

# THE ANTHRACITE BRITTANY CLUB, INC.

## CONSTITUTION AND BY-LAWS

October 27, 2004

### ARTICLE I NAME AND OBJECTIVES

SECTION I: The name of the club shall be The Anthracite Brittany Club. Inc., hereafter referred to as "the Club".

SECTION II: The objectives of the club shall be:

- a. To further the advancement of the purebred Brittany
- b. To protect and advance the interests of the purebred Brittany and to encourage sportsmanlike competition at the American Kennel Club (AKC) purebred dog events.
- c. To conduct sanctioned matches, dog shows, and any other purebred dog event for which it is eligible under the rules and regulations of the AKC.

SECTION III: 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 IV: The members of the Club shall adopt, and may from time to time revise, such by-laws as may be required to carry out these objectives.

### ARTICLE II MEMBERSHIP

SECTION I: Eligibility. Membership in the-club shall consist of the following classes:  
Active and Associate: An active member shall be the owner of a registered BRITTANY, or any person interested in the improvement of the breed. He/She must be- in good standing with the American Kennel Club. An associate member may be a person interested in the improvement of the breed if another member of his/her family is an active member. He/She will not have the privileges of voting or holding office in the parent club, nor will he/she have the privileges of voting in the regiona1 club. While membership is to be unrestricted as to residence, the Club's primary purpose is to be representative of the breeders and exhibitors of its immediate area.

SECTION II: Dues. Membership dues shall be subject to the amount set by the National Club Policy. Associate members' dues shall be twenty percent (20%) of the active membership amount. The Club remits the proper amount for active and associate members to the parent club. In return, each active member receives The American Brittany monthly magazine. Associate members do not receive the magazine.

SECTION III: Election to Membership. 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 the Constitution and By-Laws and rules of The American Kennel Club. The applicant shall state the name and address of the applicant and shall be accompanied by dues payment for the current year. New membership applications should be published in the club newsletter at least 30 days

prior to the following club meeting when voting will take place. Affirmative votes of 3/4 of the membership present and voting at that meeting shall be required to elect the applicant. Applicants for membership who have been rejected by the Club may not reapply within six months after such rejection.

SECTION IV: Termination of Membership. (a) By resignation. Any member in good standing may resign from the Club upon written notification to the secretary, but no member may resign when 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. In no case may a person whose dues are unpaid as of the date of any meeting be entitled to vote or be nominated to hold office or serve on committees. (c) By expulsion. A membership may be terminated by expulsion as provided in Article VII of these by-laws.

### ARTICLE III MEETINGS AND VOTING

SECTION I: Club Membership Meetings. Meetings of the Club membership shall be held in the Anthracite Brittany Club area. Three General Membership meetings will be held per year: 1- March/April; 2 -May/June; 3 -November/December. The Annual Meeting when Club Elections will be held, will meet in the season of September/October. The quorum for such meetings shall be a majority of the members in good standing who are present.

SECTION II: Special Club Meetings. Special Club meetings may be called by the President, with Board approval, or by any majority vote of the Board who are present and voting or any petition signed by five members in good standing. Such special meetings shall be held in the Anthracite Club area at such time and place as may be designated by the person or persons authorized herein to call such meetings. Written notice of such a meeting shall be mailed by the Secretary at least 10 days and not more than 30 days prior to the date of the meeting and 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 a majority of the members in good standing who are present.

SECTION III: Board Meetings. Board meetings may be called by the President, with Board approval, or by any majority vote of the Board. Meetings of the Board of Directors shall be held in the Anthracite Club area. 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 the majority of the board present at such meetings. No proxy votes will be accepted.

SECTION IV: Special Board Meetings. Special meetings of the Board may be called by the President and shall be called by the Secretary upon receipt of a written request signed by at least three members of the Board. Such special meetings shall be held in the Anthracite Club area at such a place, date and hour as may be designated by the person authorized herein to call such meetings. Written notice of such meetings shall be mailed by the Secretary at least 5 days and not more than 10 days prior to the date of the meeting, or, telegraphic notice shall be filed at least 3 days and not more than 5 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.

### ARTICLE IV Directors and Officers

SECTION I: Officers. The executive officers shall consist of President, Vice President, Secretary, Treasurer and three (3) directors. In addition, the following Committee Chairs shall be nominated by the President and approved by a majority of the members attending the first meeting after the chairpersons' acceptance of the position: Field Trial Chairperson; Show Chairperson; Hunting Test Chairperson; Picnic Chairperson; Grounds Chairperson; Editor.

1. Future needs may require additional officers. The President, with the approval of the membership may add these positions as needed.
2. As the club's interests change, some events may no longer be required. The unneeded positions may be eliminated by the President with the approval of the membership.

SECTION II: Election of Officers. The President, Vice President, Secretary and Treasurer shall be members in good standing and all shall be elected for one year terms at the annual Club meeting as provided in Article V and shall serve until successors are elected. The President and Vice President may serve only two consecutive years. The Secretary and Treasurer may serve indefinitely until successors are elected. Only one director's term will be elected for a three year term at the Annual Meeting so as to rotate the Directors' positions. Should it be necessary to fill more than one director position at the annual meeting, the person(s) selected as replacement(s) for the incomplete term(s) will serve only the remaining time in the vacated position(s). No person may serve consecutive terms as director.

### SECTION III: DUTIES.

President - 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 specifically noted in these by-taws.

Vice-President - The Vice President shall be prepared to assume any and all duties of the President, should the need occur. This officer shall have the duties and powers normally appurtenant to the office of Vice President in addition to those specifically noted in these by-laws or assigned by the President.

Secretary - 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 the correspondence, notify Officers and Directors of their election to office and keep a roll of the members of the Club with their addresses. The Secretary shall be In charge of administering new memberships and carrying out such other duties as are prescribed in these by-laws.

Treasurer - The Treasurer shall collect and receive all monies due or belonging to the Club. He/She shall deposit same In a bank designated by the Board in the name of the Club within 10 days of receipt: His/Her books 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 previous fiscal year. The Treasurer will be bonded with the expense to be borne by the Club.

Board of Directors -The Board of Directors shall consist of the President, Vice President, Secretary, Treasurer and the three Directors. The Board has the responsibility of the operation of the Club in addition to assuring that all officers are conducting their duties in the best interests of the Club.

Limitations - Only one person in a family may hold office/Committee Chair at the same time with the following exception: The Secretary of a specific event" working with the event chairperson may hold office at the same time and be a member of the same family. No Officer or Committee Chair may serve In more than one position at the same time with the exception of the President who may have to fill in temporarily for a vacancy. Club officers and chairpersons may only serve two years continuously in the same position.

ARTICLE V  
THE CLUB YEAR, ANNUAL MEETING, ELECTIONS

SECTION I: Club Year. The Club's fiscal year shall begin on the 1<sup>st</sup> day of January and end the 31<sup>st</sup> day of December. The Club's official year shall begin immediately at the conclusion of the November/December meeting when the newly elected officers will take over and shall continue through the November/December meeting of the following year.

SECTION II: Annual Meeting. The annual meeting shall be held in the season of September/October at which time Officers and Directors for the ensuing year shall be elected by secret written ballot from among those nominated in accordance with Section IV of this Article. They shall take office Immediately upon the conclusion of November/December meeting, 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 November/December Meeting.

SECTION III: Elections. The nominated candidate receiving the greatest number of votes for each office shall be declared elected.

SECTION IV: Nominations. No person may be a candidate in a Club election who has not been nominated. During the month of March, the President shall nominate a Nominating Committee consisting of one Chairperson and two members. Not more than one of the people on the nominating committee may be a member of the Board. At the same meeting, the members present will approve by majority vote, each of the individuals nominated to serve. It shall be the duty of the Nominating Chairperson to publish the time and date of the Nominating Committee meeting in the next published club Newsletter.

- (a) The Committee shall nominate one candidate for President, Vice President, Secretary, Treasurer and for the Director(s) requiring replacement. After securing the consent of each person so nominated, they shall immediately report their nominations to the Secretary In Writing.
- (b) Upon receipt of the Nominating Committee's report, the Secretary shall, before May 15th, notify each member by publishing the results in the Club Newsletter.
- (c) Additional nominations may be made at the May/ June meeting by any member in attendance provided that 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 the individual making the nomination shall present to the Secretary a written statement from the proposed candidate signifying his willingness to be a candidate. No person may be a candidate for more than one position.
- (d) Nominations cannot be made at the annual meeting or in any manner other than as provided in this Section.
- (e) The President will nominate at the November/December meeting Chairpersons for the following year for the standing committees of the club. The members present will approve by majority vote each of the individuals nominated into the Chair positions.

ARTICLE VI  
COMMITTEES

SECTION I: The Board may appoint social committees to be in charge of special activities or particular projects. Such committees shall always be subject to the final authority of the Board. All committee chairpersons must report back to the Board within 30 days with a written report.

SECTION II: Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee and successors may be appointed.

## ARTICLE VII DISCIPLINE

SECTION I: American Kennel Club Suspension. Any member that 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 II: Charges. Any member may prefer charges against a member for alleged misconduct prejudicial to the best interest of the Club or 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 by the Board following a hearing. The Secretary shall promptly send a copy of the charges to each member of the Board or present them with at a Board meeting, and the Board shall consider whether the actions alleged in the charges, if proved, might constitute conduct prejudicial to the best interests of the Club-or breed. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the Club or breed, it may refuse to entertain jurisdiction. If the Board entertaining jurisdiction of the charges It shall fix a date of the hearing by the Board not less than 3 weeks or more than 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/her own defense and bring witnesses if he/she wishes.

SECTION III: 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 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 (6) months from 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 a case, the suspension shall not be restrict the defendant's right to appear before the fellow members at the ensuing Club meeting which considers the Board recommendation. Immediately after the Board has reached a decision, its finding 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 IV: Expulsion. Expulsion of a member from the Club may be accomplished only at a meeting of the Club following a Board meeting and upon the Board's recommendations as provided in Section III of this Article. Such proceedings may occur at the 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 be present to speak in his/her own behalf if he/she wishes. The meeting 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 expulsion is not so voted, the Board's suspension shall stand.

## ARTICLE VIII AMENDMENTS

SECTION I: Amendments to the Constitution and By-laws may be proposed by the Board of Directors, or by written petition addressed to the Secretary and signed by 20% of the membership in good standing. Amendments proposed by such petition must be promptly considered by the Board of Directors and must be submitted to the members with recommendations of the Board by the Secretary for a vote within three (3) months of the date when the petition was received by the Secretary.

SECTION II: The Constitution -and By-Laws may be amended by a 2/3 vote of the members present and voting at any regular or special meetings called for this purpose, provided the proposed amendments have been included in the notice of the meeting and mailed to each member at least 2 weeks prior to the date of the meeting.

## ARTICLE IX DISSOLUTION

SECTION I: The Club may be dissolved at-any time by the written' consent of not less than 2/3 of the members. In the event of dissolution of the Club other than for purposes of reorganization whether voluntary or involuntary or by the 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 payment of the debts of the Club its property and assets shall be given in its entirety to the American Brittany Club.

## ARTICLE X ORDER OF BUSINESS

SECTION I: 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 the President
- Report of the Secretary
- Report of the Treasurer
- Reports of the- Vice-President and committees
- Election of Officers and Board (at annual meeting)
- Election of new members
- Unfinished business
- New Business
- Adjournment

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

- Reading -of the minutes of the last meeting
- Report of the Secretary
- Report of the Treasurer
- Report of the Committees
- Unfinished Business
- New Business
- Adjournment