

# **Western North Carolina USBC**

## **By Laws**

### **Article I – Name**

The association is chartered by the United States Bowling Congress. The name of the organization is the Western North Carolina USBC.

### **Article II – Nonprofit Corporation and Charter**

#### **Section A. Nonprofit Corporation**

The association is organized as a nonprofit corporation and operates consistent with the requirements of an organization classified as tax exempt under Section 501(c) (3) of the Internal Revenue Code (IRC).

#### **Section B. Charter**

The association shall be chartered by USBC and subject to its authority. To maintain its charter, the association must:

1. Provide services for men, women, and youth.
2. Adopt bylaws approved by USBC.
3. Not enact any bylaws or rules inconsistent with USBC's bylaws.
4. Not use any part of the net earnings of the organization for the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.
5. Not have a substantial part of the activities of the organization for carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.
6. Not carry on any other purposes not permitted to be carried on by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

## **Section C. Charter Dissolution**

Upon termination of its charter, the USBC association shall transfer all of its assets remaining after payment of its lawful obligations to the USBC association that is a 501(c)(3) tax-exempt organization(s) serving the bowling centers previously under their jurisdiction, provided such entity is exempt under Section 501(c)(3) of the Internal Revenue Code.

If the named recipients are unwilling to accept the assets, are no longer qualified as 501(c)(3) organizations, or are not longer in existence, then the assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

If the organization fails to transfer its assets within 30 days of their termination, USBC shall be entitled to take whatever action it deems appropriate to ensure such transfer.

These requirements are applicable to all associations whose charter has been revoked as well as all current and future associations.

## **Article III – Purpose**

The purposes of the association as stated in the Article of Incorporation, include, but are not limited to:

1. Providing equal opportunity for all in the sport of bowling without regard to race, religion, age, gender, disability, or national origin.
2. Promoting the game of American Tenpins.
3. Conducting and supporting bowling competition.
4. Engaging in any other activities permitted by an organization classified as tax Exempt under Section 501(c) (3) of the Internal Revenue Code.

## **Article IV – Membership and Dues**

Membership is composed of individuals who pay dues to the association and is in effect from August 1 through July 31.

Each individual shall pay national, state and local dues, except as provided in Rule 100e, Traveling League and 1001, Mail-o-Graphic League.

The Board and members, by two-thirds vote, determine and adopt local adult dues. The annual adult membership dues are as follows:

- Local \$ 8.00
- State \$ 1.00 (Cannot exceed \$5)
- USBC \$15.00 (Cannot exceed \$15)

The board may waive all or part of local dues for:

1. Members of other USBC associations having a reciprocal agreement with the association.
2. Other groups, such as seniors, etc., as determined by the Board.

The association cannot charge additional non-dues assessments.

Membership is not transferable.

## **Article V – Board of Directors – Management**

### **Section A. Board Composition, Authority, and Duties**

The management and governance of the association is vested in the Board of Directors that include the Officer and Director positions. The board adult members and youth representatives determine:

1. The number of positions on the board
2. Terms
3. Term limits, if any

The board shall not engage in any acts constituting a conflict of interest. The board's duties include but are not limited to:

1. Enforcing the laws.
2. Complying with the USBC Association Policy Manual.
3. Conducting the championship level competition for its membership constituency and complying with state and local laws in the area.
4. Providing education, training, evaluations, recognition and other services as determined by USBC.

5. Implementing USBC programs.
6. Selecting/appointing the Association Manager.
7. Approving use of membership records.
8. Re-rating the league average of an association member when there is evidence the bowler's average does not represent the bowler's true ability.
9. Conducting suspension and reinstatement hearings, if requested by USBC Headquarters. (See the Suspension and Reinstatement Chapter for re-rate, suspension, reinstatement and appeal procedures.)

## **Section B. Eligibility**

A candidate for the board must be:

1. A USBC member in good standing of the association at the time of election and throughout their term.
2. Elected or appointed without regard to race, color, religion, gender, disability, national origin, or age, other than the minimum age of 14, unless state laws mandate a specific age, and be reasonably representative of the members.
  - a. Any member of the board authorized to sign contracts or acting as a signatory on association accounts must be a minimum age of 18.
  - b. A maximum of three bowling center proprietors may serve on the board at one time. A proprietor is an individual who is the owner, partner, or corporate officer of a bowling center or group of bowling centers. Excluded from the definition of proprietor is an individual who owns 25% or less of the equity shares, or who is inactive in the management of the bowling center and remains so during a term as an officer or director.

## **Section C. Election of Directors**

Directors are elected by majority vote\*, of the membership present and voting, from:

1. A slate provided by the Nominating Committee.
2. Nominations from the floor.

Qualifications must be submitted in a format specified by Board to the Nominating Committee.

Voting will be by ballot if there is more than one nominee for each position.

\*If a majority vote is not reached on the first ballot, the candidate receiving the lowest vote total is dropped and balloting continues until a candidate receives a majority vote.

## Section D. Term

The term for directors is 3 years. The number of years in a term, the number of terms allowed and a stagger system are determined by the membership.

One-third of the board to be elected each year.

### Stagger System – Three Year Terms

#### Year One

President

6 Directors

#### Year Two

1<sup>st</sup> Vice President

6 Directors

#### Year Three

2<sup>nd</sup> Vice President

7 Directors

## Section E. Resignation, Removal, and Vacancies

1. **Resignation.** A board member may resign from the board of directors by providing written notice of resignation to the president or, in the case of the president, to the board.
2. **Removal for Ineligibility.** A board member who is no longer eligible to serve on the board may be removed by a two-thirds vote of the board when a quorum is present.
3. **Removal for Cause.** When a Board member is accused, in writing, of failure to properly perform the duties of their office or otherwise engaging in improper or unfair activities or conduct, the Board may conduct a hearing following the Removal Procedures in the Suspension and Reinstatement Chapter. An appeal may be filed with USBC within 15 days of the removal. Two-thirds written consent of the full board is required to seek re-election and/or re-appointment to the board.
4. **Vacancies.** Vacancies in positions on the board are filled for the un-expired Portion of each term as follows:
  - a. The president, with board approval, shall fill vacancies in director positions.
  - b. The board fills vacancies in officer positions.

## Article VI – Officers

### Section A. President and Vice President

The officers of this association shall include a president and vice president. (the association determines if more than one vice president or a sergeant-at-arms is necessary and defines their duties and responsibilities in the association's operations manual.)

## **Section B. Election**

Officers are elected by a majority vote of the Board and members present and voting from:

1. A slate provided by the Nominating Committee.
2. Nominations from the floor.

Qualifications must be submitted in a format specified by the board to the Nominating Committee.

Voting will be by ballot if there is more than one nominee for each position.

## **Section C. Term**

The term for elected officers is 3 years, not to exceed three years in a term. The number of years in a term, the number of terms allowed and a stagger system are determined by the Board and members.

## **Section D. Authority and Duties**

### **1. President**

- a. Presides at all meetings.
- b. Acts as spokesperson for the association.
- c. Appoints committees with board approval.

**Note:** Committees should be composed of both Board members and non-Board members. (See Committees in the USBC Association Policy Manual for additional information.)

### **2. Vice President**

- a. Presides at all meetings when the president is absent.
- b. Performs other duties as prescribed by the board or requested by the president.

### **3. Association Manager**

- a. Selected/appointed by and accountable to the board.
- b. Acts as the ex-officio non-voting secretary/treasurer of the board or such other officer designation as required by law and determined by the board.
- c. Responsible for other duties as prescribed by the board and in the USBC Association Policy manual.

## **Article VII – Meetings**

### **Section A. Annual Meeting**

An Annual Meeting of the board and members shall be held at a time and place approved by the board. (See Article IX, Section D for the time frame for election of delegates and alternates to the USBC meeting.)

#### **1. Attendance**

Attendance is open to all members

#### **2. Voice and Vote**

Board and members of this association, at least 14 years of age, unless state laws mandate a specific age, have voice and vote. Members not meeting the above stated criteria may attend with voice only. Absentee and proxy voting are not permitted.

#### **3. Responsibilities**

Members shall:

- a. Adopt bylaws, including local adult dues amount, up to the established maximum.
- b. Elect officers and directors to the board.
- c. Elect delegates and alternates for the USBC and State Annual Meetings.

#### **4. Meeting Notice**

Written notice of the meeting shall be forwarded to the board and league secretaries, which should be at least 15 days prior to the annual meeting.

#### **5. Special Meetings**

Special membership meetings may be called by the president or upon written request of at least three board members.

#### **6. Quorum**

15 members constitute a quorum. The members of the board determine the number.

#### **7. Action**

A majority vote of the board and members present and voting, at a properly noticed meeting, when a quorum has been established, is required to take action, unless otherwise provided by law or these bylaws. (Election of officers and directors requires a majority vote. Election of delegates and alternates requires a plurality vote. Absentee and proxy voting are not permitted.)

## **Section B. Board Meeting**

The board shall meet, at a minimum, as often as required by state law. Special meetings may be held upon the request of any board member if a majority of the board approves.

1. **Notice.** Written notice for all regular and special meetings shall be forwarded to the board, which should be at least 15 days prior to the meeting.
2. **Quorum.** 12 board members constitute a quorum. The board and members determine the number.
3. **Action.** A majority vote of the Board and members present and voting, at a properly noticed meeting, when a quorum has been established, is required to take action, unless otherwise provided by law or these bylaws. Absentee and proxy voting are not permitted.

## **Section C. Parliamentary Procedure**

The most recent edition of *Robert's Rules of Order, Newly Revised*, governs all meetings.

## **Article VIII – Committees**

### **Section A. Standing Committees**

The association shall have the following Standing Committees: Nominating and Finance.

1. **Nominating Committee.** The committee reviews candidates and prepares slates and publicizes criteria and procedures for the elected positions for the board and delegates/alternates to state and USBC annual meetings.
2. **Finance Committee.** The committee is responsible for reviewing and monitoring the annual budget and other financial matters.

### **Section B. Other Committees**

The president may establish other committees, with board approval.

## **Article IX – Delegates/Alternates**

### **Section A. USBC Annual Meeting**

Delegates and alternates to the USBC Annual Meeting are elected by plurality vote by the board and members present and voting. (See Article VI, Section A of the national bylaws for representation.)

**Note:** The definition of a Delegate is an individual, 18 years of age or older, who holds USBC membership.

### **Section B. State Annual Meeting**

Delegates and alternates to the state annual meeting are elected by plurality vote by those members, officers and directors present and voting.

### **Section C. Eligibility**

1. **USBC Annual Meeting.** Delegates and alternates must be:
  - a. Elected by the members, officers and directors.
  - b. At least 18 years of age.
  - c. A USBC member in good standing of the association at the time of election and throughout their term.
2. **State Annual Meeting.** Nominees must be:
  - a. Elected by the members, officers and directors.
  - b. At least 14 years of age.
  - c. A USBC member in good standing of the association at the time of election and throughout their term.

If a member is elected to represent more than one association to attend the same meeting the first election shall stand and any succeeding election shall be declared null and void.

A local association is not eligible to send delegates if it is declared delinquent or USBC has revoked its charter.

**Note:** An association that has not processed dues for the current season shall be considered delinquent.

## **Section D. Election**

Delegates and alternates serve for one year, beginning August 1, and are elected by:

1. A slate provided by the Nominating Committee.
2. Nominations from the floor. (Qualifications must be submitted to the Nominating Committee.)
3. Plurality vote. The election shall be by ballot, except that a voice vote may be taken when the number of candidates does not exceed the number of positions to be filled.
4. Alternates shall serve in order of their election.

The election to be held in compliance with the USBC or State Annual Meeting requirements.

## **Section E. Vacancies**

Vacancies are filled for the un-expired portion of each term as follows:

1. If elected by the members, vacancies are filled by the alternates in the order in which they were elected.
2. If a vacancy still exists, the president fills the vacant position by appointment.

The appointee must also meet the same eligibility requirements as elected positions.

# **Article X – Amendments**

## **Section A. Procedure**

Any member of the association may submit proposed amendments to these bylaws. The local association bylaws may be amended at any membership meeting, by a two-thirds vote of the board and members present and voting.

The amendment must be:

1. Submitted in writing to the Association Manager or president.
2. Submitted at least 30 days prior to the meeting when the association is considering the proposal. (See Section B, change in Dues.) The date or number of days is to be set by the board and members.

### **Section B. Change in Dues**

Forward a notice at least 30 days prior to the meeting at which the proposed change is considered to league secretaries.

The notice must:

1. Be in writing.
2. Specify the amount of the change.
3. Specify the reason for the change.

Notification of any adopted change in dues, and the reason for the change, will be forwarded, in writing to each BA league secretary.

### **Section C. Effective Date**

All amendments are effective August 1, following adoption, unless otherwise specified when adopted.

## **Article XI – Fiscal Year**

The fiscal year of this association is August 1 through July 31.

## **Article XII – Indemnification**

Directors, officers, and other authorized volunteers, employees or agents shall be indemnified against claims for personal and individual liability arising in connection with their positions or service on behalf of the association to the full extent permitted by law.