

Constitution and By-Laws of the Montgomery Kennel Club, Inc. Montgomery Alabama

(Revised 9-06)

ARTICLE I

Name and Objects

Section 1.

The name of the Club shall be the Montgomery Kennel Club, Inc.

Section 2.

The objects of the club shall be:

- (a) To further the advancement of all breeds of purebred dogs.
- (b) To conduct dog shows, obedience trials, and sanctioned matches under the rules of the American Kennel Club.
- (c) To devote all profits accruing to the club to the above purposes or to make specific bequests to such charitable organizations as shall be approved by a majority vote of those in attendance and voting at a club meeting; and under no circumstances to pay a salary, fee, commission or dividend to any member.
- (d) To educate and to be of service to the canine sport and to the community in general.

Section 3.

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

Section 4.

The members of the club shall adopt and may from time to time revise such bylaws as may be required to carry out these objects.

ARTICLE II

Membership

Section 1. Eligibility

There shall be four types of membership, open to all persons who are in good standing with the American Kennel Club and who subscribe to the purposes of the club.

- (a) Regular membership for individuals 18 years of age or older. They will have the right to vote and hold office.
- (b) Household membership for individuals residing in the same household. Each person 18 years and older will be allowed to vote and hold office.
- (c) Junior Membership for individuals under 18 years of age. They will not have the right to vote or hold office.
- (d) Life Membership may be accorded by a majority vote of the board of directors upon members with twenty consecutive years of good standing as a member of the club. They shall have the right to vote and hold office. The board may consider deserving individuals based on evaluation of outstanding service.

Section 2. Dues

Membership dues shall be set each year by the Board of Directors. Dues are payable on or before the first day of November of each year. There will be a \$5.00 late penalty

assessed for dues paid over 60 days late. No member may vote whose dues are not paid for the current year. During the month of September, the Secretary shall notify each member that dues are payable for the ensuing year. Each member shall receive a membership card after dues are paid.

Section 3. Election to Membership

Each applicant for membership shall apply on a form as approved by the Board of Directors and which shall provide that the applicant agrees to abide by these Constitution and By-Laws and the rules of the American Kennel Club. The application shall state the name, address and dog interests of the applicant. Applications for membership shall carry the endorsement of two members who are in good standing. Accompanying the application, the prospective member shall submit dues payment for the current year. New members coming into the club after August 1st through October 31st are considered paid for the ensuing year. All applications are to be filed with the Secretary and each application is to be read at the first meeting of the club following its receipt. Applicant is to be voted on a Board of Directors meeting. Applicants for membership who have been rejected by the club may not reapply within six months after such rejection.

Section 4. Termination of Membership

Membership may be terminated:

(a) By Resignation: Any members in good standing may resign from the club upon written notice to the Secretary, but no member may resign when in debt to the club. Dues obligations are considered a debt to the club and they become incurred on the first day of each fiscal year.

(b) By Lapsing: A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid 90 days after the first day of the fiscal year. In no case may a person be entitled to vote at any club meeting whose dues are unpaid as of the date of that meeting.

(c) By Expulsion: A membership may be terminated by expulsion as provided in Article VII of these Constitution and By-Laws.

ARTICLE III

Meetings

Section 1. Club Meetings

Meetings of the club shall be held in the greater Montgomery area at such hour and place as may be designated by the Board of Directors. Club meetings will be held at least six times each year. The quorum for club meetings shall be no less than 20% of the members in good standing. In computing a quorum only regular and household members are included.

Section 2. Special Club Meetings

Special club meetings may be called by the President or by a majority vote of the members of the Board of Directors who are present and voting at any regular or special meeting of the Board, or by the Secretary upon receipt of a petition signed by five members of the club who are in good standing. Such special meetings shall be held in the greater Montgomery area at such hour and place as may be designated by the person or persons authorized herein to call such meetings. The quorum for club meetings shall be no less than 20% of the members in good standing. In computing a quorum only regular and household members are included.

Section 3. Board Meetings

Meetings of the Board of Directors shall be held in the greater Montgomery area at least four times in any fiscal year at the designation of the President. The quorum for such a meeting shall be a majority of the board.

Section 4. Special Board Meetings

Special meetings of the Board may be called by the President or by the Secretary upon receipt of a written request signed by at least three members of the Board. Such special meeting shall be held in the greater Montgomery area and at such hour and place as may be designated by the person authorized herein to call such meeting. The quorum for such a meeting shall be a majority of the board.

Section 5. Notice of Meetings

Notice of club meetings shall be mailed at least five days prior to the date of the meeting. Secretary is to notify Board members and Committeemen of respective meetings at least five days prior to the scheduled date, except in the case of a call for constitutional amendments, which is specially provided for herein.

ARTICLE IV

Directors and Officers

Section 1. Board of Directors

The Board shall be comprised of the President, Vice President, Secretary, Treasurer and five other persons. The President, Vice President, Secretary, and Treasurer shall serve one-year terms. The Board members will be elected to two year staggered terms. Three Board members shall be elected during odd numbered calendar years, and two Board members shall be elected during even numbered calendar years. General management of the club's affairs shall be entrusted to the Board of Directors. No member can hold the office of President for more than two consecutive terms.

Section 2. Officers

The club's officers, consisting of the President, Vice President, Secretary and Treasurer, shall serve in their respective capacities both with regard to the club and its meetings and the Board and its meetings.

- (a) The President shall preside at all meetings of the club and of the Board and shall have the duties and powers normally appurtenant to the office of President, in addition to those particularly specified in these Constitution and By-Laws.
- (b) The Vice President shall have the powers and exercise the duties of the President in case of the President's death, absence or incapacity.
- (c) The Secretary shall keep a record of all meetings of the club and of the Board and of all matters of which a record shall be ordered by the club. He/she shall have charge of correspondence, notify members of meetings, notify new members of their election to membership, notify officers and directors of their election to office, keep roll of the members of the club and carry out such other duties as are prescribed in these Constitution and By-Laws.
- (d) The Treasurer shall collect and receive all monies due or belonging to the club and receipt therefore. He/she shall deposit the same in a bank satisfactory to the Board in the name of the club. His/her books shall, at all times, be open to inspection of the Board and he/she shall report to them at every meeting the condition of the club's finances and every item or receipt or payment not before reported; and at the Annual Meeting, he/she shall render an account of all monies received and expended, to date, during the current fiscal year. All checks written by the Treasurer shall be countersigned

by either the President or the Vice President. The Treasurer shall be bonded, the expense to be born by MKC.

Section 3. Vacancies

Any vacancy occurring on the Board during the year shall be filled for the unexpired term of office by a majority vote of the Board present and voting at the next regular Board meeting, or at a special Board meeting called for that purpose; except that a vacancy in the office of President shall be filled automatically by the Vice President and the resulting vacancy in the office of Vice President shall be filled by the Board.

ARTICLE V

The Club Year, Annual Meeting & Elections

Section 1. Club year

The club's official (fiscal) year shall begin November 1, and end October 31, the following year.

Section 2. Annual Meeting

The annual meeting shall be held in the month of September, at which time directors and officers for the ensuing year shall be elected by secret, written ballot from among those nominated in accordance with Section 5 of this Article. The four offices shall be voted on first and in single order. Those members elected shall take office the first meeting in the month of November, following election in September and each retiring officer shall turn over to his successor in office all properties and records relating to that office within 30 days after the election.

Section 3. Proxies

Proxy voting will not be permitted at any club meeting or election.

Section 4. Election

The nominated candidate receiving the majority number of votes cast for each office shall be declared elected. When there are more than two candidates for the same office and none receive a majority on the first ballot, the two receiving the most votes will be the candidates on the second ballot. The five nominated candidates for other positions on the Board who receive the greatest number of votes cast for such positions shall be declared elected.

Section 5. Nominations

No person may be a candidate in a club election who has not been nominated. During the month of June, the Board shall select a nominating committee consisting of five members and two alternates, not more than one of whom may be a member of the Board. The Board shall name a Committee Chairman and it shall be his duty to call a committee meeting, which shall be held on or before July 15th.

(a) The committee shall nominate one candidate for each office and position on the Board and, after securing the consent of each person so nominated, shall immediately report their nominations to the Secretary in writing.

(b) The Secretary shall, at least two weeks before the August meeting, notify each member in writing of the candidates so nominated.

(c) Additional nominations may be made at the August meeting by any member in attendance provided the person so nominated does not decline when his/her name is proposed and provided further, that if the proposed candidate is not in attendance at this meeting, his/her proposer shall present to the Secretary a written statement from the proposed candidate signifying his/her willingness to be a candidate. The additional nominations which are provided for herein may be made from those members who were

not nominated by the Nominating Committee or who declined such nomination as above provided.

(d) Nominations cannot be made at the Annual meeting or in any manner other than as provided in this Section.

ARTICLE VI

Committees

Section 1.

At its first or second meeting of each official year, the Board shall appoint the following committees:

(a) Event Committee consisting of at least five members, which committee will be in direct charge of and responsible for all phases of the club's sanctioned matches and dog shows, subject, however, to the final authority of the Board.

(b) Judges Selection Committee, which shall consist of five members, which committee shall be responsible for the selection, and hiring of all judges, subject to the final authority of the Board. No member who is currently an AKC Licensed Judge or professional handler may serve on the Judges Selection Committee.

(c) Auditing Committee, which shall consist of three members, which committee shall examine the records of the Treasurer at the end of the fiscal year and report its findings to the club at the January meeting and as set forth in the By-Laws.

(d) Such other committees as are considered desirable.

Section 2.

Any committee 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 successors to those persons whose service has been terminated.

ARTICLE VII

Discipline

Section 1. American Kennel Club Suspension

Any member who is suspended from the privileges of the American Kennel Club automatically shall be suspended from the privileges of this club for a like period.

Section 2. Charges

Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the club or the breed. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$10.00, which shall be forfeited if such charges are not sustained. The Secretary shall promptly notify the Board which shall meet and fix a date of a Board hearing not less than three weeks nor more than six weeks thereafter. The Secretary shall promptly send a 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 may bring witnesses if he/she wishes.

Section 3. Board Hearing

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. Should the charges be sustained, after hearing all the evidence and testimony presented by complainant and defendant, the Board may, by a majority vote of those present, suspend the defendant from all privileges of the club

for not more than six months from the date of the hearing. And, if it deems that punishment is insufficient, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant's right to appear before his fellow members at the ensuing club meeting which considers the Board's recommendations. Immediately after the Board has reached a decision, its findings shall be put in written form and filed with the Secretary. The Secretary, in turn, shall notify each of the parties of the Board's decision and penalty, if any.

Section 4. Expulsion

Expulsion of a member from the club may be accomplished only at a meeting of the club following a Board hearing and upon the Board's recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the club to be held within 60 days, but not earlier than 30 days, after the date of the Board's recommendation of expulsion. The defendant shall have the privilege of appearing in his/her own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the Board's findings and invite the defendant, if present, to speak in his/her own behalf if he/she wishes. The meeting shall then vote by secret written ballot on the proposed expulsion. A two-thirds vote of those present at the meeting shall be necessary for expulsion. If expulsion is not so voted, the Board's suspension shall stand.

ARTICLE VIII

Amendments

Section 1. Amendments

This Constitution may be amended by a two-thirds vote of the members present and voting at any regular meeting called for the purpose; but the proposed amendments must be embodied in the call for any such meeting and mailed to each member at least two weeks prior to the date of such meeting.

ARTICLE IX

Dissolution

Section 1. Dissolution

The club may be dissolved at any time by the written consent of not less than two-thirds of the members. In the event of the dissolution of the club other than for purposes of reorganization whether voluntary or involuntary or by operation of law, none of the property of the club no any proceeds thereof nor any assets of the club shall be distributed to any members of the club, but after payment of the debts of the club its property and assets shall be given to a charitable organization for the benefit of dogs selected by the board of directors.

ARTICLE X

Order of Business

Section 1.

At meetings of the club, the order of business, so far as the character and nature of the meeting may permit, shall be as follows:

Roll Call

Minutes of the Last Meeting

Report of Board

Report of President

Report of Secretary
Report of Treasurer
Report of Committees
Election of Officers and Board (at Annual Meeting)
Unfinished Business
New Business
Adjournment

Section 2.

At meetings of the Board, the order of business, unless otherwise directed by majority vote of those present, shall be as follows:

Reading of Minutes of Last Meeting
Report of Secretary
Report of Treasurer
Report of Committees
Unfinished Business
Election of New Members
New Business
Adjournment

Article XI

Parliamentary Authority

Section 1. The rules contained in the current edition of "Robert's Rules of Order, Newly Revised" shall govern the club in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the club may adopt.

By-Laws

1. A Parliamentarian shall be appointed by the Board of Directors.
2. The Auditing Committee shall consist of members with business, bookkeeping or auditing experience.
3. The Nominating Committee shall act as tellers at all elections and count the votes. Any member of the Nominating Committee, who is nominated and accepts, shall be replaced.
4. All ballots must be retained for three months by the Chairman of the Nominating Committee, and then burned. Any recount must be by a committee of three, the Chairman of the Nominating committee and two members elected by a majority of the membership present and voting. Any member can request a recount and said recount should be taken at the meeting where the vote is taken.
5. Regular meeting dates may be changed by the President for good and sufficient reason, subject to approval of the Board.
6. The Treasurer shall furnish the membership a financial statement of the club's condition as of January 1, during the January meeting.
7. In order to vote at a general election, a member must attend four meetings a year.
8. A prospective member shall be required to attend two club meetings after they have filed their application with the secretary before their application can be submitted to the Board of Directors.
9. Lifetime membership shall be granted to a person automatically after 20 years of creditable and honorable service, and the Board may consider deserving individuals based on evaluation of outstanding service.
10. Membership dues will be recommended by the Board of Directors to the membership for their vote.
11. These By-Laws may be amended by majority vote at any meeting.
12. A member who has attended at least 70 percent of the General Meetings held during the current fiscal year may mail in an absentee ballot for the annual elections. Such ballot must be signed by the absent member and received by the Secretary prior to the annual election.