

**LINCOLN MINOR HOCKEY ASSOCIATION INC.  
CONSTITUTION  
-- AS RATIFIED AT ANNUAL GENERAL MEETING --  
April 28, 2011**

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**LINCOLN MINOR HOCKEY ASSOCIATION – CONSTITUTION**

As ratified at LMHA Annual General Meeting – April 28, 2011

**CONSTITUTION  
-- AS RATIFIED AT ANNUAL GENERAL MEETING --  
May 13, 2010**

A constitution relating generally to the transaction of the affairs of Lincoln Minor Hockey Association, Inc.

In these Constitution and in all other Constitution of the corporation, hereafter passed, unless the context otherwise requires, words imparting the singular number or the masculine gender shall include the plural number or the feminine gender, as the case may be, and vice-versa and references to persons shall include firms and Corporations.

BE IT ENACTED as a Constitution of Lincoln Minor Hockey Association Inc., as follows:

**1 - HEAD OFFICE**

The Head Office of the Corporation shall be in the Town of Lincoln, in the Province of Ontario, and at such place therein as the Directors may from time to time determine.

**2 - THE SEAL**

The Seal, an impression whereof is stamped in the margin hereof, shall be the Corporate Seal of the Organization.

**3 - MISSION STATEMENT**

The purpose of the Association is to organize, develop and promote minor ice hockey for the youth of the Town of Lincoln including:

The opportunity for all eligible individuals to participate in recreational house league ice hockey, and to provide community based programs which will allow a player to participate in an environment for fun, physical exercise and fair play;

The development of and participation in representative ice hockey and provide the opportunity to participate at the highest competitive level;

To instill in all players, coaches, managers and members associated with the LMHA good sportsmanship, correct and proper behaviour on and off the ice, respect for authority and team play;

To sponsor and promote such athletic, social, and other activities as may contribute to the finances of the organization.

The Association shall be operated without the purpose of pecuniary gain to any of the Members and any surplus or accretions of the Association shall be used solely for the purposes of the Association and for the promotion of its objects.

**4 – MEMBERSHIP**

Each general member granted membership 18 years of age and older will be given 1 vote per member.

All members shall agree to abide by, and comply with the rules, regulations and bylaws of the LMHA Constitution.

All resignations by members shall be made submitted in writing to the LMHA Secretary and shall be effective upon acceptance thereof by the Board of Directors. In the case of a resignation, a member shall remain liable for payment of any assessment or other sum levied or which became payable by him to LMHA, prior to acceptance of his/her resignation.

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### **GENERAL MEMBER:**

Membership in this association shall be comprised of Minor Hockey Players and of parents/guardians of those players registered and in good standing with LMHA.

### **ASSOCIATE MEMBER:**

Membership will be granted to coaches and coaching staff rostered within LMHA , and Members of the Board of Directors that do not have minor hockey players registered in LMHA.

### **BUILDER:**

Membership may be granted to those individuals who have made a significant contribution to LMHA. These Builders will be chosen by the Board of Directors. There will be no limit to the number of Builders.

### **LIFE MEMBER:**

Life Membership may be granted to any individual who has served a minimum of 12 years on the board and/or who has rendered extraordinary and distinguished service to LMHA. Individuals may only be nominated for Life Membership by a member of the Board. There can only be a maximum of 8 Life Members at any one time. Life Members will have a right to attend all meetings of the Board, committees and members.

## **5 - ANNUAL AND OTHER MEETINGS OF MEMBERS**

The Annual or any other General Meeting of the members shall be held at the Head Office of the Corporation, or elsewhere in Ontario, as the Board of Directors may determine and on such day as the said Directors shall appoint.

### **5.1 - ANNUAL MEETING**

The Annual meeting of the LMHA shall be held not later than May 15<sup>th</sup>.

- a. Notices of motion, correspondence, constitution amendments and other matters for consideration at the Annual General Meeting shall be in writing and signed and sent to the Secretary, fourteen (14) days in advance of the Annual Meeting.
- b. Any amendments to the Rules and Constitutions shall be changed only at the Annual Meeting of the LMHA.
- c. The total membership of the LMHA shall be notified by advertisement or public notice in the Town of Lincoln of the Annual General Meeting twenty-eight (28) days in advance of the meeting date.
- d. Agenda at the Annual General Meeting shall be:
  - i. Minutes of Last Annual Meeting
  - ii. President's Report
  - iii. Treasurer's Report
  - iv. Vice President Administration Report
  - v. Vice President Operations Report
  - vi. Constitutional Amendments
  - vii. Election of Officers

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- viii. New Business
- ix. General Recommendations

### **5.2 - ADDITIONAL GENERAL MEETING OF MEMBERS**

The President shall have the power to call, at any time, a general meeting of the members of the Corporation. The Board of Directors or the Vice-President (2), by a majority vote, shall have power to call at any time, a General Meeting of the members of the Corporation. Notice of member's meetings, shall be given by advertisement or public notice in the Town of Lincoln at least seven (7) days before the meeting, stating the time and place of such meeting; provided that any business that may be transacted with the corporation at General Meetings may transact.

### **5.3 - ERROR OR OMISSION IN NOTICE**

- a. No error or omission in giving notice of any Annual or General Meeting or any adjourned meeting, whether Annual or General, of the members of the Corporation shall invalidate such meeting or make void any proceedings taken thereat. Any member may at any time waive notice of such meeting and may ratify, approve and confirm any or all proceedings taken or had thereat.
- b. For the purpose of sending notices to any member, director or officer for any meeting or otherwise, the address of any member, director or officer shall be his last address or email recorded on the books of the Corporation.

### **5.4 - QUORUM OF MEMBERS**

- a. A quorum for an Annual General Meeting or General Meeting shall be a minimum of 25 members eligible to vote and present in person. No business shall be transacted in the absence of a quorum, except to take measures to obtain a quorum, to establish the time to which to adjourn, or to take a recess.

### **5.5 - VOTING OF MEMBERS**

- a. No member shall be entitled to vote at meetings of LMHA unless he/she has paid all registration monies owing by him/her.
- b. At all meetings of members, every question shall be decided by a majority of the votes of the members present in person, unless otherwise required by the Constitution.
- c. Every question shall be decided in the first instance to a show of hands unless a poll is demanded by any member. Upon a show of hands, every member having voting rights, shall have one vote, and unless a poll be demanded, a declaration by the Chairman that a resolution has been carried or not carried and an entry to that effect in the Minutes of the Corporation shall be admissible in evidence as prima facie proof of that fact without proof of the number or proportion of the votes accorded in favour of, or against such resolution.
- d. The demand for a poll may be withdrawn, but if a poll be demanded and not withdrawn, the question shall be decided by a majority of votes given by the members present and such poll shall be taken in such manner as the Chairman shall direct and the result of such poll shall be deemed the decision of the Corporation in general meeting upon the matter in question.
- e. In case of a tied vote at any general meeting, whether upon a show of hands or at a poll the Chairman shall be entitled to the deciding vote.
- f. Proxies will not be permitted. Members of the Association must be present in person at General Meetings and Annual General Meetings of the Association in order to exercise their

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voting rights in relation to matters coming before a General Meeting or an Annual General Meeting.

**6 - BOARD OF DIRECTORS**

The affairs of the Corporation shall be managed by a Board consisting of a minimum of **fifteen (15)** directors.

- a. The Board of Directors shall consist of:

President	Immediate Past President (ex officio)
Vice-President-Administration	Secretary
Vice-President-Operations	Treasurer
Representative League Convenor	Tyke/Hockey School Convenor
Local League Convenor	Ice Convenor
Promotion & Publicity Co-Ord.	Hockey Development Coordinator
Registrar	Equipment Coordinator
Awards Coordinator	Tournament Coordinator
Sponsorship and Fundraising Coordinator	
  
- b. All shall have full voting power at the time of his election and shall be a member of the Corporation.
  
- c. Each Director shall be elected to hold office until the first annual meeting after the completion of his term or until his successor shall have been duly elected and qualified. The election may be by a show of hands unless a ballot is demanded by any member.
  
- d. The members of the Corporation may, 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, remove any Director before the expiration of his term of office, and may, by a majority of the votes cast at that meeting, elect any person in his stead for the remainder of his term.
  
- e. The following positions require the member to have been on the LMHA Board for a minimum period of two years: President, VP-Administration, VP-Operations.
  
- f. The Past President shall hold a voting, ex officio position for a maximum of two years following their term(s) as President. The Past President shall serve as a support person to the President and the Board. If a new Past President is not in place after two years, the President may ask the member to remain as a non-voting advisor to the board.

It is recommended that any member wishing to be elected to the position of Treasurer be an accountant or bookkeeper.

**6.1 – POWERS**

The Directors of the Corporation may administer the affairs of the Corporation in all things and make or cause to be made for the Corporation, in it's name, any kind of contract which the Corporation may lawfully enter into and, save as hereinafter provided, generally, may exercise all such other powers and do all such other acts and things as the Corporation is by it's charter or otherwise authorized to exercise and do.

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### **6.2 - TERMS OF OFFICE**

Each Director shall hold office for the terms as specified. Directors holding bi-yearly office shall be elected in alternate years described as follows:

	<u>Term of Office</u>	<u>Election Year</u>
President	2 years	Odd year
Vice President-Administration.	2 years	Even Year
Vice President-Operations	2 years	Odd year
Secretary	2 years	Odd year
Treasurer	2 years	Even Year
Local League Convenor	2 years	Even Year
Representative League Convenor	2 years	Even Year
Tyke/Hockey School Convenor	2 years	Even Year
Ice Convenor	2 years	Even Year
Tournament Convenor	2 years	Odd Year
Promotion & Publicity Coordinator	2 years	Even Year
Hockey Development Coordinator	2 years	Odd Year
Registrar	2 years	Odd Year
Equipment Coordinator	2 years	Odd Year
Awards Coordinator	2 years	Even Year
Sponsorship & Fundraising Coordinator	2 years	Even Year

### **6.3 - VACANCIES, BOARD OF DIRECTORS**

- a. Vacancies on the Board of Directors, however caused, may be so long as a quorum of the Directors remain in office, be filled by the Directors from among the qualified members of the Corporation, if they shall see fit to do so. Otherwise such vacancy shall be filled at the next annual meeting of the members at which the directors for the ensuing year are elected. But if there is not a quorum of Directors, the remaining Directors shall forthwith call a meeting of the general membership to fill the vacancy.
- b. If the number of directors is increased between the terms, a vacancy or vacancies, to the number of the authorized increase, shall thereby be deemed to have occurred, which may be filled in the manner above provided.
- c. If a director resigns during his or her term or is dismissed from the board, that director will not be eligible to be elected or hold any board position for two full seasons following the season of resignation or dismissal.

### **6.4 – CONFLICT OF INTEREST**

Every Director who directly or indirectly has an interest in a proposed or existing contract or transaction or other matter relating to the Association shall make a full and fair declaration of the nature and extent of the interest at a Board Meeting.

The declaration of a conflict of interest shall be made at the Board Meeting at which the question of entering into the contract or transaction or other matter is first taken into consideration or, if the Director is not at the date of that Board Meeting interested in the proposed contract or transaction or other matter, at the next Board Meeting held after the Director assumes the office.

After making such a declaration, no Director shall vote on such a contract or transaction or other matter, nor shall he or she be counted in the quorum in respect of such a contract or transaction or other matter. The Director shall not participate in discussion and shall absent themselves from the meeting when any item is

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being discussed by the Board of Directors or any of its committees which the presiding chair considers a conflict;

The Director shall not solicit information on any such item;

The Director shall not be provided any information on any such items by any committee or Board member, Officer or employee;

If a Director has made a declaration of an interest in a contract or transaction or other matter in compliance with this Section, the Director is not accountable to the Association for any profit realized from the contract or transaction or other matter.

If a Director fails to make a declaration of interest in a contract or transaction or other matter in compliance with this Section, the Director shall account to and reimburse the Association for all profits realized, directly or indirectly, from such contract or transaction or other matter.

Any person seeking election or appointment as a Director or Representative, may declare any Conflict of Interest in advance of seeking election to such office. All candidates should read the policy on Conflict of Interest guidelines, which are found above.

### **6.5 – INDEMNIFICATION OF DIRECTORS**

Every Director of the Association and his or her heirs, executors, administrators and estate and effects respectively shall from time to time be indemnified and saved harmless by the Association from and against:

All costs, charges and expenses whatsoever that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her for and 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

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 wilful neglect or default; provided that, no Director of the Association shall be indemnified by the Association in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of statute unless, in an action brought against him or her in his or her capacity as a Director, he or she has achieved complete or substantial success as a defendant.

The Association shall purchase and maintain such insurance for the benefit of its Directors as the Board may from time to time determine.

### **6.6 - RENUMERATION OF DIRECTORS**

The Directors shall receive no remuneration for acting as such.

### **6.7 - CONFIDENTIALITY**

Every Director and Officer of the Association shall respect the confidentiality of matters brought before the Board for consideration.

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### **7 - BOARD RESPONSIBILITIES**

#### **7.1 - QUORUM AND MEETINGS, BOARD OF DIRECTOR**

- a. A quorum shall consist of one-half the Board members plus one (excluding the Chair).
- b. Board of Directors meetings may be held monthly - but no more than 6 weeks apart - at the Beamsville Arena – or other meeting place as designated by the Board. Dates of board meetings for the next meeting will be determined at the end of each regular board meeting.
- c. Notice of special Board of Directors meetings shall be communicated to all members via person, telephone, in writing or by email not less than 24 hours prior to meeting except in the case of an emergency meeting.
- d. Attendance:
  - i. If a Board member misses 3 monthly Board meetings, without notifying the Secretary, he/she shall appear before the Discipline Committee to discuss his/her intentions towards LMHA.
  - ii. If a Board member is not present for more than 6 monthly Board meetings (for whatever reason), he/she shall be removed from the Board.

#### **7.2 - VOTING, BOARD OF DIRECTORS**

- a. Questions arising at any meeting of Directors shall be decided by a majority of votes.
- b. In case of an equality of votes, the Chairman, shall cast the deciding vote. All votes at any such meeting shall be taken by ballot, if so demanded by any Director present, but if no demand were made, the vote shall be taken in the usual way by show of hands.
- c. A declaration by the Chairman that a resolution has been carried and an entry into the minutes to this effect has been written, then this shall become written proof of the proportion of votes in favor or against such resolution.

#### **7.3 – POLICIES AND PROCEDURES MANUAL**

- a. LMHA shall maintain a Policies and Procedures manual which shall provide information on the day to day workings of the LMHA
- b. This manual shall be posted on the LMHA website and shall be updated as necessary.

#### **7.3.1 – CHANGES TO THE POLICIES AND PROCEDURES MANUAL**

- a. The items included in the Policies and Procedures manual may be changed by an acceptance vote of at least 75% of the LMHA Board.
- b. Manual change requests are to be circulated to the board for review/comment at least 7 days in advance of any vote being held to adopt or deny the change request. The voting on a manual change may be conducted at a regularly scheduled LMHA Board meeting or via email should time constraints be an issue.

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### **8 - STANDING COMMITTEES**

The Directors may, from time to time, by resolution, establish such Committees, as they shall decide upon. The members of each Committee so established shall be elected to each committee at the annual meeting of members and/or may be appointed to such Committees by the directors. The members so elected or appointed to each Committee shall appoint from among those so elected, a Chairman of such Committee.

#### **8.1 - COACHES SELECTION COMMITTEE**

- a. Shall consist of Vice-President-Operations, appropriate level Convenor, Hockey Development coordinator and not less than 2 additional members as approved by the Board.
- b. shall be responsible for interviewing and reviewing all coaching staff applications of all Leagues and shall select team coaching staffs for the upcoming season, subject to Board approval.
- c. That a committee comprised of the Hockey Development Co-ordinator, VPOperations and the respective Level Convener compile the results of the returned Coaching evaluations. These results will then be presented to the Head Coach (or Coaching Staff if deemed more useful) for information purposes.

#### **8.2 - DISCIPLINE COMMITTEE**

The Discipline Committee will be appointed by the Board of Directors and shall consist of the President, Vice-President of Operations, Vice President of Administration, and two(2) additional board members to ensure all players, members and team officials adhere to the rules and regulations of the LMHA. To investigate and adjudicate all alleged breaches of conduct and/or rules and regulations committed by any member as defined within the LMHA.

- a. all misconduct issues must be dealt with as expeditiously as possible;
- b. ensure fairness and impartiality in all disciplinary matters;
- c. advise the President and/or Board of Directors on all matters pertaining to discipline within the scope of the LMHA;
- d. develop standards for the application of discipline and to disseminate such standards to all members of the LMHA prior to commencement of the hockey season;
- e. maintain all records of disciplinary action during the course of appointment whether such actions are taken by the Discipline Committee or Board of Directors

#### **8.3 - COMMITTEE REPORTS**

- a. All Committee Chairpersons/assigned Directors, will provide written reports on their meetings and/or findings at the next monthly meeting, and will provide the Secretary with a copy of this written report.
- b. Reports are to be provided even if the Chairperson/assigned director is not available for that meeting.
- c. All monthly meeting reports are to be made available to the directors within a reasonable time frame after that meeting.

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### **9 - EXECUTION OF DOCUMENTS**

- a. Deeds, transfers, licenses, contracts and engagements on behalf of the corporation shall be signed by either the President or a Vice-President and by the Secretary, and the Secretary shall affix the seal of the Corporation to such documents as require the same.
- b. Contracts in the ordinary course of the Corporation's operations may be entered into on behalf of the Corporation by the President, Vice-President, and Treasurer or by any person authorized by the Board.
- c. The President, Vice-Presidents, the Directors, Secretary or Treasurer, or any one of them, or any person or persons from time to time designated by the Board of Directors, may transfer any and all shares, bonds or other securities from time to time standing in the name of the Corporation in its individual or any other capacity or as trustee or otherwise and, may accept in the name and on behalf of the Corporation, transfers or shares, bonds or other securities from time to time transferred to the Corporation, and any affix the Corporate Seal to any such transfers or acceptances of transfers, and may make, execute, and deliver under the Corporate Seal, any and all instruments in writing necessary or proper for such purposes, including the appointment of an attorney or attorneys to make or accept transfers of shares, bonds, or other securities on the books of any company or corporation.
- d. Notwithstanding any provisions to the contrary contained in the Constitutions of the Corporation, the Board of Directors may, at any time, by resolution, direct the manner in which, and the person or persons by whom, any particular instrument, contract or obligations of the Corporation may or shall be executed.

### **10 - FINANCIAL YEAR**

Unless otherwise ordered by the Board of Directors, the fiscal year of the Corporation shall terminate on the 30<sup>th</sup> of April in each year. The report of an independent chartered accountant shall be made available to the members immediately upon its completion (no later than December 1).

### **11 - DEPOSIT OF SECURITIES FOR SAFEKEEPING**

- a. The securities of the Corporation shall be deposited for safekeeping with one or more bankers, trust companies or other financial institutions to be selected by the Board of Directors.
- b. Any, and all securities so deposited, may be withdrawn, from time to time, only upon the written order of the Corporation signed by such officer or officers, agent or agents of the Corporation, and in such manner, as shall from time to time be determined by resolution of the Board of Directors and such authority may be general or confirmed to specific instances.
- c. The institutions which may be so selected as custodians of the Board of Directors shall be fully protected in acting in accordance with the directions of the Board of Directors and shall in no event, be liable for the due application of the securities so withdrawn from deposit or the procedure thereof.

### **12 – NOTICE**

Any notice required to be given to any Director, Officer or member of the LMHA, shall be made in writing and shall be delivered personally or by mail/email. Notice shall be held to be sent at the time of personal receipt or within 5 working days of postmark.

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### **13 - BOOKS AND RECORDS**

The Directors shall see that all necessary books and records of the Corporation required by the Constitutions of the Corporation, or any applicable statute or laws are regularly and properly kept.

### **14 – MAIL**

- a. Board members and coaches are responsible for checking mail slots on a timely basis in order to receive current communications from the Convenors and LMHA Board.
- b. All communications or correspondence relating to LMHA hockey issues must be directed through the LMHA Board of Directors and sanctioned by the Board for handling.
- c. Only correspondence written on official LMHA letterhead and signed by the President and/or Secretary of LMHA Board of Directors will be recognized as 'official' LMHA communications.
- d. All requests regarding information on 'hockey-related' issues will only be recognized from other Hockey Organizations (e.g. OMHA, CHA, OHF, Niag Dist., etc.) on their respective letterhead.
- e. All Lincoln Minor Hockey Association Board of Directors will be kept informed of all communications received by – and sent from LMHA.

### **15 - USE OF ALCOHOLIC BEVERAGES**

- a. The illegal use of alcohol in and around the operations of the Lincoln Minor Hockey Association is strictly prohibited and is subject to legal proceedings.
- b. Under no circumstances will alcohol be allowed in the Beamsville arena during normal operations of the LMHA. This includes exhibition, regular season, and playoff and Tournament hockey games.
- c. It is recommended that any coach, player, executive member or other official of the LMHA should avoid the use of alcohol while they are representing LMHA. If alcohol has been or is to be consumed, then moderation should be the guiding rule.

### **16 – CODE OF CONDUCT**

This Code for Conduct identifies the standard of behaviour which is expected of all LMHA/OMHA members and participants, which, for the purpose of these bylaws, shall include all players, guardians, parents, coaches, officials, volunteers, directors, officers, committee members, convenors, team managers, trainers, administrators and employees involved in LMHA/OMHA activities and events.

#### **Membership in the LMHA is a Privilege, not a Right.**

The LMHA is committed to providing an environment in which all individuals are treated with respect. Members and participants of the LMHA shall conduct themselves at all times in a manner consistent with the values of the LMHA / OMHA which include fairness, integrity and mutual respect.

During the course of all LMHA / OMHA activities and events, members shall refrain from behaviour which brings the LMHA / OMHA or the sport of hockey into disrepute, including but not limited to:

- a. the use of profanity or abusive, demeaning and inappropriate language
- b. the abusive use of alcohol
- c. the use of non-medically prescribed drugs

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- d. the use of alcohol or non medically prescribed drugs by minors
- e. illegal, violent or unsafe acts.

LMHA members and all participants shall at all times adhere to the LMHA / OMHA operational policies and procedures, to rules and regulations governing LMHA / OMHA events and activities, and to rules and regulations governing any competitions in which the member participates on behalf of the LMHA / OMHA.

Members and participants of the LMHA shall not engage in any activity or behavior which interferes with a competition or which endangers the safety of others.

Members of the LMHA shall refrain from comments or behaviours which are disrespectful, offensive, abusive, racist or sexist. In particular, behaviour which constitutes harassment or abuse will not be tolerated.

Failure to comply with the LMHA / OMHA Code of Conduct may result in disciplinary action. Such action may result in the member losing the privileges which come with membership in the LMHA/OMHA, including the opportunity to participate in LMHA/OMHA activities and events, both present and future.

### **17 – TOURNAMENTS**

- a. LMHA sanctioned Tournaments to be hosted by LMHA within the Town of Lincoln will be decided on each year by the Tournament Committee and approved by the Board of Directors 2 weeks prior to the OMHA Annual General Meeting.
- b. Tournament fees shall be set by the Tournament Convenor, taking into account such items as ice costs, officiating costs, award costs, etc., such that tournaments are to be a break even cost event at a minimum.

Passed by the Board of Directors and sealed with the Corporate Seal on the 30<sup>th</sup> day of October 1985 and **amended at the Annual General Meeting of April 28, 2011.**