



# THE BULL TERRIER CLUB OF AMERICA, INC.

## CONSTITUTION

### Article 1.

Section 1 – Name: The name of the club shall be BULL TERRIER CLUB OF AMERICA, INC.

Section 2 – Objects of the Club

- A. To promote the breeding and exhibiting of healthy, intelligent, pure-bred Bull Terriers that will conform to the physical characteristics set forth in the official standard of the Bull Terrier Club of America and approved by the American Kennel Club.
- B. To encourage members and breeders to respect the standard of the breed as approved by the American Kennel Club as the only standard by which the Bull Terrier shall be judged.
- C. To encourage the formation of local clubs devoted to the Bull Terrier and to cooperate with them for the benefit of the breed
- D. To promote friendship and cooperation among breeders and exhibitors of Bull Terriers and to encourage and assist them in every way for the benefit of the breed.
- E. To promote the general welfare of the breed and to actively oppose cruel and inhumane treatment of all Bull Terriers.
- F. To encourage members to uphold and abide by the Code of Ethics and the Standard of Conduct as adopted by the club.
- G. To conduct sanctioned matches, specialty shows, obedience trials and any other events for which the club is eligible under the Rules and Regulations of the American Kennel Club.

Section 3

The club shall not be conducted or operated for profit and no part of any profits or remainder or residue from dues or donations to the club shall inure to the benefit of any members or individual.

Section 4

The members of the club shall adopt and may from time to time revise such Bylaws as may be required to carry out these objects.

## BY-LAWS

### Article 1

Membership

Section 1 – Eligibility

- A. Membership shall be open to all persons eighteen years of age or older who are in good standing with the American Kennel Club and who subscribe to the purposes of this club. There shall be three classes of membership; regular, associate, and life.

- B. Life membership may be bestowed upon specific individuals who have demonstrated an active involvement and commitment to the breed for a minimum of ten years. Qualification criteria for this status must be for meritorious service in one or more of the following areas: as a breeder or a breed judge or a club administrator or for activity reflecting public credit on the breed through literature, the arts or journalism. Application for Life Member must be made in the form of a petition to the Board signed by five members in good standing and accompanied by the written acceptance of the proposed individual signifying his or her willingness to be a candidate for Life Member status. An application which has received an affirmative vote by the Board shall be presented to the membership at the annual meeting where a favorable vote of seventy-five percent of the members present shall confer Life Member status upon the applicant. Life Members shall be granted permanent exemption from club dues obligation. All rights, privileges and responsibilities appertaining to club membership shall accrue to the Life Member with the exception of the right to hold the office of the President. The provisions of this section shall in no way restrict actions of the club conferring from time to time honors of a non-membership nature upon individuals.

## Section 2 – Dues

Dues for the following year shall be set by the Board of Directors not to exceed \$75.00. In any year that the board does not act on or before September 1<sup>st</sup>, the dues amount shall remain unchanged for the ensuing year. Dues are payable on or before the first day of November of each year. The dues set for associate members shall be less than that set for regular members. If a regular member renews his or her annual dues paying the amount set for associate members, that membership shall become an associate membership. To revert to regular membership status will require a new application. Members missing the payment date may reinstate their membership up to thirty days after the deadline by paying their dues. Thereafter, members must reapply as subject to Section 3 – Election to Membership. Each regular member shall have one vote regardless of whether dues were paid as a single or couple. No regular member may vote whose dues are not paid for the current year. During the first week of September the Treasurer shall send to each regular and associate member a statement of their dues for the ensuing year.

## Section 3 – Election to Membership

Each applicant for membership shall apply on a form as approved by the Board and which shall provide that the applicant agrees to abide by the Constitution and Bylaws and the rules of the American Kennel Club. The application shall state the name, address and telephone number of the applicant and shall carry the endorsement of two members in good standing. Accompanying the application the prospective member shall submit dues payment for the next calendar year and an application fee in an amount set by the Board. Applicant's name shall be read at any regular club meeting and included in the minutes of that meeting. At the annual meeting of the club the application shall be voted upon. The vote will be verbal unless a secret ballot is requested. The club shall elect such applicant by a favorable vote of seventy-five percent of the members present. An application which has been rejected may be presented by the applicant's endorser at the next annual meeting of the club and the club may

elect such applicant by a favorable vote of seventy-five percent of the members present. If at the time of the annual meeting there is not a quorum present, the application may be voted upon at the next Board of Directors meeting. A favorable vote of seventy-five percent of the Board members shall elect such applicant.

#### Section 4 – Rights of Membership

A regular member in good standing is entitled to all privileges of the club. These privileges include but are not limited to:

- a. the right to vote in all club elections
- b. the right to vote on all matters requiring a plebiscite
- c. the right to be elected or appointed to any club office

An associate member in good standing is entitled to all the privileges of the club except:

- a. the right to vote in all club elections or plebiscite (this includes nomination of additional candidates)
- b. the right to be elected or appointed to any club office although may serve on club committees

#### Section 5 – Termination of Membership: Membership may be terminated:

- A. By resignation. Any member in good standing may resign from the club upon notice to the Executive Secretary, but no member may resign when in debt to the club. Obligations other than dues are considered a debt to the club and must be paid in full prior to resignation.
- B. By lapsing. A membership will be considered as lapsed and automatically terminated if such members dues remain unpaid sixty days (i.e. December 31<sup>st</sup>) after the first day of the fiscal year, (i.e. November 1<sup>st</sup>).
- C. By expulsion. A membership may be terminated by expulsion as provided in Article VI of these Bylaws.

## **Article II**

### Section 1 – Annual Meeting

The annual meeting of the club shall be held between September 15 and October 31 in conjunction with the club's Silverwood Competition, if possible, at a place, date, and hour designated by the Board of Directors. The quorum for the annual meeting shall be ten percent of the regular membership in good standing.

### Section 2 – Regular Meetings

In addition to the annual meeting, there shall be two regular meetings. They shall be set at a place, date, and time designated by the Board of Directors. The quorum for a regular meeting shall be ten percent of the regular members in good standing.

### Section 3 – Special Meetings

Special meetings may be called by the President or by a majority vote of the Board, or by the Executive Secretary upon receipt of a petition signed by ten members of the club who are in good standing. Such meetings shall be held at such date hour and place as maybe designated by the Board of Directors. The quorum for such a meeting shall be ten percent of the regular membership. Notice of the meeting shall be sent by the Executive Secretary at least 14 days and not more than 30 days prior to the date of the meeting. The notice of the meeting shall state the purpose of the meeting and no other club business may be transacted.

### Section 4 – Board Meetings

Pursuant to California Statutes - Meetings of the Board of Directors shall be held at such times and places as are designated by the President or by a majority vote of the entire Board. Written notice of such meetings shall be mailed by the Executive Secretary to each member of the Board at least 14 days prior to the date of the meeting, except in a meeting in which such notice is waived by all Board members. Participation in a meeting by a Board member shall be deemed to be such a waiver unless the Board member **announces that he or she is not waiving notice of the meeting**. The quorum for a Board meeting shall be a majority of the Board voting in person or by conference call. The Board shall hold not less than three in person meetings per year.

### Section 5 – Notice of Club Meetings

Meeting notices, dues notices, special notices and minutes may be distributed by either email or regular postal service, at the choice of the member. Members wishing notices and minutes by regular postal service need to notify the Executive Secretary. The default option will be distribution by email where an email address has been provided during application or membership renewal. A notice, agreeing to notifications by email, shall be included on the dues renewal form and by signing this notice the member agrees to this form of communication. Such authorization, which is revocable, will also release the Club from any liability should the notification be received late or not received by the member due to circumstances beyond the Club's control. Written notice of all meetings shall be mailed by the Executive Secretary at least thirty days prior to the meeting.

## **Article III**

### Directors and Officers

#### Section 1 – Board of Directors

The Board shall comprise the President, First Vice President, Second Vice President, Treasurer, Executive Secretary, Corresponding Secretary, Delegate to the AKC, and Director at Large #1 and Director at Large #2, all of whom shall be regular members in good standing who are residents of the United States. They shall be elected for two-year terms as provided in Article IV and shall serve until their successors are elected, or until they reach the term limit prescribed below. The general management of the club's affairs shall be entrusted to the Board of Directors. The Board may conduct its business by email, regular mail, fax, or telephone conference call. When this is done on any matter requiring a vote of the Board, a written ballot on that vote shall be required subsequent to a telephonic or fax action.

- A. Meetings – are defined as gatherings where attendees see and/or hear each other. This includes meeting (in person) “physically” in the same room or conducting a meeting by video conference or teleconference.
- B. Business (voting) – can be conducted at meetings or through mail, fax, email or telephone. In order for business to be conducted by email the following precautions must be in place :
  - 1) every Board member must be provided with the means to participate;
  - 2) a procedure must be in place to verify the identity of the individuals participating to ensure that they are the eligible Board members;
  - 3) a mechanism must be in place to verify that the eligible Board members are “listening”;
  - 4) all Board members must agree to participate in this manner.

## Section 2 – Officers

- A. The officers shall be President, First Vice President, Second Vice President, Executive Secretary, Corresponding Secretary, and Treasurer.
- B. All officers and directors at large shall have a term limit of 3 consecutive 2 year terms, except the President. At the conclusion of these terms, the individual must either come off the Board for one term, or succeed immediately to the office of President and then be subject to the term limit of that office. The President shall serve a maximum of two consecutive terms as President.
- C. The President shall preside at all meetings of the club and shall have the duties and powers normally appurtenant to the office of President in addition to those particularly specified in the Constitution and Bylaws. He or she shall be Chairman of the Board of Directors.
- D. The First Vice President shall have the duties and exercise the powers of the President in case of the President's death, absence, or incapacity. He or she may succeed to the office of President.
- E. The Second Vice President shall have the duties and exercise of the First Vice President in the case of the First Vice President's death, absence, or incapacity.
- F. The Executive Secretary shall keep a record of all meetings of the club and the Board of Directors and all votes taken by mail except as provided in Article IV and Article VII, and of all matters of which a record shall be ordered by the club. He or she shall have charge of the correspondence, notify members of meetings, notify

- new members of their election to membership, notify officers of their election to office, and keep a roll of the members of the club with addresses, and carry out such other duties as are prescribed in these Constitution and By-laws.
- G. The Corresponding Secretary shall act as club representative in all matters involving correspondence with non-members and non-member organizations. It shall be the responsibility of the Corresponding Secretary to deal with all queries from the public regarding the breed and club function.
  - H. The Treasurer shall collect and receive all monies due or belonging to the club. He or she shall deposit the same in a bank satisfactory to the Board in the name of the club. His or her books shall at all times be open to inspection by the Board and he or she shall report to them at every meeting the condition of the club and at the first club meeting of the year he or she will render an account of all monies received and expended during the previous fiscal year. He or she shall also chair a trust fund committee appointed by the Board for the purpose of coordinating club activity and monies bequeathed to the Bull Terrier Club of America. At the first club meeting of the year he or she will render an account of all trust assets and activities. The Treasurer shall be bonded in such amount, as the Board shall determine.
  - I. The Delegate to the American Kennel Club is the official representative of the Bull Terrier Club of America to the American Kennel Club. As such, he or she shall reflect the policies of the club when voting at American Kennel Club meetings. In the event that no policy has been established on a matter, the Delegate shall vote in accordance with the purpose of the club as set forth in the Constitution.

### Section 3 – Vacancies

Any vacancies occurring among the officers during the year shall be filled for the unexpired term of office by a majority vote of the then members of the Board; except that a vacancy in the office of President shall be filled automatically by the First Vice President and the resulting vacancy in the office of First Vice President shall be filled automatically by the Second Vice President. The resulting vacancy in the office of Second Vice President shall be filled by the board. Filling an unexpired term shall not be considered as a term of office of President, First Vice President or Second Vice President.

## **Article IV**

### Club Year, Voting, Nominations and Elections

#### Section 1 – Club Year

The club's official and fiscal year shall begin on November first and end on the thirty-first day of October. Those officers, directors, and the AKC Delegate, who are elected, shall take office at the conclusion of the Annual Meeting.

#### Section 2 – Voting

A. The election of officers, directors, and Delegate to the American Kennel Club, amendments to the Constitution and Bylaws, the standard of the breed and any major changes in the club policies must be written on a ballot to the entire regular membership and cast by mail.

B. The Board of Directors may decide to submit specific questions to the entire regular membership for decision by written ballot.

C. The regular members present at a regular meeting may decide by vote to submit specific questions to the entire regular membership for decision by written ballot.

### Section 3 – Elections

The election of officers, directors, and the Delegate to the American Kennel Club shall be held every other year. The term of office shall be two years. The Board of Directors shall designate an election agent to conduct any club elections. It shall designate a public accounting firm as election agent for the election of officers, directors and the Delegate to the American Kennel Club. For all other types of club elections the Board of Directors shall designate an election agent who may be an officer, director, member, non-member or a public accounting firm. The election shall be conducted by secret written ballot. The election agent shall keep secret the results of the election and shall deliver them in a sealed envelope to the Executive Secretary no later than October 1 of the year of the election. The election agent shall retain possession of, and keep available for inspection, all cast ballots and the records of the election for sixty days after the annual meeting or longer if so directed by the Board. After the results are announced, any candidate may, at his or her own cost, inspect the ballots and the election results. Such inspections shall not reveal the identity of any member's ballot. The persons receiving the largest number of votes for each position shall be declared elected. In the case of the Directors at Large, the two persons getting the highest numbers of votes shall fill the two positions. In case of a tie, the winner shall be determined by the toss of a coin, at the annual meeting. If any nominee, at the time of the election is unable to serve for any reason, such nominee shall not be elected and if a vacancy is thus created, it shall be filled by the new Board of Directors in the manner provided by Article III, Section 3.

### Section 4 – Nominations and Ballots

A. No later than April 1 of the year in which an election is to be held, the Board of Directors shall choose from different areas of the United States a Nominating Committee of three and two alternates, all regular members in good standing, one of whom shall be named chairman. Any vacancy on this committee during the tenure of office shall be filled by the Board and no officer or director may be a member of this committee.

B. The Nominating Committee shall nominate from among the eligible members of the club one candidate for each office and a candidate for Delegate to the American Kennel Club, and shall procure the acceptance in writing of each nominee so chosen. A member of the Nominating Committee shall not be eligible to be a nominee. The Nominating Committee may conduct its business by FAX, mail, or telephone; however, the written recommendations of the Nominating Committee must be submitted to the Executive Secretary by the committee chairman no later than June 1. The Executive Secretary shall mail the list to each regular member of the

club on or before June 15 so that additional nominations may be made by the regular members if they so desire.

C. Additional nominations of eligible members may be made only by written petition addressed to the Executive Secretary at his or her regular address on or before July 15 signed by five BTCA regular members in good standing and accompanied by the signed written acceptance of each such additional nominee signifying his or her willingness to be a candidate. The petition and acceptance must be actual signatures; fax or photocopied signatures are unacceptable. The petition and acceptance may not be deliverable by fax or any other electronic duplicating communication device. No person shall be a candidate for more than one office.

D. No person may be a candidate for election who has not been nominated in accordance with these Bylaws. Nominations cannot be made in any manner other than as provided above.

E. If no valid additional nominations for a position are received by the Executive Secretary on or before July 15, the person nominated by the Nominating Committee shall be declared elected on October 1 and no further election for that position shall be required. Any contested position shall proceed to election by written ballot.

F. If any position or positions are contested, only those positions shall proceed to an election by secret written ballot. In a contested election the Board of Directors shall designate an election agent who shall mail on or before August 15 to each regular member in good standing a ballot listing, in alphabetical order, all nominees for the contested positions, together with a return envelope addressed to the election agent marked "Ballot" and bearing the name of the regular member or members to whom it was sent. The election agent shall check the returns against a list of regular members in good standing prior to opening the envelopes and shall certify the eligibility of the voters as well as the results of the voting. Ballots to be valid must be received by the election agent no later than September 15 in the envelope sent to the regular membership. The results of the balloting shall remain secret until announced by the Executive Secretary when he or she receives them from the election agent. The Executive Secretary shall announce the results of the election no later than October 1 and the elected persons shall take office pursuant to Article IV, Section 1.

## **Article V**

### **Committees**

#### **Section 1**

The Board may each year appoint standing committees to advance the work of the club. Such committees shall always be subject to the final approval of the Board. Special committees may also be appointed by the Board to aid it on particular projects. Such committees shall always be subject to the final authority of the Board.

#### **Section 2**

The Board, by a majority vote, may terminate a committee appointment or dissolve a committee upon written notice to the appointees. The Board may appoint successors to those persons whose service has been terminated. Terminating or retiring committee persons shall turn over to the committee or to the Board all properties and records relating to their committee assignment within thirty days after leaving that office.



## **Article VI**

### **Discipline**

#### **Section 1 – American Kennel Club Suspension**

Any member who is suspended from all the privileges of The American Kennel Club automatically shall be suspended from privileges of this club for a like period.

#### **Section 2 – Charges**

Any member may prefer charges against another member for alleged misconduct prejudicial to the best interest of the club or the breed. Written charges with specifications must be filed in duplicate with the Executive Secretary with a deposit of \$100 which shall be forfeited if such charges are not sustained by the Board or a committee following a hearing. The Executive Secretary shall promptly send a copy of the charges to each member of the Board or present them at a Board meeting, and the Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the club or breed. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the club or breed, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charge, it shall fix a date of a hearing by the Board or a committee of not less than three members of the Board, not less than three weeks nor more than twelve weeks thereafter. The Executive Secretary shall promptly send one copy of the charges to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his or her own defense and bring witnesses if he or she wishes.

#### **Section 3 – Board Hearing**

The Board or committee shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant will be treated uniformly in that regard. Should the charge be sustained after hearing all the evidence and testimony presented by complainant and defendant, the Board or committee may, by a majority vote of those present, reprimand the defendant, or suspend the defendant from all privileges of the club for not more than six months from the date of the hearing, or until the next annual meeting, if that will occur after six months, and if it seems that this punishment is insufficient, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant's right to appear before his or her fellow members at the ensuing club meeting which considers the recommendation of the Board or the committee. Immediately after the Board or the committee has reached a decision, its finding shall be put in written form and filed with the Executive Secretary, in turn, shall notify each of the parties of the decision and penalty, if any.

#### **Section 4 – Expulsion**

Expulsion of a member from the club may be accomplished only at the Annual Meeting of the club following a hearing and upon the recommendation of the Board, or Board committee, as provided in Section 3 of the Article. The defendant shall have the privilege of appearing in his own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the findings and recommendations, and shall invite the defendant, if present, to

speak in his own behalf. The members shall then vote by secret ballot on the proposed expulsion. A 2/3 vote of those present and voting at the Annual Meeting shall be necessary for expulsion. If expulsion is not so voted, the suspension shall stand.

#### Section 5 – Disqualification

Any member of the Board of Directors directly involved in disciplinary charges as either complainant or defendant shall disqualify himself or herself from participating in the case in any role other than as a witness.

### **Article VII**

#### Amendments

##### Section 1 – Proposing Amendments

Amendments to the Constitution and Bylaws and to the standard of the breed may be proposed by the Board or by a majority vote of the regular members present at any regular meeting. Amendments proposed by such a majority vote shall be considered by a committee selected by the Board of Directors. Such committee shall provide interim reports on the status of the proposed amendment to the Board until the proposal is finalized. If the Board approved the proposed amendment as submitted by the committee, it shall be promptly submitted to the regular membership by the Executive Secretary for a vote as provided in Article VII, Section 2. Amendments may also be proposed by written petition addressed to the Executive Secretary signed by 20% of the regular membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendations of the Board by the Executive Secretary for a vote within three months of the date when the petition was received by the Executive Secretary.

##### Section 2 – Amendment Procedure

The Constitution and Bylaws and the Standard of the Breed may be amended at any time provided a copy of the proposed amendment has been mailed by an election agent appointed by the Board to each regular member in good standing on the date of the mailing accompanied by a ballot on which he or she may indicate his or her choice for or against the proposed amendment. The amendment proposal notice shall also specify a date not less than thirty days after the date of mailing by which date the ballots must be returned to the election agent to be counted. To insure a fair and accurate ballot, the election agent shall utilize the same balloting procedures provided for in Article IV, Section 4F. The election agent shall keep secret the results of the balloting and shall deliver them in a sealed envelope to the presiding officer at the next regular meeting following the balloting. After the results are announced, any regular member, at his or her own expense, may inspect the ballots and the election results. Such inspection shall not reveal the identity of any member's ballot. The favorable vote of two-thirds of the regular members in good standing who return valid ballots within the time limit shall be required to effect any amendment to the Constitution and Bylaws. A favorable vote of three-quarters of regular members who are in good standing and who return valid ballots within the time limits shall be required to effect any amendment to the breed standard.

### Section 3 – Approval by the American Kennel Club

No amendment to the Constitution and Bylaws or to the breed standard that is adopted by the club shall become effective until it has been approved by the Board of Directors of the American Kennel Club.

### **Article VIII**

#### Dissolution

The club may be dissolved at any time by the written consent of not less than three-quarters of the regular members in good standing. In the event of the dissolution of the club, other than for purposes of reorganization, whether voluntary or involuntary or by operation of law, none of the property of the club nor any proceeds thereof nor any assets of the club shall be distributed to any members of the club, but after payment of the debts of the club, its property and assets shall be given to charitable organization selected by the Board of Directors for the benefit of dogs.

### **Article IX**

#### Order of Business

##### Section 1 – Club Meetings

At meetings of the club, the order of business, so far as the character and nature of the meeting shall permit, shall be as follows:

Role Call

Minutes of Last Meeting

Report of the President

Report of the Executive Secretary

Report of the Corresponding Secretary

Report of the Treasurer

Report of the Committees

Election announcements when applicable

Election of New Members

Unfinished Business

New Business

Adjournment

##### Section 2 – Board Meetings

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

Reading of Minutes of Last Meeting

Reports of Officers

Reports of Committees

Unfinished Business

Election of New Members

New Business

Adjournment

**Article X**

Parliamentary Authority

The rules contained in Robert's Rules of Order, Revised, shall govern the parliamentary procedure of the club when not inconsistent with the Constitution and Bylaws of this club.

Amended BTCA: October, 1994  
Approved AKC: November, 1994  
Amended BTCA: June, 2002  
Amended BTCA: August 2003  
Approved AKC: August 2003  
Amended BTCA: October, 2008  
Approved AKC: January 12, 2009