



## ROSEDALE COMMUNITY COUNCIL- SOFTBALL

### **BY LAW NUMBER 1 CONSTITUTION**

Be it enacted as a by-law of Rosedale Community Council-Softball “the corporation” relating generally to the transaction of the affairs of the Corporation without share capital incorporated under the Corporations Act (Ontario) bearing Ontario Corporation number: 1624099.

#### **Purposes**

1. The purposes of Corporation include:
  - a. to be dedicated to the development of youth, regardless of race, creed, or ethnic background;
  - b. to make available and organize teams with proper coaching and approved equipment;
  - c. to acquaint youth with the basic fundamentals of the game of softball;
  - d. to promote and maintain sound physical, mental and moral conditioning;
  - e. to promote the recreational value of the program;
  - f. to exercise and maintain authority over all Members;
  - g. to cooperate with others in furthering the development of amateur softball; and
  - h. to promote orderly expansion.

#### **Head Office**

2. The head office of the corporation shall be in the Regional Municipality of Hamilton in the Province of Ontario. The Rosedale Community Council may, from time to time, determine the specific location of the head office.

#### **Fiscal Year**

3. The fiscal year of the corporation shall begin on November 1st of each year and end on October 31<sup>st</sup> of the following year. The Executive of the Corporation may apply to change the year end as and when they consider it to be in the best interests of the Corporation.

#### **Executive Members**

##### **Nominating an Executive Member**

4. A member may nominate a member in good standing to stand for election as a director of the Corporation by submitting a nomination form to the Secretary or his or her designate in the manner required by the Corporation. A member may also nominate a member in good standing to stand for election as a director of the cooperation by verbal nomination during the annual meeting.



5. Upon receiving a nomination in the manner required and if the nominee wishes to stand for election, must as soon as its practicable, deliver to the Secretary or his or her designate a consent form in writing to be a director of the Corporation and if elected must apply for a police check within 30 days of election. Should the nominee fail to do so then the nomination is null and void.
  6. The President or Vice-President of the Corporation shall review the Vulnerable Sector Screening and, in the event the President or Vice-President is of the opinion that the nomination ought not to be accepted by the Corporation, shall consult with counsel prior to the continuation of the nomination process. If counsel shall recommend and the Board agree, the Board shall advise the nominee in which case the nominee can request and the Executive shall hold an *in camera* hearing to determine the issue. Only those persons permitted by the Board are entitled to be present at the hearing. The decision of the Executive as to whether the Corporation shall accept the nomination shall be final and binding with no right of review or appeal.
  7. Nominations for the position of Executive of the Corporation cannot be submitted nor accepted except in accordance with the procedure outlined herein.
- 9a). The Executive shall consist of:

#### **PRESIDENT**

Past President- Ex Officio  
Vice President  
Secretary  
Equipment  
Umpire-in-Chief  
Fundraising  
3 Members at Large  
T-Ball Division Coordinator  
4 Pitch Divisional Coordinator  
Junior Divisional Coordinator  
Senior Divisional Coordinator

9b). Until changed in accordance with the Corporations Act (Ontario), the affairs of the Corporation shall be managed by a Executive consisting of the President and 8 Executive Members who may exercise all such powers and do all such acts and things as may be exercised or done by the Corporation and are not by the by-laws or any resolution of the Corporation or by statute expressly directed or required to be done by the Corporation at a meeting of Members.

9(c) House League operations shall be managed by their respective committees. The House League committee will be staffed with Executive members plus non-voting and appointed conveners.

9(d) Minutes of both Rosedale Community Council Executive committee meetings will be taken and presented at monthly scheduled RCC Executive Meetings for review and/or acceptance.

#### **Quorum**

10. A quorum at any meeting of the Executive shall be the presence in person, by electronic means or by telephone poll of at least one half plus one of the Members.



### **Qualification**

11. Only a member in good standing may stand for election as a Executive or be appointed an officer of the Corporation.
12. Members shall be individuals, 18 or more years of age and shall, at the time of their election and thereafter throughout the term of their office, be Members in good standing of the Corporation.
13. A person ceases to be a Executive Member of the Corporation:
  - a. if he or she is found to be mentally incompetent or of unsound mind;
  - b. if by notice in writing to the Secretary of the Corporation he or she resigns his or her office;
  - c. is removed by the Members as provided for in this by law; or
  - d. passes away

### **Term**

14. The Executive Members term of office, subject to any provisions, if any, of the Letters Patent or any Supplementary Letters Patent issued to the Corporation, shall be from the date of the meeting at which they are elected or appointed until the annual meeting next following or until their successors shall have been duly elected or appointed for a period of two years. The President and Vice-President shall be on an alternating 2 year term, opposite of each other.
15. The past President is an ex-officio Executive Member and enjoys all the rights and privileges of a duly elected Executive Member for the one year term immediately following their term of office as president.

### **Election**

16. The office of the President will be elected at the Annual General Meeting/Special General Meeting by majority vote of all members present on a show of hands unless a poll is demanded and if a poll is demanded, such election shall be by ballot. All other Executive positions will be elected at the Annual General Meeting by majority vote of those members present with an interest in the division (player, parent, coach, executive, etc.). Subject to the provisions of this by-law, Executive Members shall be eligible for re-election. Retiring Executive Members shall continue in office until their successors have been duly elected or appointed.
17. If a poll is demanded, then the President shall require a vote by written ballot on the issue to be decided in such manner as the President directs. The President or his designate shall count the ballots and the result shall be decided by a majority of the ballots cast. The result as declared at the meeting and recorded in the Minutes shall be conclusive proof of the result of the poll.
18. In the event of any vacancy, however caused, occurring in the Board (except through an increase in number of Executive Members), such vacancies may be filled by the Executive, as long as there is a quorum, if they shall see fit to do so; otherwise such vacancy may be filled at the next meeting of Members and any Director appointed or elected to fill any such vacancy shall hold office for the unexpired term of the Executive Member who ceased to be a Executive Member and who caused such vacancy.

### **Removal of a Director**

19. The Members in good standing of the Corporation, by resolution passed by at least two-thirds of



the votes cast at a general meeting of which notice specifying the intention to pass such resolution has been given, may remove any Executive Member before the expiration of his or her term of office and may, by majority of the votes cast at such meeting, elect any Member in good standing in his or her stead for the remainder of his or her term.

### **Discipline**

20. A Member, including a director, may be disciplined by a majority vote of the Executive Member present at any regular meeting or at a special meeting duly called for that purpose. Discipline may include but is not limited to a suspension or termination of membership or office on such terms as the Board considers just. Reasonable notice of the meeting shall be served in accordance with any method permitted by this by-law upon the Member and shall set out the grounds for the proposed discipline. A Member is entitled to be present and make submissions to Rosedale Community Council. The hearing shall be *in camera* and only those persons permitted by the Board are entitled to be present at the hearing.

### **Executive Member's Remuneration**

21. The Executive Members of the Corporation shall serve without remuneration and no Executive Member shall directly or indirectly receive any profit from his or her position as such; provided that a Executive Member may be paid reasonable expenses incurred by him or her in the performance of the Executive Member's duties.

### **Declaration of Conflict**

22. It shall be the duty of every Executive Member of the Corporation who is in any way, whether directly or indirectly, interested in a contract or arrangement or proposed contract or proposed arrangement with the Corporation to declare such interest to the extent, in the manner and at the time required by the Act. The Executive Member declaring a conflict shall abstain from voting on the contract or arrangement.

### **Meetings of the Executive**

23. The first meeting of the Executive shall be held immediately following the election of Executive at an annual or general meeting of the Members at which the Executive are elected. No notice of such meeting need be given to the Executive or Executive Members so elected or appointed in order for the meeting to be duly constituted, provided that a quorum of the Executive Member is present.
24. Meetings of the Rosedale Community Council may be held either at the head office of the Corporation or at any place within Canada. A meeting of the Executive may be convened by the President, and or Vice-President.

### **How Decisions Reached**

25. Every question submitted to any meeting of Executive shall be decided by a majority of votes unless otherwise specifically provided by statute or by these by-laws and provided that a quorum of the directors is present. In case of an equality of votes, the President shall, both on a show of hands and on a poll, have a second or casting vote.

### **Notice of Executive Meetings**

26. Notice of any meeting of the Executive shall be effected in accordance with the Notice provisions



of this by law; provided always that meetings of the Executive may be held at any time without formal notice if all the Executive Members are present or those absent have waived notice or have signified their assent in writing to such meeting being held in their absence. Notice of any meeting or any irregularity in any meeting or in the notice thereof may be waived by any Executive Member.

### **Effect of Irregularity**

27. No act or proceeding of any Executive Member shall be deemed invalid or ineffective by reason of the subsequent ascertainment of any irregularity in regard to such act or proceeding or the qualification of such Executive or Executive Members.

### **Reliance on Auditor**

28. Executive Members may rely upon the accuracy of any statement or report prepared by the Corporation's auditors and shall not be responsible or held liable for any loss or damage resulting from acting upon such statement or report.

### **Committees, Etc.**

29. The Executive may establish and elect from among the Executive Members an executive committee of the members. The executive committee shall have and may exercise the powers of the Executive in the management and conduct of the affairs of the Corporation in accordance with any direction or restrictions provided in the Rosedale Community Council resolution.
30. The executive committee shall be formed by at least two Executive Members and one Executive member shall sit on the committee. The executive committee may establish its own rules of procedure unless those rules have been set out in the Rosedale Community Council's resolution.
31. The Executive may from time to time constitute such committees as it deems necessary to assist the Rosedale Community Council in carrying on the affairs of the Corporation and shall prescribe the duties of any such committees.
32. The Executive shall have power from time to time to appoint agents or attorneys for the Corporation in or out of Ontario with such powers of management or otherwise (including the power to sub-delegate) as the Board may deem advisable.

### **Fidelity Bond**

33. The Executive may require the Corporation's directors, executive members, officers, agents and attorneys to furnish bonds for the faithful discharge of their duties, in such form and with such sureties as the Board may from time to time prescribe.

### **Gifts and Donations**

34. The Executive shall take such steps as it may deem requisite to enable the Corporation to acquire, accept, solicit or receive legacies, gifts, grants, settlements, bequests, endowments and donations of any kind whatsoever for the purpose of furthering the objects and purposes of the Corporation.

### **Officers**

35. The Executive shall annually or as often as may be required appoint a President and a Secretary



and, if deemed advisable, may appoint annually or as often as may be required one or more Vice-Presidents, a Treasurer and one or more Assistant Secretaries. All of the said Officers must be

Members in good standing. The offices of Secretary and Treasurer may, in the discretion of the Executive, be held by the same person who may, but need not be known as, the Secretary-Treasurer. The Rosedale Community Council may appoint such other Officers and agents as it shall deem necessary who shall have such authority and shall perform such duties as may from time to time be prescribed by the Executive.

36. The Executive may fix the remuneration (if any) to be paid to Officers of the Corporation. All Officers, in the absence of agreement to the contrary, shall be subject to removal by resolution of the Executive at any time with or without cause.

### **President**

37. The President shall sign such contracts, documents or instruments in writing as require his or her signature. The President shall be the chief administrative Officer of the Corporation and shall be responsible to the Board for the coordination of all affairs of the Corporation. In all matters affecting the Corporation, the President shall be deemed to be an agent of the Corporation acting under the authority and at the express intention and express direction of Rosedale Community Council or any committee thereof, as the case may be.
38. The President shall be the Chair of any Executive meeting or meeting of the Members of the Corporation.
39. In the case of absence or inability to act of the President or Vice President(s) or for any other reason that the directors deem sufficient, the Executive may delegate all or any of the powers of the President to any other Officer or Executive Member for the time being.

### **Vice President(s)**

40. The Vice-President or, if more than one, the Vice-Presidents in order of seniority, shall be vested with all the powers and shall perform all the duties of the President in the absence or inability or refusal to act of the President. The Vice-President or, if more than one, the Vice-Presidents, shall sign such contracts, documents or instruments in writing as require his, her or their signatures and shall have such other powers and duties as may from time to time be assigned to him, her or them by the Executive.

### **Secretary**

41. The Secretary shall, when present, act as secretary of all meetings of Executive and Members, shall have charge of the Minute Book of the Corporation and the documents and registers referred to in the Corporations Act, R.S.O. 1990, c. C.38. The Secretary shall sign such contracts, documents or instruments in writing as require his or her signature and shall have such other powers and duties as may from time to time be assigned to him or her by the Executive or as are incident to his or her office.

### **Treasurer**

42. Subject to the provisions of any resolution of the Executive, the Treasurer shall have the care and custody of all the funds and securities of the Corporation and shall deposit the same in the name of the Corporation in such bank or banks as the Board may direct. The Treasurer shall sign such contracts, documents or instruments in writing as require his or her signature and shall have such



other powers and duties as may from time to time be assigned to him or her by the Executive or as are incident to his or her office. The Treasurer may be required to give such bond for the faithful performance of his or her duties as the Executive in their uncontrolled discretion may require, but no Director shall be liable for failure to require any bond or for the insufficiency of any bond or for any loss by reason of the failure of the Corporation to receive any indemnity thereby provided.

### **Vacancy**

43. If the office of the President, Vice-President, Secretary or Treasurer, shall be or become vacant by reason of death, resignation, disqualification or otherwise, the Executive may appoint an Officer to fill such vacancy.

### **Indemnity: Directors, Officers and Others**

44. Every Executive Member or Officer of the Corporation or any other person who has undertaken or is about to undertake any liability on behalf of the Corporation and his or her heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the Corporation, from and against:
- a. all costs, charges and expenses whatsoever which such Executive Member, Officer or other person sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her, for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her, in or about the execution of the duties of his or her office; and
  - b. all other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own willful neglect or default.
45. The Executive may appoint any agent and hire any employee that it considers necessary. The persons appointed or hired shall have the authority and shall perform the duties assigned by the Executive.
46. The remuneration for any agent or employee shall be fixed by the Executive by resolution.

### **Execution of Cheques, Contracts, etc.**

47. Cheques, contracts, documents or instruments in writing requiring the signature of the Corporation may be signed:
- a. by any two persons, each of whom is the President, Vice-President or the Treasurer of the Corporation.

and all contracts, documents or instruments in writing so signed shall be binding upon the Corporation without any further authorization or formality. The Board is authorized from time to time by resolution to appoint any Officer or Officers or any person or persons on behalf of the Corporation either to sign contracts, documents or instruments in writing generally or to sign specific contracts, documents or instruments in writing.

### **Banking Arrangements**

48. The Treasurer or any other officer or director as designated by the Executive is authorized to transact the banking affairs of the Corporation. The Treasurer or designate is authorized to:



- a. operate the Corporation's accounts with the financial institution;
- b. accept, endorse, negotiate, lodge, deposit or transfer any cheque, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money;
- c. issue receipts for and orders with respect to the property of the Corporation;
- d. execute any agreements with respect to the banking affairs of the Corporation; and
- e. authorize any Officer of the financial institution to do any act or thing on the Corporation's behalf to facilitate the banking affairs.

## Membership

### Definitions

49. For the purposes of this by-law:

“**Member**” shall mean:

- i. a player who has attained the age of 18 years as at the December 1 immediately prior to the year for which the player has registered; or
- ii. one parent or one guardian of a player less than 18 years of age as defined above; or
- iii. such other person as is designated by the Rosedale Community Council in its sole discretion from time to time; and
- iv. Head coaches, assistant coaches and team managers.

“**Member in good standing**” means a Member who, as at the October 31 of the then current playing year:

- i. has paid all required fees, charges and expenses due and owing;
- ii. has returned to the equipment manager all RCC equipment; and
- iii. has no unresolved disciplinary issues.

50. Notwithstanding the foregoing, where a member has been nominated for the office of director of the Corporation, the nominee must qualify as a member in good standing as at the date of his or her nomination.

51. In the event of a dispute as to whether a person is a “member” or a “member in good standing”, the Executive shall conduct an *in camera* hearing to determine the matter on reasonable notice to the person affected. Only those persons permitted by the Executive are entitled to be present. The decision of the Executive is final and binding and is not subject to review or appeal.

### Term

52. Membership is for a period of one year or part thereof from February of each year to the conclusion of the next annual meeting of the Members of the Corporation.

53. Any Member of the Corporation may resign as a Member of the Corporation by letter addressed and sent to the Secretary of the Corporation in any manner authorized by this by law to serve a notice.

54. The interest of a Member of the Corporation is not transferrable and lapses and ceases to exist upon the termination or expiration for any cause of the membership.

### Right to Vote



55. Only Members in good standing as at the date of and present at any annual, general or special meeting of Members shall be entitled to vote and shall have only one vote.
56. In circumstances in which a player who has not attained the age of 18 years as defined above has two or more parents or guardians, one of the parents or guardians is to be designated as the person entitled to vote and such designation shall be communicated in writing to the Secretary, or his or her designate, who shall record the designation in the records of the Corporation.
57. Notwithstanding that a parent or guardian has registered more than one player who has not yet attained the age of 18 years as defined above, and subject to the preceding paragraph, that parent or guardian is entitled to one vote.
58. In circumstances in which a player has attained the age of 18 years as defined above and has one or more parents or guardians, the right to vote is the right of the player and not the parent or guardian.
59. In circumstances not provided for above as to whether a person has the right to vote, the President of the meeting shall hear and consider submissions in such order and in such manner as the President in his or her sole discretion determines and shall summarily decide the issue at the meeting at which the issue arises. The decision of the President shall be final and binding and not subject to review or appeal.

## **Membership Meetings**

### **Annual meetings**

60. The Corporation shall hold an annual meeting of its Members no later than November 30 each year. This meeting will include all business of RCC will be discussed during this meeting. The annual meeting of the Members shall be held at a place designated in the Notice of Meeting at a place within Ontario, on such day in each year and at such time as the Executive may by resolution determine.

\*Changes to the date must be notified 30 days prior to the meeting to all members (both Rep & House League).\*

### **Business to be Conducted**

61. At annual meetings there shall be presented a report of the Executive of the affairs of the Corporation for the previous fiscal year and the following business shall be conducted at the annual general meeting:
  - a) reading and adoption of the financial statements;
  - b) election of the Executive;
  - c) appointment of auditors and solicitors and fixing or authorizing the Executive to fix the remuneration of same;
  - d) confirmation and sanction of the action of the Executive and any other matters that require the confirmation or sanction of the Members; and any other business that may be properly brought before the meeting
  - e) team and or convener reports
    - 1) team financial statements House League & Select)
    - 2) team season report (House League & Select)



62. No motion or matter submitted for consideration or decision may be raised during the annual meeting of the members unless previously submitted in writing, signed and seconded and delivered to the secretary no later than two weeks before the Annual meeting.

### **Other Meetings**

Other meetings of the Members (to be known as "general meetings") may be convened by the Executive to be held at any date and time and at any place within Ontario. In addition, the President, Vice president or Secretary shall call a general meeting of the Members upon receipt of a written requisition to do so of not less than 10% of the Members then in good standing entitled to vote at such meeting.

63. The Board shall have power to call a special meeting of Members at any time on reasonable notice.

### **Who may be Present**

64. The only persons entitled to attend a meeting of Members shall be members, members in good standing, the auditors of the Corporation, persons admitted by invitation of the Chair and others who, although not entitled to vote, are entitled or required under any provision of the Corporations Act or the Letters Patent or by-laws to be present at the meeting. Spouses (or in the case of same sex couples, partners) of members and parents of players may also be present.
65. The President may cause any person present to be removed if, in the opinion of the President, the person is disrupting or otherwise interfering with the orderly conduct of the business of the meeting.

### **Procedure**

66. The President shall act as the Chair of every meeting of members. In the absence of the President, the Members in good standing present shall choose another Executive member to act as Chair of the meeting and, if no Executive Member is present, or if all the Executive present decline to act as Chair, the Members in good standing present shall choose one of their number to be Chair of the meeting.
67. Every question submitted to any meeting of Members shall be decided by a majority of votes given on a show of hands unless otherwise specifically provided by statute or by these by-laws. In case of an equality of votes, the Chair of the meeting shall, both on a show of hands and on a poll, have a second or casting vote.
68. At any meeting, unless a poll is demanded, a declaration by the Chair that a resolution or decision has been carried or carried unanimously or by a particular majority or lost or not carried by a particular majority shall be conclusive evidence of the fact without proof of the number or proportion of votes recorded in favor of or against the motion.
69. If at any meeting a poll is demanded then the Chair shall require a vote by written ballot on the issue to be decided in such manner as the Chair directs. The Chair or his designate shall count the ballots and the result shall be decided, unless otherwise required by law, by a majority of the ballots cast. The result as declared at the meeting and recorded in the Minutes shall be conclusive proof of the result of the poll.

### **Adjournment**



70. The Chair may adjourn any meeting from time to time and no notice of such adjournment need be given. Any business may be brought before or dealt with at any adjourned meeting which might have been brought before or dealt with at the original meeting in accordance with the notice calling the same. An adjournment may be made with or without a quorum being present.

### **Notice of Membership Meeting**

71. Notice of any general meeting of the members may be given in any manner permitted by this by law no later than 14 days prior to the date for the meeting. The notice shall contain sufficient information concerning the business to be considered at the meeting so as to enable the members to be reasonably prepared for the meeting.
72. Notice of any special meeting of the members may be given in any manner permitted by this by law no later than 5 days prior to the date for the meeting. The notice shall contain sufficient information concerning the business to be considered at the meeting so as to enable the members to be reasonably prepared for the meeting.
73. No motion or matter submitted for consideration or decision may be raised during any general or special meeting of the members unless notice of the subject matter of the motion or matter first appeared in the notice of the meeting.
74. The accidental omission to give notice of any meeting or the non-receipt of any notice by any Member shall not invalidate any resolution passed or any proceedings taken at any meeting of Members.

### **Head Coaches, Managers and Team Personnel**

75. The Head Coach of each team shall be appointed by, be responsible to and subject to discipline by the Rosedale Community Council.
76. A person who intends to apply for the position of or is asked to assume the position of head coach, assistant coach, team manager, trainer or other supervisory position with a team shall first file with the President or the Vice President of the Corporation a police check at the expense of Rosedale Community Council. In the event that the President or the Vice President is of the opinion that the person is not suitable for the position, the President or the Vice President shall consult legal counsel. Should legal counsel recommend and the Board agree, the President or the Vice-President shall so advise the Applicant in which case the Applicant can request and the Rosedale Community Council shall hold an *in camera* hearing to determine the issue. Only those persons permitted by the Executive are entitled to be present at the hearing. The decision of the Executive shall be final and binding and not subject to review or appeal.
77. A Head Coach, Assistant Coach, Team Manager or other person who has held a supervisory position with a team must obtain and submit to the Vice President a current Vulnerable Sector Screening as per the Volunteer Screening Policy.

### **Code of Conduct**

78. The Executive may by resolution adopt a Code of Conduct or other document specifying the duties, responsibilities and behavior required of all persons associated with the Corporation. In the event of a conflict between such Code and this by-law, the by-law shall govern.



## **Board Rules and Regulations**

79. The Executive may from time to time enact rules and regulations (the "Executive Rules and Regulations") and policies and procedures governing the Corporation and its members as the Board in its sole discretion may determine from time to time. In the event of a conflict between such rules, regulations policies or procedures this by-law, the by-law shall govern.

## **How Notice May be Given**

80. Any notice required to be given under the Act, the Letters Patent, the by-laws or otherwise shall be deemed to have been validly given if it is:

- a. delivered personally to the person to whom it is to be given; or
- b. delivered to the person's address as recorded in the Corporation's records; or
- c. mailed to the person's address as recorded in the Corporation's records by prepaid ordinary mail; or
- d. is delivered in writing at team meetings or at practices; or
- e. is published in a local newspaper; or
- f. is sent by facsimile transmission or e-mail to the address as recorded in the Corporation's records; or
- g. is posted on the web site of the Corporation.

81. A notice shall be deemed to have been given on the day it was given unless it was mailed or published in which case it is deemed to have been given on the fifth day after it was mailed or published.

82. In circumstances of urgency, the Executive may give notice in any way that it deems reasonable in the circumstances including but not limited to dispensing with the requirement for notice.

83. No error or omission in giving notice of any meeting shall invalidate such meeting or make void any proceedings there. Any Member or director may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings taken there.

84. The signature to any notice may be written, stamped, typewritten or printed or partly written, stamped, typewritten or printed.

85. Where a given number of days' notice or notice extending over any period is required to be given, the day of service or posting of the notice shall, unless it is otherwise provided herein, be counted in such number of days or other period.

86. A certificate of the President, Vice-President, the Secretary or the Treasurer or of any other Officer of the Corporation in office at the time of the making of the certificate as to facts in relation to the mailing or delivery of any notice to any person shall be conclusive evidence thereof and shall be binding on every Member, Executive Member, Officer or auditor of the Corporation, as the case may be.

## **Interpretation**

87. In all by-laws and special resolutions of the Corporation, the singular shall include the plural and the plural the singular; the word "person" shall include firms and corporations and other entities, and the masculine shall include the feminine and the neuter. Whenever reference is made in any by-law or any special resolution of the Corporation to any statute or section thereof, such



reference shall be deemed to extend and apply to any amendment or re-enactment of such statute or section thereof, as the case may be.

88. The Corporation may be referred to as Rosedale Community Council or RCC.

**Enactment, Repeal and Amendment of By-laws**

89. A copy of any by-law to be sanctioned at a meeting of Members (including a by-law which amends or repeals an existing by-law) shall be sent to every Member of the Corporation with the notice of such meeting.

90. By-laws of the Corporation may be enacted, and the bylaws of the Corporation repealed or amended by a majority of the Board at a meeting of the Executive and sanctioned by an affirmative vote of a majority of the Members in good standing, unless otherwise required by law, at a meeting of Members duly called

for the purpose of considering such by-law.

PASSED by the Rosdale Community Council and sealed with the corporate seal this \_\_\_\_\_ day of (Month and Year).

\_\_\_\_\_  
(Signature) President

\_\_\_\_\_  
(Signature) Secretary



## **HOUSE LEAGUE BY-LAWS**

Registration | Equipment, Uniforms & Diamonds | Players Rights | Umpires | Coaches Responsibilities | Game Scores

### **1.0 Registration**

#### **1.1**

Where vacancies remain within the maximum registration figure set in the respective divisions annually by the Executive, players may be signed up to fill such vacancies by the respective Vice-President or designate. All the required forms and fees must be turned in **BEFORE A PLAYER'S SECOND GAME!!** including all the Select Divisions. No refunds will be given after June 1st for House League each year.

*Effect:* Any team using a player not properly signed or authorized by the Executive will forfeit all games that the player participates in.

#### **1.2**

Players in the Rosedale Community Council shall not be signed to a registration certificate unless they are resident in City of Hamilton unless approved by the Executive Committee.

*Effect:* Penalty for using a player not from an authorized area by Rosedale Community Council is that all games that the player participates in will be forfeited.

#### **1.3**

Registration dates will be set up by the Executive. All registrations will be held in one place and, after that date, at the discretion of the Executive. The Executive will set a late registration fee.

#### **1.4**

Names for House League registration received after registration dates will be received by President, Vice-president and given to respective Conveners after payment of all fees. Players will be placed on teams in the order they appear until teams are full. No players will be added after June 1st without Executive approval.

#### **1.5**

All requests by players for special considerations (coach, sponsor, transportation, etc) must be indicated on the registration form. Requests will be considered but not guaranteed by the executive.

### **2.0 Equipment, Uniforms and Diamonds**

#### **2.1**

a) Sweaters, masks, chest protectors and shin pads must be worn in all games. Players should be allowed to wear a coat or jacket over their team sweaters if the weather so demands and on mutual consent of both coaches. Coats must be done up to top fastener. No altering (defiling) of uniforms will be allowed.

b) Coaches are responsible to ensure that all players wear their shirts tucked in. Any player deliberately refusing to tuck their shirt in, and in the judgment of the Umpire causes a delay in the game; said player will be removed from the game.

*Effect:* Any team allowing a player to take part in a game not wearing the proper equipment could have the game forfeited only after a review by the Executive of Rosedale Community Council.

#### **2.2**

Players must wear shoes (running, sneakers, etc.), pants or shorts and helmets - rubber cleats are acceptable, metal spikes will not be allowed.



### 2.3

Players are responsible for providing their own batting helmets, which must meet official Softball Canada standards. In the event that they are unable to do so, Helmets will also be supplied by Rosedale Community Council. Helmets with chin straps done up under the chin are compulsory and must be worn by the player while the player is on deck, at bat or base running. If the helmet is removed or the chinstrap is undone, the player is automatically out. Teams in Rosedale Community Council will be provided with a pitching helmet and attached facial shield. This must be worn by all pitchers.

### 2.4

Each team will be supplied with league bats and marked with Rosedale Community Council markings. Players will be allowed to use their own bats as long as they are official softball bats, and the official softball label can be recognized by the umpire. Batters throwing a bat, such that in an Umpire's opinion could be dangerous, the player will be warned once. On the subsequent time, the player will be called out.

### 2.5

Coaches are responsible for the well-being and return of all RCC issued equipment. If any equipment is broken or lost, the Convener must be notified as soon as possible.

### 2.6

a) Unfit Diamond (i.e., rain - playing area very wet) both teams are required to meet at the diamond. At that time, the Plate Umpire will make the decision as to whether or not the game will be played.

**Exception** - The Umpire-In-Chief or designate may call the game at any time up to an hour prior to game time, and shall inform the Convener who will contact the coaches to let them know of his/her decision, thereby not making it necessary for the teams to meet at the diamond.

b) All rained-out and called games, not constituting a game, will be attempted scheduled within two weeks. If the home team fails to schedule said game(s), the league Convener will do so. Failure to field a team will result in forfeiture of the game.

All efforts will be made to schedule a game, however sometimes it impossible due to diamond time, teams availability to play, officials, weather etc.

### 2.7

All divisions to use safety base. The batter (base runner) must go to the safety base at all times that a play is being made at 1st base.

## 3.0 Players' Rights

### 3.1

A player must have taken part in at least 50% of the regular season games throughout the regular playing season schedule before she is qualified for the play-offs; if played, will cause the team that the player plays for to be reviewed by the Executive and could result in forfeiting all games that the player participates in.

### 3.2

Unlimited substitution for Instructional T-Ball, 4 Pitch, Junior and Senior Divisions.

#### 3.2.1

All players at a game dressed to play must be entered in the line-up with names and sweater numbers



identified on score sheets. This will be done in consecutive order from top to bottom.

### 3.2.2

Players in the line-up will sit out alternate innings commencing with the top of the batting order. This will be shown on the score sheet by marking the letter "S" in the batter's box showing the player has sat out that inning. In extra inning games (tournaments) the substitution order will be continued.

Common Practice: No player shall sit a 2nd time until all players have sat once unless otherwise stated.

### 3.2.3

No player, unless injured, may sit out more than one (1) consecutive inning or as a result of a disciplinary action.

### 3.2.4

A player arriving late to a game will be placed on the bottom of the line-up and will take their position in the proper rotation for sitting out innings during the remainder of the game. Coaches are to inform the other team and Umpires if this has happened.

### 3.2.5

All players will bat in consecutive order of the line-up. The rules of batter-out-of-order will apply here.

### 3.2.6

If it is found that a team has not followed these rules, the opposing coach and Umpire are to be notified. If verified that this has occurred, the coach and Umpire are to sign the score sheet at the time of the infraction. The coach will submit to the divisional Convener this score sheet with a notification of protest. The Convener will review and discuss if necessary with the Executive Committee. The course of action could be a forfeit of the game by the opposing team.

### 3.3

Games missed due to bona fide injury that has been reported to the Convener will be considered by the Executive to ascertain whether or not a player should participate in the play-offs although otherwise ineligible.

### 3.4

Games missed due to vacations will not be considered by the Executive to ascertain whether or not a player should participate in the play-offs when otherwise ineligible.

### 3.5

Regular Division Championships will be recognized by the awarding of a trophy, medal or crest to the winning team. In the event of a tie for 1st place league champs, a tie breaking game will be scheduled by the Executive.

### 3.6

Other than first place, all ties for position in their respective division will be broken by runs for and against for the entire season. A maximum of 15 runs for or against will be recorded per game.

### 3.7

All tie breakers shall be:

- a) head to head
- b) +/- rating overall

If 3+ teams are tied, go straight to +/- rating



3.8

No sponsor shall be permitted to solicit or promote their product in any way to the players or members of the RCC without first receiving the full written consent of the voting Executive Members.

3.9

Any information received by members of the RCC pertaining to Players, Coaches, Umpires etc., shall be deemed personal and confidential and therefore shall not be released without the full written consent of the person or persons concerned for any other purpose than is necessary to run the league.

3.10

Any Player taking part in any physical act against another Player, Umpire, Coach, or any other member of RCC before, during, or after a game will be suspended immediately. This suspension could lead to more severe discipline up to and including being dismissed from RCC as deemed appropriate by the Executive Committee or the review committee. There will be no refund granted in being dismissed from the league as a result of any actions mentioned above.

#### **4.0 Umpires**

4.1

The Umpire-In-Chief and the Executive will supply the plate Umpire for all regular season games, tournament and play-off games.

4.2

Plate Umpires shall wear a protective mask complete with throat protector. Failure to do so will result in suspension without pay.

4.3

We recommend that coaches choose qualified mature persons to officiate as base Umpires and both coaches must be in agreement.

4.4

No Coach may Umpire in any game in which their team is playing except in emergency situations as deemed necessary by the Umpire-in-Chief.

4.5

No Umpire shall consume alcoholic beverages before, at, or during the game. Failure to comply will result in instant dismissal.

4.6

If an Umpire does not show in a reasonable amount of time, a parent/spectator may become the Plate Umpire, if so agreed by both teams.

4.7

Umpires who fail to show for an assigned game without adequate notification (1 hour), will be disciplined by the Umpire-in-Chief, who may suspend the offending Umpire from future games or fine them 1 game fee.

4.8

Dress code, all Umpires will wear long dark pants or shorts and a RCC shirt tucked in and shoes. Proper Umpire equipment shall be worn for all RCC games.



4.09

Umpires must allow the game to progress at a natural pace, instead of yelling at them to hurry up or tell them that they will have strikes called against them if they are not in the batters box soon enough.

4.10

No member of the Executive, with the exception of the Umpire-In-Chief, shall stop a game, enter the playing field, or otherwise interrupt a game being played unless invited on to the field by one or more of

the Umpires.

No member of the Executive, with the exception of the Umpire-In-Chief, shall inform the Umpires of rule changes once a game has started.

All such changes shall be told to the Umpire(s) before ground rules are discussed.

## 5.0 Coaches' Responsibilities

5.1

All teams must abide by the schedule laid down by the Executive and games must be played on dates set. Inclement weather will be the only exception. Teams failing to field a team will forfeit the game, and the score will be as follows:

For Junior, the score will be 5 - 0.

For all other divisions, the score will be 7 - 0.

5.2

In case of dispute on any matter arising before or after the game, the decision of the President shall prevail until the RCC Executive deals with the case.

5.3

If the player is forced to leave the game due to injury, the coach must complete an official injury report form and submit to their Convener within 2 days. If a player is taken to the hospital it must be done within 2 hours of the incident

5.4

The coaches of all teams shall be responsible for the discipline and behaviour of the members and spectators of his/her team before, during and after the game.

**Effect.** The warning to the coaches RE: arguing with Umpires and fan conduct and the Coaches' responsibilities, shall be given to both Coaches and their respective Captains at the start of the game along with the ground rules of the game. No further warnings will be given.

a) Abuse by a coach will result in removal from the park. The game will not continue until the coach has left.

b) Abuse by a spectator will result in the fan being asked to leave the park. Game will not continue until the fan or fans have left.

Further coach or spectator abuse will result in the game being forfeited.

5.5

Smoking during a game is prohibited entirely.



5.6

It is strongly recommended that coaches be on hand at least 30 minutes before game time and coaches shall remain after the game or practice until all players are clear of the playing field and have departed.

5.7

Teams must be ready (diamond laid out, ground rules explained) to start on time, with a 15-minute extension only if necessary. At least 8 players must be fielded to play softball; otherwise the game will be forfeited. The home team Coach is responsible for lining the diamond during regular season. Lined diamond must include Coaches boxes.

Rationale: To ensure games start on time.

5.8

A coach may reprimand a player who demonstrates unsportsmanlike behaviour by not allowing said player to play in the regular game. The Executive will provide a list of guidelines comprising of valid disciplinary reasons to the coaches. Coaches, who know in advance of a game that they will be disciplining a player, should notify the Convener before the game.

5.9

a) To conduct himself or herself in a manner conducive to good sportsmanship. If a situation occurs that the Executive deems necessary to have a coach dismissed, it shall be done.

b) No coach shall consume alcoholic beverages before, at or during a practice or game. Failure to comply will result in instant dismissal.

5.10

Shall promote fair play at all times.

5.11

As an Executive Member, no member of a coaching staff, or helper, will wear his/her Executive shirt during any game.

5.12

Coaches using call-ups must write the full player name and team name on the score sheet.

5.13

All coaches must work towards NCCP trained status in Community Sport Stream- Learn2Coach or Community Softball Coach.

5.14

RCC shall introduce a policy of screening all coaches at both House League and Select. This screening shall only be related to offences against children and young adults (U6 – U19). This policy shall be introduced at the earliest time possible.

5.15

We should initiate 'evaluation sheets' to be filled out at the end of a season by parents for House League and Select coaches. This would be helpful in decisions rendered by the committee. Parents are important and do pay the fees.

As a coach you agree to abide by the RCC Constitution and all other rules, regulations and Executive decisions.

**Effect:** Any coach not abiding by the above may be removed from their coaching positions by the majority



agreement of the Executive Committee.

## **6.0 Game Scores**

### **6.1**

Each team is responsible, (win or loss) to update the website within 48 hours after the game is over with scores and highlights by emailing the Communications Executive Member.

Failure to do so may result in the forfeit of the game by the offending team, upon review by the Executive.