she may be reinstated in the Club by a majority vote of the Regular members in good standing, present and voting at a Regular meeting of the Club, or at a special meeting of the Club called for that purpose.

## **SECTION 5.**

A member in good standing will be defined as having all Club dues paid up and no outstanding notified bills owed to the Club, and who complies with all A.S.C.A. rules.

## **ARTICLE 5. CLUB, YEAR, MEETINGS AND VOTING**

### **SECTION 1.**

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

### **SECTION 2.**

There will be at least quarterly meetings. In the fall, there will be a meeting or election. Ballots will be used for electing officers, or if running unopposed, a verbal "yea" or "nay" will be used. Annual Reports will be given at the first meeting each year.

### **SECTION 3.**

Board of Directors meetings will be held at least twice a year at such times and places as may be determined by the Board of Directors. All Members of the Board will be notified of the meetings at least seven (7) days prior to the date of the meeting. At any given Board Meeting, a quorum will consist of a majority of the Board members or at least four (4) Board members, whichever is less.

### **SECTION 4.**

Special meetings of the Board may be called by the President and two (2) Board members, or any three (3) Board members. A special membership meeting may be called by special petition to the Board, signed by at least one quarter of Club members; this meeting will be called within thirty (30) days. Notification of either meeting will be at least seven (7) days in advance.

### **SECTION 5.**

Each member in good standing (who is at least 18 years of age as of January 1st of the current year) shall be entitled to one vote. Ballots will be mailed out by the Secretary to all members in good standing with the date of mailing being three (3) weeks prior to the fall meeting. A quorum shall consist of a simple majority. The Board of Directors may decide to submit other specific questions for decision of the members by written ballot also cast by mail. If candidates are running unopposed, a verbal "yea" or "nay" will be used and no ballot needed.

## **ARTICLE 6. DIRECTORS AND OFFICERS**

### **SECTION 1.**

The Board of Directors will be comprised of the President, Vice President, Secretary, Treasurer (Secretary and Treasurer may be combined in one office) and three (3) Board Members representing agility, conformation, stock, and obedience. The regular and special meetings of the Board will be presided over by the President. The A.S.C.A. Affiliate position may be held by an officer of the Board or any other member of the club as appointed by the Board of Directors.

### **SECTION 2. TERMS OF OFFICE**

The officers and Board members will be elected at the fall meeting by majority vote of the members present and by ballots returned, and will serve for a period of one year from January 1st through December 31st. An Officer or Board member may serve consecutive terms. Members of the same household may serve on the same Board of Directors. General management of the Club's affairs shall be entrusted to the Board of Directors. The rulings of the Board shall be decisive and final unless reversed by a majority vote of the general members in good standing, present and voting, at a regular meeting of the Club or a special meeting called for that purpose.

### **SECTION 3. OFFICERS**

- a) The President will be an Executive Officer of the Club and will preside at all meetings.
- b) The Vice-President is first in line to assume the duties of the President during her/his absence, death or incapacity and shall be in charge of all committees, standing and special.
- c) The Secretary will conduct the general correspondence of the Club and will also take and keep complete and accurate minutes of all meetings of the Club and of the Board, preserving and maintaining all such records for the Club. She will

keep all records, the By-Laws, special rules of order, and standing rules on hand at every meeting. She will issue notices of meetings and notify Officers and Directors of their election to office.

d) The Treasurer will collect and disperse all Club funds as directed by the Board. The Treasurer will keep complete and accurate accounts of all Club funds and will report on these at each regular meeting of the Club, preserving and maintaining all such records for the Club. She will deposit all Club funds in an institution approved by the Board in the name and to the credit of the Northern Nevada Australian Shepherd Club. All disbursements will be made by check signed by the Treasurer or President. A report of expenses will be made at each meeting, including Club credit card use. A quarterly audit will be conducted by the club's Vice President.

e) The Board members will serve on the Board and will perform such duties as are specified by the President upon approval by the Board of Directors.

f) The A.S.C.A. Affiliate Representative must be a member in good standing with A.S.C.A. and the Club. He/she will bring to the Club any new activities of the Australian Shepherd Club of America and will have in his/her possession all available A.S.C.A. forms. All correspondence from A.S.C.A. is property of the Club. The Affiliate is responsible for sending reports to A.S.C.A. and the Aussie Times as approved by the membership.

#### **SECTION 4. ABSENTEEISM AND VACANCIES**

a) Absenteeism. A position on the Board of Directors will be declared vacant if such member of the Board is absent consistently and considered not fulfilling her/his duties and obligations in the opinion of the Board of Directors. Consistent absenteeism is defined as three (3) consecutive unexcused absences where the President or Secretary was not notified before the meeting.

b) Vacancies. A position or vacancy occurring among the offices during the annual year will be filled for the remaining term of office by a majority vote of all remaining members of the Board except that a vacancy in the office of the President will automatically be filled by the Vice-President, and the resulting vacancy in the office of the Vice-President will be filled by the Board.

#### **ARTICLE 7. COMMITTEES.**

##### **SECTION 1.**

The President will appoint standing and temporary committees to advance the work of the Club as necessary subject to the approval of the Board.

##### **SECTION 2.**

Any committee or individual appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee; and the Board may appoint a successor.

##### **SECTION 3.**

A Board Member will be a member of all committees.

#### **ARTICLE 8. AMENDMENTS**

##### **SECTION 1.**

Amendments to the By-Laws may be proposed by the Board of Directors or by written petition addressed to the Secretary signed by twenty percent (20%) of the membership in good standing. Such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendation of the Board for a vote within three (3) months of the date when the petition was received.

##### **SECTION 2.**

The By-Laws may be amended at any time provided a copy of the proposed amendment has been mailed by the Secretary to each member in good standing on the date of mailing, accompanied by a ballot on which the member may indicate for or against each of the proposed amendments. The notice shall specify a date not more than thirty (30) days after the date of mailing by which date the ballots must be returned to the Secretary to be counted by the Board. The affirmative vote of 2/3 of the members in good standing who return valid ballots within the time limit shall be required to effect any such amendments.

#### **ARTICLE 9. ORDER OF BUSINESS AND PROCEDURES.**

Roberts Rules of Order, Revised, will govern any matter of procedure not specifically covered by these By-Laws.

## **ARTICLE 10. DISSOLUTION.**

The Club may be dissolved at any time by the written consent of not less than three fourths (3/4's) of the members. In the event of the dissolution of the Club, whether voluntary or involuntary or by the operation of the law, none of the property of the Club, nor any proceeds thereof, nor any assets of the Club will be distributed to any members of the Club. After payment of the debts of the Club, its property and assets will be given to a charitable or nonprofit organization selected by the Board of Directors.

## **ARTICLE 11. LIABILITY OF MEMBERS**

### **SECTION 1.**

No officer or member will be personally liable for any bills or obligations of the Club, past or present, except for payment of her/his own dues.

### **SECTION 2.**

No officer, member or employee of the Club will disburse any funds or monies in her/his keeping, and belonging to the Club, without the authorization of the Board of Directors, which is to be confirmed in writing by the President or Treasurer of the Club.

### **SECTION 3.**

No person will use the name, mailing list, or official insignia of the Club for other than Club purposes without the authorization of the Board of Directors, which is to be confirmed in writing by the President or Secretary of the Club.

### **SECTION 4.**

Debts incurred by members without approval of the Board are their own.

## **ARTICLE 12. DISCIPLINE**

### **SECTION 1. CHARGES**

- a) Any member may prefer charges against a member for alleged Club By-Laws, A.S.C.A. By-Laws, Code of Ethics, A.S.C.A. Rules and Regulation or written policy violations or misconduct prejudicial to the best interests of this club or the breed. Written charges with specifications must be filed in duplicate, with the Secretary, with a deposit of \$25.00 which shall be forfeited if such charges are not sustained by the Board of Directors following a hearing.
- b) The Secretary will promptly send a copy of the charges to each member of the Board, or present them at a Board meeting.
- c) The Board will first consider whether the actions alleged in the charges, if proven, might constitute violation of A.S.C.A. or Club regulations, policies or conduct to the best interest of the Club or breed.
- d) If the Board entertains jurisdiction of the charges, it will fix a date of a hearing before the Board not less than 21 days, nor more than seventy five (75) days thereafter. The Secretary will promptly send one copy of the charges to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his/her own defense and bring witnesses if he/she wishes. Both the member preferring charges and the defendant will furnish a copy of all evidence and/or statements to each Board member at least ten (10) days prior to the hearing date. Evidence not furnished accordingly will not be considered.

### **SECTION 2. BOARD HEARING**

- a) The Board will have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant will be treated uniformly in that regard.
- b) The hearing will be conducted by a majority of the Board.

### **SECTION 3. PROBATION**

- a) Should the charges be sustained after hearing all evidence and testimony presented by the complainant and the defendant, the Board may, by majority vote of those present, place the member on probation. The Board will have the authority to set the terms and limitations of the probation.
- b) If the Board deems the punishment insufficient, it may suspend the member as outlined in Section 4.

#### **SECTION 4. SUSPENSION**

- a) Should the charges be sustained, after hearing all evidence and testimony presented by the complainant and the defendant, the Board may by majority vote of those present suspend the defendant from all privileges of the Club for not more than six (6) months from the date of the hearing.
- b) If the Board deems the punishment insufficient, it may also recommend to the membership that the penalty be expulsion.
- c) Immediately after the Board has reached a decision, its findings, including an explicit list of the rules or policies violated will be put in written form and filed with the Secretary. The Secretary will notify each of the parties of the Board's decision and penalty if any.
- d) The Board will have the authority to set the limits of the suspension. A letter fully explaining the limits set will be sent to the parties involved, by the Secretary. This will be done in conjunction with notification of the Board 's findings.

#### **SECTION 5. EXPULSION**

- a) Expulsion of a member from the Club may be accomplished only at a special meeting following the Board hearing and upon the Board 's recommendation as provided in Section 2 of this article. Such proceedings may occur at a special meeting of the Club to be held within ninety (90) days, but not earlier than thirty (30) days after the date of the Board 's recommendation.
- b) The defendant will have the privilege of appearing in his/her behalf, though no evidence will be taken at this meeting. The President will read the charges and the Board 's recommendations, and will invite the defendant, if present, to speak on his/her behalf if he/she so wishes. The membership will vote by secret ballot on the proposed expulsion. A 2/3 vote of those present and voting at the meeting will be necessary for expulsion. If expulsion is not so voted, the Board 's suspension will stand.

#### **SECTION 6. COMBINED DISCIPLINE**

- a) Should the charges be sustained after hearing all the evidence and testimony presented by the complainant and the defendant, the Board may, by a majority vote of those present, levy a combination of Sections 3 and 4 of this article. Notification of the punishment so levied by the Board will be put in written form and filed with the Secretary. The Secretary will notify each of the parties of the Board 's decision.
- b) All members of this Club, by virtue of their acceptance of membership in said Club, and being bound by the provisions of this Constitution and these By-Laws, expressly waive any damages, or for any claim of damages sustained by them as a result of the exercise of this provision. (Article XI)