

# Constitution and By-Laws of the Weimaraner Club of America

SECTION 1. The name of the Club Shall be The Weimaraner Club of America.

SECTION 2. The object of the Club shall be:

- A. To encourage and promote the breeding of pure-bred Weimaraners and to bring their natural qualities to perfection
- B. To encourage the organization of independent local Weimaraner Specialty Clubs in those localities where there are sufficient fanciers of the breed to meet the requirements of the American Kennel Club
- C. 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 Weimaraners shall be judged.
- D. To protect and advance the interests of the breed and to encourage sportsmanlike competition at dog shows, field trials and obedience trials and all other performance events.
- E. To conduct sanctioned matches, specialty shows, field trials, obedience, tracking and agility trials under the rules of The American Kennel Club.

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.

## **By-Laws of the Weimaraner Club of America**

### **ARTICLE I—Membership**

SECTION 1. Eligibility: The types of membership shall be; Individual, Family and Junior Membership. Individual membership shall be open to all persons 18 year of age and older who are in good standing with The American Kennel Club and who subscribe to the purposes of the Club. A family membership shall entitle two adult members of one family to full membership in the Club, which includes full voting privileges to each member. The Family membership shall also include any children under 18 years of age, but such minors shall not be entitled to vote or hold office. Junior Membership shall be open to all persons under the age of 18 and those persons shall not be entitled to vote or hold office. All dogs owned in either category shall be eligible to compete in any Club event.

SECTION 2. Dues: Membership dues shall be established by the Board and approved by the membership. Dues shall be payable on or before December 1st of each year. Members elected to membership during the fiscal year shall pay dues on a half year pro-rata basis. Applications received within the dates of November 1 to June 31 require a full years dues. Applications received within the dates of July 1 to October 31 require a half years dues. During the month of October the Treasurer shall cause to be sent to each member a statement of his dues for the ensuing year.

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 bylaws and the rules of The American Kennel Club. The application shall state the name

and address of the applicant and it shall carry the sponsorship of one member. Accompanying the application, the prospective member shall submit dues payment for the current year. Membership applications shall be submitted to the Executive Secretary and the name and address of each applicant and their sponsor shall be published in the next issue of the Club magazine.

Applicants will become members 30 days after the mailing of the Club magazine in which their name, address and sponsor were published unless objection shall be received in writing by the Executive Secretary. If a written objection is received, the Executive Secretary shall submit the names, addresses and sponsors of all such applicants to the Directors for their written vote by mail, not less than 30 days nor more than 90 days after mailing of the issue of the Club magazine in which the names were published, accompanied by copies of any correspondence received in connection with such applications. Affirmative votes of two-thirds of the Directors present at a meeting, or the Board voting by mail, shall be required to elect an applicant.

Applicants for membership who have been rejected by the Club may not reapply within twelve months of such rejection.

#### SECTION 4. Termination of Membership. Memberships may be terminated

- A. By resignation. Any member 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 30 days after the first day of the fiscal year; however, the Board may grant an additional 60 days of grace to such delinquent members in meritorious cases. 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 VI of these bylaws.

### **ARTICLE II—Meetings**

SECTION 1. Annual Meeting: The Annual Meeting of the Club shall be held in conjunctions with the Club's Specialty Show, April through September, if possible, at a place, date and hour designated by the Board of Directors. Written notice of the annual meeting shall be mailed by the Secretary to each member at least 30 days prior to the date of the meeting. The Quorum for the annual meeting shall be 10% of the members in good standing.

SECTION 2. Special Club Meetings: Special Club meetings may be called by the President or by a majority vote of the member of the Board who are present at a meeting of the Board or who vote by mail, and shall be called by the Executive Secretary upon receipt of a petition signed by 5% of the members of the Club who are in good standing. Such meetings shall be held at such place, date and hour as may be designated by Board of Directors. Written notice of such meeting shall be mailed by the Executive Secretary at least 14 days and not more than 30 days prior to the meeting. The notice of the meeting shall state the purpose of the meeting and no other Club business may be transacted. The quorum for such a meeting shall be 10% of the members in good standing.

SECTION 3. Board Meetings: The first meeting of the board shall be held in December following the election. Other meetings of the board of directors shall be held at such times and

places as are designated by a majority vote of the entire Board. Written notice of each such meeting shall be mailed by the Secretary to each member of the Board at least 14 days prior to the date of the meeting. The quorum for a Board meeting shall be a majority of the Board voting in person or by mail.

SECTION 4. The Board of Directors may conduct its business by mail through the Secretary.

### **ARTICLE III—Directors, Officers and Delegate**

SECTION 1. Board of Directors: The Board shall be comprised of the following: President, Vice-President, Secretary, Treasurer and six (6) other persons, all of whom shall be good standing, who are residents of the United States. They shall be elected for two (2) year terms as provided for in Article IV and shall serve until their successors are elected. The general management of the Club's affairs shall be directed by the Board of Directors.

- A. On each Odd year of the Calendar, the President, Secretary and three (3) Board members shall be elected.
- B. On each Even year of the Calendar, the Vice President, Treasurer and three (3) Board members shall be elected.

SECTION 2. Officers: The Club 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. The Officers, Executive Secretary and Futurity Administrator shall be bonded in an amount of not less than \$100,000 each.

- A. President: Shall coordinate the work of all Committees, working closely with the Executive Secretary, and is the officer finally responsible to the Board of Directors for the activities of the Club. The President shall preside at all meetings of the members and meetings of the Board of directors. The President shall be a member ex-officio, with vote, on all committees, excepting the committee on Nominations.
- B. Vice President: Shall have the duties and exercise the powers of the President in case of the President's death, absence or incapacity.
- C. Secretary: Shall attend all meetings of the general membership, keeping minutes of all such meetings. The Secretary shall be responsible for the fulfillment of the duties of the Executive Secretary in the event that office is vacant, or otherwise unable to perform the duties of such office.
- D. Treasurer: Shall allow the financial records, at all times, to be open to the inspection of the Board and shall report the conditions of the Club's finances to the Board on a quarterly basis. The financial records shall be kept following standard acceptable practices for Clubs of this type and in accordance with the rule of the IRS. At the annual meeting the Treasurer shall give a report on the financial condition of the Club.

SECTION 3. Delegate: The Delegate to the American Kennel Club, who may, but need not be, an Officer or Director of the Club, shall be elected by the Board of Directors at its first meeting following the election. The Delegate shall serve for a term of one year and until the credentials of the person named to succeed him have been acted upon with approval by the Board of Directors of the American Kennel Club, unless he has resigned or his appointment has been withdrawn by the Board. The Delegate shall be an ex-officio, non-voting member of the Board.

SECTION 4. Executive Secretary: Is an independent contractor of the Club, appointed yearly by the Board at its December meeting. The Executive Secretary serves as directed by the board. The compensation of the office is determined by the Board.

SECTION 5. Vacancies: Any vacancies occurring on the Board or among the officers during the year shall be filled for the unexpired term of office by a majority vote of all the then members of the board.

#### **ARTICLE IV—The Club Year, Voting, Nominations, Elections**

SECTION 1. Club Year. The Club's fiscal year shall begin on the 1st day of December, and end on the last day of November.

The Club's official year shall begin December 1st and continue through November 30th. The elected officers and directors 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 2. Voting. At the Annual meeting or at a special meeting of the Club voting shall be limited to those members in good standing who are present at the meeting, except for the annual election of officers and Directors and amendments to the constitution and by-laws and the standard for the breed, which shall be decided by written ballot cast by mail. Voting by proxy shall not be permitted. The Board of Directors may decide to submit other specific questions for decision of the members by written ballot cast by mail.

SECTION 3. Annual Election. The election of officers and directors shall be conducted by mail ballot as provided in this section.

Ballots, to be valid, must be received by the Secretary, at the address given on the return envelope, no later than November 1. Ballots shall be counted by three (3) inspectors of election, to be chosen by the Board of Directors. The person receiving the largest number of votes for each position shall be declared elected. If any nominee, at the time of the meeting is unable to serve for any reason, such nominee shall not be elected, and the vacancy so created, shall be filled by the new Board of directors in the manner provided in Article IV.

SECTION 4. Nominations and Ballots. No person may be a candidate in a Club election who has not been nominated in accordance with these By-Laws. A Nominating Committee shall be chosen by the Board of Directors before April 15. The Committee shall consist of four (4) members and two (2) alternates, all members in good standing, no more than one (1) of whom shall be a current member of the Board of Directors. The Board shall name a Chairman for the Committee. The Nominating Committee may conduct its business by mail.

- A. The Nominating Committee shall nominate from among the eligible members of the Club, one (1) candidate for each office and for each other position on the Board of Directors, and shall procure within seven (7) days in writing, the acceptance of each nominee so chosen. The Committee shall then submit its slate of candidates to the Executive Secretary who shall mail the list to each member before July 15, so that additional nominations may be made by the members if they so desire.
- B. Additional nominations of eligible members may be made by written petition, addressed to the Secretary, and received at his regular address, on or before August 15 signed by ten (10) members, and accompanied by the written acceptance of each additional nominee, signifying his willingness to be a candidate. No person shall be a candidate for more than



(1) position, and the additional nominations which are provided for herein may be made only from among those members who have not accepted a nomination of the Nominating Committee.

- C. If no valid additional nominations are received by the Secretary on or before August 15, the Nominating Committee's slate shall be declared elected at the time of the December meeting, and no balloting will be required.
- D. If one or more valid additional nominations are received by the Secretary, on or before August 15, he shall, prior to October 1, mail to each member in good standing, a ballot listing of all the nominees in alphabetical order, together with a "ballot" envelope, and a return envelope, addressed to the Secretary, and bearing the name of the member to whom it was sent. So that the ballots may remain secret, each voter, after marking his ballot, shall seal it in the "ballot" envelope, which in turn shall be placed in the "return" envelope addressed to the Secretary. ALL BALLOTS MUST BE RECEIVED AT THE DESIGNATED ADDRESS NO LATER THAN November 1. The inspectors of elections shall check the returns against the list of members whose dues are paid for the current year, prior to the opening of the outer envelope and removing the ballot envelope(s), and shall certify the eligibility of the voter, as well as the results of the voting, which shall be announced at the annual meeting. The ballots and envelopes shall be kept by the Secretary for a period of 90 days following the election. The Board of Directors may, at its discretion, designate an independent, professional firm to receive and count the ballots of an election.

#### **ARTICLE V—Committees**

SECTION 1. The Board may each year appoint standing committees to advance the work of the Club in such matters as dog shows, field trials, obedience trials, bench and field futurities, and other fields which may well be served by committees. Such committees shall always be subject to the final authority of the board. Special committees may also be appointed by the Board to aid it on particular projects.

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 VI—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 within 30 days of the alleged incident together with a deposit of \$25.00, which shall be forfeited if such charges are not sustained by the Board or a Committee following a hearing. The 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 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 jurisdiction. If the Board entertains jurisdiction of the charges it shall fix

a date of hearing by the Board or a Committee of not less than three members of the board, not less than three weeks nor 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 own defense and bring witnesses if he wishes.

**SECTION 3. Board Hearings.** The Board or Committee 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 or Committee 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, or until the next annual meeting if that will occur after six months. And, if it deems that punishment insufficient, it may also recommend to the membership that the punishment 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 recommendation of the Board or committee. Immediately after the Board or Committee 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 decision and penalty, if any.

**SECTION 4. Expulsion.** Expulsion of a member from the Club may be accomplished only at the annual meeting of the Club following a hearing and upon the recommendation of the Board or Committee as provided in SECTION 3 of the ARTICLE. 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 findings and recommendations, and shall invite the defendant, if present, to speak in his own behalf. The meeting shall then vote by secret written ballot on the proposed expulsion. A 2/3 vote of those present and voting at the annual meeting shall be necessary for expulsion. If expulsion is not so voted the suspension shall stand.

## **ARTICLE VII—Amendments**

**SECTION 1.** Amendments to the by-laws and to the standard for the breed may be proposed by the Board of Directors or by written petition addressed to the Secretary signed by ten percent of the 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 Secretary for a vote within three months of the date when the petition was received by the Secretary.

**SECTION 2.** The by-laws and the standard for the breed may be amended at any time provided a copy of the proposed amendment has been mailed by the Secretary to each member accompanied by a ballot on which he may indicate his choice for or against the action to be taken. The notice shall specify a date not less than 30 days after the date of mailing by which date the ballots must be returned to the Secretary to be counted. The favorable vote of 2/3 of the members in good standing whose ballots are returned within the time limit shall be required to effect any such amendment.

**SECTION 3.** No amendment to the by-laws or to the standard for the breed that is adopted by the Club shall become effective until it has been approved by the Board of Directors of The American Kennel Club.

## **ARTICLE VIII—Dissolution**

SECTION 1. 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 the dissolution of the Club whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds there of 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 IX—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
- Report of President
- Report of Secretary
- Report of Treasurer
- Reports of Committees
- Election of new members
- 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
- Reports of Committees
- Unfinished business
- Election of new members
- New Business
- Adjournment

## **ARTICLE X—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 other special rules of order the club may adopt.