

THE CONSTITUTION OF THE DAKOTA COMMUNITY CENTRE, INC.

ARTICLE 1.0 – NAME

1.1 The name of the organization shall be “Dakota Community Centre, Inc.” hereafter called “the Centre”.

ARTICLE 2.0 – PURPOSE

2.1 To manage the affairs of the organization and provide leadership and direction to the membership within the recognized boundary area. To plan, initiate and conduct a broad range of recreation, sport and leisure activities and services for all ages and abilities. To encourage, foster and promote community participation in leisure opportunities and the utilization of available leisure facilities on a year round basis.

ARTICLE 3.0 – OBJECTIVE

3.1 To maintain and improve the facilities of the Centre including those of designated Satellite Centres.

3.2 To plan and implement recreational and leisure programs for all ages and skill levels of area residents.

3.3 To raise and administer funds, so as to enable all residents of the community to participate in all activities offered at a minimum personal cost.

3.4 To co-operate with other community leisure organizations and with the Parks and Recreations Department staff of District 5 to provide recreation and leisure opportunities.

ARTICLE 4.0 – BOUNDARIES

4.1 The boundaries of the Centre shall be as defined by the City of Winnipeg.

ARTICLE 5.0 – MEMBERSHIP

5.1 The membership of the Centre shall normally consist of those persons residing within the boundaries as specified under Article 4.0 of the Constitution.

5.2 All residents of the City may use the facilities and take part in the programs provided by the Centre, but the Centre shall be specifically concerned with meeting the needs of those residents residing within their designated boundaries.

ARTICLE 6.0 – GOVERNMENT

6.1 The business and affairs of the Centre shall be managed by a Board of Directors,

which shall include the Executive Committee, and other such Directors as may be decided at any general meeting of the Centre.

6.2 The Executive Committee shall be comprised of the Past-President, President, Senior Vice-President, Second Vice-President, Third Vice-President, Secretary and Treasurer.

6.3 The Board of Directors shall consist of a minimum of fifteen (15) Directors.

6.4 The duties of the Directors shall be as defined in Article 1.0 of the By-laws, inclusive

6.5 The Directors shall serve without remuneration.

6.6 The Centre shall provide delegates to and support the programs and policies of the District 5 Community Centres Board and the General Council of Winnipeg Community Centres.

6.7 The fiscal year of the Centre shall be from September 1 to August 31.

6.8 The office of a Director shall be vacated upon the occurrence of any one of the following events:

- a) vacant by death;
- b) resignation in writing to the Board;
- c) removal by resolution of at least two-thirds (2/3) of the other Directors of the Centre.

6.9 Any Director may be removed from their elected or appointed position by a two-thirds (2/3) majority vote of the entire remaining Board of Directors upon the occurrence of any one of the following events:

- a) failure by the Director to attend any three consecutive regular monthly meetings of the Board;
- b) failure by the Director to disclose a conflict of interest;
- c) where the remaining Directors are of the opinion that the Director has not acted in the best interest of the Centre.

6.9(a) A motion to remove a Director must be presented at the meeting of the Board before the meeting, which will consider the motion.

6.9(b) The meeting considering the motion to remove must have a quorum, without counting the Director who brought the motion, or the Director who is the subject of the motion, neither of whom may vote on the motion.

6.9(c) The motion to remove and the reasons for the motion must be mailed to the Director being removed no later than seven (7) days prior to the meeting dealing with the dismissal.

6.9(d) The Director being removed shall be given the opportunity to present his evidence.

6.10 The Board of Directors is to serve without remuneration. No Director may directly or indirectly receive any profit from their position as Director. A Director may be reimbursed for reasonable expenses incurred by them in the performance of their duties, and may be paid reasonably for any duties, including bartending; they perform under contract of the Centre.

6.11 On any occasion in which a Director, or a spouse or dependent of a Director, has a personal, material or other substantial interest in any contract or transaction to which the Centre is a party, it is hereby deemed that this Director has a conflict of interest and shall disclose such interest at the time. The Director shall refrain from speaking to or voting on the resolution approving the transaction.

ARTICLE 7.0 – ELECTIONS AND TERMS OF OFFICE

7.1 All Directors, except the Past-President, must be elected at the Annual Meeting.

7.2 A Term of Office shall be as defined in Article 2.5 of the By-laws.

7.3 The Past-President must have served as President during the whole of the preceding term.

7.4 If a member of the Board of Directors vacates his or her office for any reason, the Executive Committee shall appoint a replacement for the balance of the term.

ARTICLE 8.0 – VOTING AND RESOLUTIONS

8.1 At Board Meetings, each Director in attendance shall be entitled to one vote.

8.2 At the Annual Meeting of the Centre, each member, eighteen (18) years of age or older, in attendance shall be entitled to one vote.

8.3 All motions, with the exception of amendments to the Constitution and By-laws, must be approved by a simple majority of the members in attendance.

8.4 No proxy votes shall be accepted.

8.5 The President may only vote in the event of a tie.

8.6 The Chair may at his/her discretion require any contentious issue to be voted on by ballot.

8.7 Any member can request a recorded vote at any time.

ARTICLE 9.0 – COMMITTEES

9.1 The Executive Committee may establish Standing Committees or Ad Hoc

Committees to assist with the administration of the Centre.

9.2 All Standing Committees or Ad Hoc Committees shall be chaired by a Director and the membership of such committees shall be ratified by the Board.

9.3 Committees shall be responsible and accountable to the Executive Committee.

9.4 All Standing Committees or Ad Hoc Committees shall consist of members of the Centre.

9.5 The Executive Committee shall be responsible to and accountable to the Board.

ARTICLE 10.0 - MEETINGS

10.1 The Executive Committee shall schedule regular monthly meetings to administer the affairs of the Centre. July and August meetings shall be at the discretion of the Executive Committee.

10.2 Special meetings of the Board may be convened by the President, or by a minimum of one-third (1/3) of the Board, or by a delegation of adult residents of the community under rules as defined in Article 5.2 of the By-laws.

10.3 The Board shall convene an Annual Meeting of the Centre for the purpose of reporting on the affairs of the Centre to the area residents and for the election of the Board.

10.4 All regular meetings of the Board shall be open to the public.

ARTICLE 11.0 – FINANCES

11.1 The Board shall administer all funds and securities of the Centre, and shall present an audited financial report at the Annual Meeting.

11.2 The Board shall annually appoint professional accountant(s) as auditor(s) for the Centre. The appointed auditor(s) shall not be a member of the Board.

11.3 A copy of the audited financial reports shall be filed with the Community Parks and Recreation Branch District 5.

11.4 All funds raised by, or on behalf of, or under the auspices of the Centre must have prior approval of the Board.

11.5 The funds and securities of the Centre shall be deposited for safekeeping in the name of the Centre with a recognized financial institution, which shall be selected by the Board.

11.6 All financial documents and contracts shall carry a minimum of two (2) signatures (one being the General Manager and the other an executive member, OR two (2) executive members) as approved by resolution of the Board.

11.7 The books and records of the Centre shall be open to inspection by members at all times, upon reasonable notice to the board.

11.8 An annual budget shall be submitted to the Board for approval by no later than August 31.

ARTICLE 12.0 – AMENDMENTS

12.1 Amendments to the Constitution may be made at the Annual Meeting of the Centre.

12.2 Amendments to the By-laws may be made at a special meeting of the Board, or at the Annual Meeting.

12.3 Notice of motion for amendments to the Constitution and By-laws shall be governed by Articles 3.1 and 3.2 of the By-laws.

12.4 Approval of amendments to the Constitution and/or to the By-laws shall require a minimum of two-thirds (2/3) majority of the members in attendance at the Annual Meeting as provided for in the Constitution under Article 13.2.

12.5 Approval of amendments to the By-laws shall require a two-thirds (2/3) majority of the Board in attendance.

ARTICLE 13.0 – QUORUMS

13.1 The quorum for a regular or special meeting of the Board shall be a simple majority of the Board. Votes by proxy shall not be accepted.

13.2 The quorum for the transaction of business at an Annual Meeting shall be not less than twenty (20)-voting members.

13.3 No business shall be conducted if a quorum is not reached. The meeting shall be adjourned if a quorum is not reached within thirty (30) minutes of the scheduled meeting time.

ARTICLE 14.0 – INDEMNIFICATION

14.1 Elected members of the Centre or other persons who have undertaken or are about to undertake any liability on behalf of the Centre and their heirs, executors, administrators, and estate respectively shall at all times be indemnified and saved harmless out of the

funds of the Centre from and against:

- a) all costs, charges, and expenses whatsoever which such elected member or other person sustains or incurs in or about any action, suit or proceeding which is brought or prosecuted against him/her for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him/her in or about the execution of the duties of his/her office except such costs, charges or expenses as are occasioned by his/her own wilful neglect;
- b) all other costs, charges and expenses, which he/she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his/her own wilful neglect.

ARTICLE 15.0 – ROBERT’S RULES OF ORDER

15.1 All meetings of the Centre shall be conducted under the “ROBERT’S RULES OF ORDER”.

ARTICLE 16.0 – ARBITRATION

16.1 The Board shall serve as the first level of arbitration for the membership of the Centre.

16.2 The St. Boniface/St. Vital Community Centres Board shall serve as the second level of arbitration for membership of the Centre.

16.3 The St. Boniface/St. Vital Sub-Committee on Parks and Recreation shall serve as the third level of arbitration and/or appoint an unbiased non-partisan arbitrator.

16.4 The St. Boniface/St. Vital Community Parks and Recreations Branch shall be notified at the second level of arbitration.

ARTICLE 17.0 – EXECUTIVE COMMITTEE POWERS

The Executive Committee shall have the power to do all things necessary for the successful operation of the Centre, thus be empowered to:

17.1 Administer the funds of the Centre in such manner and for such purposes as it may decide are beneficial to the well-being and advancement of the objectives of the Centre, provided that same are not contrary to the general policy of the City.

17.2 To commence any new form of activity or sport considered desirable by the membership or in like manner discontinue any form of activity or sport being conducted under the auspices of the Centre.

17.3 Expel or suspend from the Centre any person guilty of misconduct or any infraction of the rules and regulations of the Centre.

17.4 To ensure that the Centre is operated on a non-political and non-sectarian basis.

17.5 Notwithstanding any other provisions of the Constitution, appoint committees, either standing or temporary, prescribe their duties, powers and duration thereof. The Executive Committee may also appoint the Committee Chairperson. All committees shall be responsible and accountable to the Board of Directors.

17.6 To appoint advisors to the Board as it deems necessary and appropriate. Such appointments shall be ratified by the Board of Directors.

17.7 Subject to ratification by the Board, the Executive Committee shall make such rules and regulations regarding the use of the Centre facilities, as they may deem necessary.

ARTICLE 18.0 – INTERPRETATION

18.1 In the event of any dispute as to the meaning of any article heretofore or hereafter passed, the interpretation of the Executive shall be final and conclusive.

These By-laws approved by the Board of Dakota Community Centre, Inc., dated

President Secretary

And accepted by the City of Winnipeg dated _____ 20 __ ,

General Manager of Community Services Dept. Manager of Riel Parks & Recreations
Branch