**NORTH COAST BERNESE MOUNTAIN DOG CLUB OF OHIO**

**CONSTITUTION**

**Section 1 The name of the Club shall be North Coast Bernese Mountain Dog Club of Ohio**

**Section 2 The objectives of the Club shall be:**

**(a)  To encourage and promote quality in the breeding of purebred Bernese Mountain Dogs and to do everything possible to bring their natural qualities to perfection;**

**(b*)* To urge members and breeders to accept the standard of the breed as approved by the American Kennel Club as the only standard of excellence by which Bernese Mountain Dogs shall be judged*;***

***(c))* To do all in its power to protect and advance the interests of the breed and to encourage sportsmanlike conduct at dog shows, companion/performance events and other club sponsored activities and club functions;**

***(d)* To conduct sanctioned matches, specialty shows, obe­dience and rally trials and any other event for which the club is eligible under the rules and regulations of the American Kennel Club, and to conduct draft tests under the rules of the Bernese Mountain Dog Club of America;**

***(e)* To educate members and the public about the breed and other matters relat­ing to responsible dog ownership.**

**Section 3 The Club shall not be conducted or operated for profit and no part of any profits or remainder 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 objectives.**

**Section 5 The Club shall keep liability insurance in effect at all times. The coverage amount will be no less than three million dollars and may from time to time be fixed by the Club.**

**NORTH COAST BERNESE MOUNTAIN DOG CLUB OF OHIO**

**BYLAWS**

**ARTICLE I MEMBERSHIP**

**Section 1 Eligibility There shall be five 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 North Coast BMD Club of Ohio:**

**(a)   Regular Single Membership - Open to persons 18 years of age and older who enjoy all privileges of this Club including the right to vote and hold office;**

**(b)  Regular Household Membership - Open to two persons 18 years of age and older, residing at the same ad­dress. Both may enjoy all privileges of this Club including the right to vote and hold office;**

**(c)   Associate Membership - Open to previous Regular Members in good standing who have moved from the area or who are unable to attend meet­ings. Persons who have adopted a dog rescued by NCBMDCO may also become Associate Members for one year and may choose to continue this status or a. or b. above. Associate members are entitled to all privileges, except voting and holding office. Associate members are not to be included in the determination of a quorum;**

**(d)  Junior Membership - Open to persons under 18 years of age. Junior members have no voting privileges and may not hold office. A Junior Member may convert to regular membership upon reaching his/her 18th birthday;**

**(e)   Lifetime Membership - Offered to any regular member in recognition of long time service to the Club, after a unanimous recommen­dation by the Directors. An affirmative vote of 90% of the members in attendance at a regular club meeting at which membership is considered shall be required. Lifetime members pay no dues but are eligible to vote and hold office.**

**Section 2 Dues**

**Membership dues shall not exceed $80.00 per year. Membership dues, as fixed from time to time by the Board of Directors, shall be payable on or before the first day of Janu­ary of each year, No member may vote whose dues are not paid for the current year. During the month of October notification shall be sent to each member of his/her dues for the ensuing year. Notification may be by mail, by club newsletter to be displayed on the first page, or by e-mail provided that the member has signed an authorization to be notified in this manner. Such authorization is revocable as provided in Article II, Sec. 1. Those members elected to membership in the months of Octo­ber, November, or December shall be exempted from paying dues for the year following their election to membership. A second statement will be sent to those members not paid on January 1. A notice of lapse of membership will be sent on January 31 for all unpaid dues.**

**Section 3 Election to Membership**

 **Applicants for regular membership shall have attended 3 club meetings within a 12-month period prior to submitting an application and paying dues. 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 this Club’s Constitution and Bylaws, Code of Ethics, and the rules of the American Kennel Club. The appli­cation shall state the name, address and occupation of the applicant and it shall carry the endorsement of two unrelated regular members from separate households in good standing**

**The applicant(s) may submit a signed application, code of ethics and dues payment at the beginning of the 3rd meeting. All applications are to be submitted to the Treasurer who shall read the application at the meeting during which it is received. This would then constitute the first reading. At the next meeting, the vote on membership applications shall be by secret ballot. An affirmative vote of 2/3 of the regular members present and voting at that meeting shall be required to elect the applicant. The Corresponding Secretary shall notify the applicant(s) whether the constitutionally mandated affirmative majority vote was received.**

**If membership has been denied, the applicant’s check will be returned. They may not re-apply for six months after such rejection. At the time of re-application the applicant shall have the endorsement of two new regular members who are unrelated and from separate households.**

**Section 4 Termination of Membership**

**Membership may be terminated:**

**(a)   *by resignation*. Any member in good standing may resign from the Club upon written notice to the Corresponding Secretary. Obligations other than dues are considered a debt to the club and must be paid in full prior to resignation;**

**(b)  *by lapsing*. A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid 30 days after the first of the fiscal year; however, the Board may grant an additional 30 days of grace to such delinquent mem­bers. In no case, may a person whose dues are unpaid as of the date of the meeting, be entitled to vote at any Club meeting;**

**(c)   *by expulsion.* A membership may be terminated by expulsion as provided in Article VI, Section 4 of these bylaws.**

**ARTICLE II MEETINGS AND VOTING**

**Section 1 Club Meetings**

**At least six (6) meetings per year shall be held in the greater Cleveland area at a date, hour and place as may be desig­nated by the Board of Directors. Notice of each meeting shall be sent by the Recording Sec­retary at least 10 days prior to the date of the meeting. Notification may be by mail, newsletter to be displayed on the first page, or e-mail. The quorum for such meetings shall be 20% of the regular members in good standing.**

**Members may elect to receive e-mail notification of club meetings, dues notices, minutes and newsletters’ and board members may elect to receive notification of board meetings via e-mail; provided that the member signs an authorization agreeing to this method of communication. Such authorization may be revoked upon written request sent to the Secretary. Additionally, two consecutive electronic notices that are undeliverable shall deem the member’s electronic consent revoked.**

**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 who are present and voting at any regular or special meeting of the Board; and shall be called by the Recording Secretary upon receipt of a petition signed by five regular members of the Club who are in good standing. Such special meet­ings shall be held at such place, date and hour as may be designated by the person or persons autho­rized herein to call such meetings. Notice of such a meeting shall be sent by the Recording Secretary in accordance with Article II, Sec. 1 at least five 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 transacted thereat. The quorum for such a meeting shall be 20% of the regular members in good standing.**

**Section 3 Board Meetings**

 **Meetings of the Board of Directors shall be held at least quarterly. Notice of each such meeting shall be sent by the Recording Secretary in accordance with Article II, Sec. 1 at least seven days prior to the date of the meeting. The quorum for such a meeting shall be a major­ity of the Board. In the event special board approval is needed the President must seek approval by a quorum the Board via telephone or e-mail communication. In addition, Board meetings may be via teleconference or videoconference.**

**Section 4 Special Board Meetings**

 **Special meetings of the Board may be called by the President or by the Recording Secretary upon receipt of a written request signed by at least three members of the Board. Such special meetings shall be held at such place, date and hour as may be designated by the person autho­rized to call such meeting. Notice of such a meeting shall be sent by the Recording Secretary in accordance with Article II, Sec. 1 at least five days and not more than 20 days prior to the date of the meeting. Any such notice shall state the purpose of the meeting and no other business shall be transacted thereat. A quorum for such a meeting shall be a majority of the Board.**

**Section 5 Voting**

 **Each lifetime or regular 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/she is present. Voting by proxy shall not be permitted at any Club meet­ing or election. No business shall be voted on without a quorum present.**

**ARTICLE III DIRECTORS AND OFFICERS**

**Section 1 Board of Directors**

**The Board shall be comprised of the President, Vice President, Recording Secretary, Cor­responding Secretary, Treasurer and four other Directors, all of whom shall be voting members in good standing. The Officers and four Directors shall be elected for two-year terms. They shall be elected to these terms at the Annual Meeting, as provided in Article IV and shall serve until their successors are elected. No Officer or Director shall hold the same elective office for more than two consecutive terms. General management of the Club's affairs shall be entrusted to the Board of Directors.**

**Section 2 Officers**

**The Club’s officers consisting of the President, Vice President, Recording Secretary, Corresponding 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 bylaws and as shall be from time to time required by the Directors.**

**(b) The Vice President shall have the duties and exercise the powers of the President in case of the President's death, absence or incapacity.**

**(c) The Recording Secretary shall keep a record of all meetings of the Club and Board and all matters of which a record shall be ordered by the club; notify members of meetings, notify officers and directors of their election office, keep a roll of the members of the club with their contact information and carry out such other duties as prescribed by these bylaws or as directed by the Board.**

**(d) The Corresponding Secre­tary shall be responsible for all external correspondence, includ­ing correspondence with The American Kennel Club and The Bernese Mountain Dog Club of America. The Corresponding Sec­retary shall notify new members of their election to member­ship and carry out such other duties as prescribed in these bylaws, or as directed by the Board.**

**(e)  The Treasurer shall collect and receive all monies due or belonging to the Club. He/she shall deposit the same in a bank designated by the Board in the name of the Club. His/Her books shall at all times be open to the inspection of the Board and he/ she 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/she shall render an account of all monies received and expended during the fiscal year. The Treasurer is to be audited a minimum of every two years by persons appointed by the Board. The Treasurer shall be bonded in such amount as may be deter­mined by the Board, with such expense to be paid by the Club. In addition the Treasurer shall receive applications for membership and dues payments and shall read the application(s) at the meeting during which it is received.**

**Section 3 Vacancies**

 **Any vacancies occurring on the Board or among the offices during the year shall be filled until the next annual election by a majority vote of all the then members of the Board at its first regular meeting fol­lowing the creation of such vacan­cy, 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 IV THE CLUB YEAR, ANNUAL MEETING, ELECTIONS**

**Section 1 Club Year**

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

**Section 2 Annual Meeting**

 **The Annual Meeting shall be held in the month of November at which Officers and Directors for the ensu­ing year shall be elected by secret ballot from among those nominated in accordance with Section 4 of this article. They shall take office on January 1 and each retiring officer shall turn over to his/her successor in office all properties and records relating to that office within 30 days after the election.**

**Section 3 Elections**

 **The nominated candidate receiv­ing the greatest number of votes for each office shall be declared elect­ed.**

**Section 4 Nominations**

 **No person may be a candidate in a Club election who has not been nomi­nated in accordance with these bylaws. He/she shall be a lifetime or regular voting member in good standing and have attended at least four club meetings during the current year. The Board shall select a Nominating Committee by August consisting of three (3) members, not more than one (1) of whom may be a member of the Board. The Board shall appoint a chairman for the committee and it shall be his/her duty to see that nominations are made for all offices at least three weeks before the October meeting.**

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

**(b)  Upon receipt of the Nominating Committee's report, the Recording Secretary shall notify the membership in writing at least fourteen (14) days before the October meeting of the candidates so nominated.**

**(c)   Additional nominations may be made at the October meet­ing by any lifetime or regular member in atten­dance provided that the person so nominated does not decline when his/her name is proposed and providing further that if the proposed candidate is not in attendance at this meeting, his/her proposer shall present to the Recording Secretary a writ­ten statement from the proposed candidate signifying his/her will­ingness to be a candidate. No person may be a candidate for more them one position and must meet the qualifications of Article III Section 1.**

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

**ARTICLE V COMMITTEES**

**Section 1 Committee Appointment**

**The Board each year may appoint standing committees to advance the work of the Club in such matters as public education, rescue, specialty shows, puppy matches and trophies. Such committees shall always be subject to the final authority of the Board.**

**Special committees may also be appointed by the Board to aid on particular projects. Special committees shall always be subject to the final authority of the Board.**

**The President shall with Board approval name the chairmen of these committees. Each stand­ing committee shall include one member of the Board. The Presi­dent and Board shall appoint the members of these committees, define their responsibilities and change their personnel at will. The President is an ex-officio voting member of all committees, except the Nominating Committee.**

**The President and Board may also select an Annual Awards Chairperson, a Breeder Referral person, a Hospitality Chairperson, a Legislative Liaison, a Librarian/Historian, and a Regional Club Council representative, and such other persons as it deems necessary and appropriate to assist the Board in fulfilling its duties.**

**Section 2 Committee Appointment Terminations**

**Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee. The Board may appoint successors to those persons whose services have been terminated.**

**ARTICLE VI DISCIPLINE**

**Section 1 American Kennel Club Suspension**

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

**Section 2 Misconduct Charges**

**An individual member may prefer charges against another member for alleged mis­conduct prejudicial to the best inter­est of the Club or the breed. Written charges with specifications must be filed in duplicate with the Record­ing Secretary together with a depos­it of $25.00, which shall be forfeited if such charges are not sustained by the Board following a hearing. The Recording Secretary shall promptly send a copy of the charges to each member of the Board or present them at a Board meeting and the Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interest of the Club. If the Board entertains juris­diction of the charges, it shall fix a date of the hearing by the Board not less than three weeks or more than six weeks thereafter. The Recording Secretary shall promptly send one copy of the charges to ac­cused member by Certified/Return Receipt 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.**

**Section 3 Board Hearings**

**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 reprimand or 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 insuf­ficient it may also recommend to the membership that the penalty by expulsion. In such case, the reprimand or suspension shall not restrict the defendant's right to ap­pear before his/her fellow members at the ensuing Club meeting which considers the Board's recommenda­tion. Immediately after the Board has reached its decision, its findings shall be put into written form and filed with the Recording Secretary. The Recording 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 no earlier than 30 days after the date of the Board's recommended expulsion. The defendant shall have the privilege of appearing on 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 recommendations and shall invite the defendant if present, to speak on his/her own behalf, if he/she wishes. The Club shall then vote by secret ballot on the pro­posed expulsion. A 2/3 vote of those present and voting at the meeting shall be necessary for expulsion.**

**If the expulsion is not so voted, the Board's suspension shall stand.**

**ARTICLE VII AMENDMENTS**

**Section 1 Amendments**

**Amendments to the Constitution and Bylaws may be proposed by the Board of Directors or by written petition addressed to the President and Recording Secretary, signed by *20%* of the lifetime and regular membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendations of the Board by the Recording Secretary for a vote within three months of the date when the petition was received by the Recording Secretary.**

**Section 2 Amendment Vote**

**The Constitution and By Laws may be amended by a 2/3 vote of the regular members present and voting at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meet­ing and mailed to each member at least two weeks prior to the date of the meeting. The vote on amend­ments shall be by secret ballot. Amendments to the By Laws or Constitution become effective upon being voted upon by the member­ship. A copy of the amended Constitution and Bylaws and date of approval by lifetime and regular members shall be submitted to AKC Club Relations.**

**ARTICLE VIII DISSOLUTION**

**Section 1 Dissolution**

 **The Club may be dissolved at any time by the written consent of not less than 2/3 of the lifetime and regular members. In the event of the dissolution of the Club other than for the purpose of re-organization, whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds thereof nor any assets of the Club shall be distributed to any members of the Club, but after payments 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 IX ORDER OF BUSINESS**

**Section 1 Order of Business at Club Meetings**

 **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**

**Report of President**

**Report of Recording Secretary**

**Report of Corresponding Secretary**

**Report of Treasurer**

**Report of Committees**

**Election of Officers and Board**

**Election of New Members**

**Unfinished business**

**New business**

**Adjournment**

**Section 2 Order of Business at Board Meetings**

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

**Minutes of last Board Meeting**

**Report of Recording Secretary**

**Report of Corresponding Secretary**

**Report of Treasurer**

**Report of Committees**

**Unfinished Business**

**New Business**

**Adjournment**

**ARTICLE X PARLIAMENTARY AUTHORITY**

**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 other special rules of order the club may adopt**

**Board Approved 2/12/2011**

**Club Approved 3/27/2011**