

# CENTRAL MAINE BRITTANY CLUB, INC

## CONSTITUTION Amended 2-02-2012 ARTICLE 1 Name and Objectives

Section 1. The name of the club shall be the CENTRAL MAINE BRITTANY CLUB.

Section 2. The objectives and purpose of the Club shall be: to promote cooperation and friendship among the breeders and owners of the Brittany and to encourage higher standards in breeding, training and showing of the Brittany in the field and in the show ring. To discourage the breed from becoming split into groups of “field dogs” and “bench dogs” and to strive to keep it forever a “dual dog”.

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 from time to time review such by-laws as may be required to carry out these objectives.

## BY-LAWS

### ARTICLE 1 MEMBERSHIP

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Section 1. ACTIVE, ASSOCIATE AND AFFILIATE: An Active member is a full member and shall be the owner of a registered Brittany or any person interested in the improvement of the breed. He must be in good standing with the AMERICAN KENNEL CLUB. An Associate member may be any person interested in the improvement of the breed if another member of his family is an active member. He will not have the privilege of voting or holding office in the AMERICAN BRITTANY CLUB, INC. (The Parent Club). He will have the privilege of voting or holding office in the regional club. An Affiliate member is either an Active or Associate member in another regional Brittany club but may not have the privilege of voting or holding office in the Central Maine Brittany Club or the parent club. An Affiliate Member shall have the privilege of attending all club functions. While membership is to be unrestricted as to residence, the club's primary purpose is to be representative of the owners, breeders and exhibitors in its area.

Section 2. DUES. The Active Member dues shall be \$ 35.00. In return each active member shall receive the AMERICAN BRITTANY MAGAZINE each month. An Associate member dues shall be \$10.00 The Affiliate member dues shall be \$10.00.

Section 3. NEW MEMBERS. Each applicant for membership shall apply on a form as provided by the parent club and which shall provide that the applicant agrees to abide by this constitution and by-laws and the rules of the AMERICAN KENNEL CLUB. The application shall state the name and address of the applicant and shall be accompanied by dues payment for the current year.

Section 4. Termination of Membership. (a) By resignation. Any member in good standing may resign from the club with written notice to the Secretary; but no member may resign when in debt to the Club. (b) By lapsing. A membership may be considered as lapsed and automatically terminated if such member's dues remain unpaid by January 30<sup>th</sup>. 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 6 of these By-Laws.

## ARTICLE 2 MEETINGS AND VOTING

Section 1. CLUB MEETINGS. Meeting of the Club shall be held in or near the City of Augusta, Maine. Written notice of such meetings shall be mailed by the Secretary at least 10 days prior to the date of the meeting. The quorum for such meetings shall be 20% of the members in good standing.

Section 2. SPECIAL CLUB MEETINGS. Special Club meetings may be called by the (a) President, (b) Majority vote of the Board and (c) by the Secretary upon receipt of a written petition signed by five members of the Club who are in good standing. Such SPECIAL MEETINGS shall be held in or near the City of Augusta, Maine at such time and place as may be designated by the President. Written notice of such meetings shall be mailed by the Secretary at least 5 days and not more than 15 days prior to the date of the meeting; and said notice shall state the purpose of the meeting and no other Club business may be transaction there. The quorum for such meetings shall be 20% of the members in good standing.

Section 3. BOARD MEETINGS. Meeting of the board shall be held in or near the City of Augusta, Maine. Written notice of each meeting shall be mailed by the Secretary at least ten (10) days prior to the date of the meeting and said notice shall state the purpose of the meeting. The quorum of such meetings will be a majority of the Board.

Section 4. Each member in good standing whose dues are paid for the current year shall be entitled to one vote at any meeting of the Club at which he is present. Proxy voting will not be permitted at any Club, Board or election meeting.

Section 5. The President shall call at least four (4) Board Meetings each year.

## ARTICLE 3 DIRECTORS AND OFFICERS

Section 1. Board of Directors. The Board shall be comprised of the President. Three Vice President, Secretary, Treasurer and four other members all of whom shall be in good standing. The officers shall be elected to one year terms at the Club's Annual Meeting. The Directors who are not officers shall be elected for 4,3,2,1 year terms and all boards

members shall serve until their successors are elected. General management of the Club's affairs shall be entrusted to the Board of Directors.

Section 2. (a) The President shall preside at all meetings of the Club and of the Board and shall have all the duties and powers normally appurtenant to the office of President in addition to those specifically noted these By-Laws.

- (b) The 1<sup>st</sup> Vice President shall have the duties and exercise the Powers of the President in case of the President's death, absence or incapacity. He shall also have charge of all matters pertaining to FIELD TRIALS.
- (c) The 2<sup>nd</sup> Vice President shall have charge of obtaining new memberships
- (d) The 3<sup>rd</sup> Vice President shall have charge of all matters pertaining to dog show.
- (e) 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 shall have charge of the correspondence, notify members of meetings, notify members of their election to membership, notify officers and directors of their election and keep a roll of the members of the Club with their addressees: carry out other duties as prescribed in these By-Laws.
- (f) The treasurer shall collect and receive all moneys due or belonging to the Club. He shall deposit same in a bank designated by the Board in the name of the Club. His books shall be at all times open to inspection of the Board and he shall report to them at every meeting the condition of the Club's finances and every item of receipt or payment not before reported and at the Annual Meeting he shall render an account of all moneys received and expended during the previous fiscal year. The Treasurer shall be bonded in such amount as the Board of Directors shall determine.

Section 3. Vacancies. Any vacancies occurring on the Board or among the officers during the year shall be filled for the unexpired term by a majority vote of all the ten members of the Board at its first meeting following the creation of such vacancy, or at a Special Board Meeting called for that purpose.

#### ARTICLE 4 THE CLUB YEAR, ANNUAL MEETING, ELECTIONS

Section 1. CLUB YEAR. The Club's fiscal year shall begin on the 1<sup>st</sup> day of January and end on the 31<sup>st</sup> day of December. The Club's Official year shall begin immediately at the conclusion of the election at the Annual Meeting and shall continue through the election at the next Annual Meeting.

Section 2. ANNUAL MEETING. The Annual Meeting shall be held in the month of February, at which Officers and Directors for the ensuing year shall be elected by secret written ballot from among those nominated in accordance with Section 4 of this article. They shall take office immediately upon the conclusion of the election 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. ELECTION. The nominated candidate receiving the greater number of votes for the one(1) position shall be declared elected. The nominated number of votes for the

one (1) position shall declared elected for a four (4) year term. Each year there will be one directors position to be filled and that will be for a four (4) year term of office.  
Section 4. NOMINATIONS. No member may be a candidate in a Club Election who has not been nominated. During the month of October. The Board shall also select a Nominating Committee consisting of three members (only one to be a Board Member). The Board shall also appoint a chairperson for the Nominating committee

- (a) The Secretary shall immediately notify the Committee of their selection and of the fact that they must meet on or before December 1<sup>st</sup> and nominate one candidate for each office and one candidate for the expired term on the Board. After securing the consent of each person so nominated, shall immediately report their nominations to the Secretary in writing,
- (b) upon receipt of the Nominations Committee's report the Secretary shall notify, before December 15, each member in writing of the candidates so nominated.
- (c) Additional nominations may be made at the Annual meeting in February by any member in attendance provide that the person so nominated does not decline when there name is proposed, and provided further that if the proposed candidate is not in attendance at the meeting, his proposed shall present to the Secretary a written statement that the proposed candidate is willing to be a candidate. **NO PERSON MAY BE A CANDIDATE FOR MORE THAN ONE POSITION AND THE ADDITIONAL NOMINATIONS ALLOWED HEREIN MAY BE MADE ONLY FROM AMONG THOSE MEMBERS WHO HAVE NOT ACCEPTED A NOMINATION FROM THE NOMINATING COMMITTEE.**

## ARTICLE 5 COMMITTEES

Section 1. The President may appoint standing committees to be in charge of field trials, bench shows, membership, or other activities. Such standing committees shall always be subject to majority approval of the Board. Special committees may also be appointed for particular projects with majority approval of the Board.

Section 2. Any committee appointment may be terminated by a majority vote of the Board with written notice to the appointee and a successor appointed with a majority vote of the Board. All Club members will be encouraged to serve on one committee if at all possible.

## ARTICLE 6 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 of the Breed. Written charges with

specifications must be filled in duplicate with the Secretary together with a deposit of \$10.00 which will be forfeited if such charges are not sustained by the Board following a hearing: The Secretary shall promptly presents them at a Board meeting and the Board shall consider whether the actions alleged in the charges, if proved, might constitute prejudicial to the best interests of the Club or the Breed. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the Club or the Breed. IT MAY REFUSE TO ENTERTAIN JURISDICITON. If the Board entertains jurisdiction of the charges, it shall fix a date for the hearing by the Board not less than three (3) weeks or more than six (6) weeks thereafter. The Secretary shall 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 own defense and bring witnesses if he wishes.

Section 3. BOARD MEETING. 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 evidence and testimony presented by the complainant and the defendant, the Board may by a majority vote of those present suspend the defendant from all privileges of the Club for not more then 6 months for the date of the hearing. And, if it deems that punishment insufficient, it may also recommend to the membership that the penalty be EXPULSION. In such cases the suspension shall not restrict the defendant's right 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 filled 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 recommendations of EXPULSION. The defendant shall have the privilege of appearing in his own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the Board's findings and recommendations, and shall invite the defendant, if present, to speak in his own behalf if he wishes. The meeting shall then vote by secret, written ballot on the proposed EXPULSION. A 2/3 vote of those present and voting at the meeting shall be necessary for EXPULSION. If expulsion is not voted the Board's suspension shall stand.

## ARTICLE 7 AMENDMENTS

Section 1. Amendments to the constitution and by-laws may be proposed by the Board or by written petition addressed to the Secretary signed by 20% of the membership in good standing. Amendments proposed by such petition must be promptly considered by the Board and must be submitted to the members with recommendations of the Board by the Secretary for a vote. Within 3 months of the date when the petition was received by the

Secretary.

Section 2. The Constitution and By-Laws may be amended by 2/3 vote of the members present and voting at any regular or special meeting called for that purpose, provide the proposed amendments have been included in the notice of the meeting and mailed to each member at least 15 days prior to the date of the meeting.

## ARTICLE 8 DISSOLUTION

Section 1. DISSOLUTION. The Club may be dissolved at any time by written consent of not less than 2/3 of the members in good standing. In the event of dissolution of the Club whether voluntary or involuntary or by operation of law, none of the property of the Club shall be distributed to any members of the Club or individuals; but after the payment of all debts of the Club its property and assets shall be given to a charitable organization for the benefit of dogs selected by the Board.

## ARTICLE 9 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 LAST MEETING  
PRESIDENT'S REPORT  
SECRETARY REPORT  
TREASURER REPORT  
VICE PRESIDENT'S REPORT  
COMMITTEES REPORT  
ELECTION OF OFFICERS AND BOARD (ANNUAL MEETING)  
UNFINISHED BUSINESS  
NEW BUSINESS  
ADJOURNMENT

Section 2. At meeting of the Board the order of business unless otherwise directed by a majority vote of those present shall be as follows:

MINUTES OF LAST MEETING  
PRESIDENT REPORT  
SECRETARY REPORT  
TREASURER REPORT  
VICE PRESIDENT'S REPORT  
COMMITTEES' REPORT  
ELECTION OF NEW MEMBERS  
UNFINISHED BUSINESS  
NEW BUSINESS

ADJOURNMENT