

DOBERMAN PINSCHER CLUB OF CHARLOTTE, INC.

CONSTITUTION AND BY-LAWS

ARTICLE I

NAME and OBJECTIVES

Section 1. The name of the club shall be Doberman Pinscher Club of Charlotte, Inc.

Section 2, The objectives of the club shall be:

(a) to promote, preserve and protect the purebred Doberman Pinscher and to do all possible to bring their natural qualities to perfection.

(b) to urge members and breeders to accept the standard of the breed as approved by the American Kennel Club as the only standard of excellence by which a Doberman Pinscher shall be judged.

(c) to do all in its power to protect and advance the interest of the breed by encouraging sportsmanlike competition at dog shows, obedience and agility trials, and tracking tests.

(d) to conduct sanctioned and licensed specialty shows, obedience trials, agility trials, Working Aptitude Tests and other sanctioned events under the rules of the American Kennel Club and the Doberman Pinscher Club of America, respectively.

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 or from income shall inure to the benefit of any member or of a members household or of any individual. Upon the liquidation of the club, all of its assets after satisfying all its liabilities shall be distributed to another organization, exempt from federal income taxes, under the same Internal Revenue Code Section as this organization,

Section 4.

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

DOBERMAN PINSCHER CLUB OF CHARLOTTE, INC. BY - LAWS

ARTICLE I

MEMBERSHIP

Section 1. Eligibility

(a) There shall be one type of membership, active membership, open to all persons 18 years of age and older who are in good standing with the American Kennel Club and who subscribe to the purpose of this club and the Code of Ethics of the Doberman Pinscher Club of America. There is not an end.

(b) While membership is to be unrestricted as to residence, the club's primary purpose is to be representative of the breeders, exhibitors, and/or owners in its immediate area.

Section 2. Dues. Membership dues shall be set from time to time by the board (not to exceed \$50) and voted on by the general membership and placed in the minutes. Dues will be payable on or before the first day of January of each year. No member may vote whose dues are not paid for the current year. During the month of November the treasurer shall send to each member a statement of his dues for the ensuing year. Applicants joining after September 1 shall pay one half of the annual dues for the remainder of the year.

Section 3. Election to Membership. Each applicant for membership shall be issued (by the Secretary) a copy of "The Standard of the Doberman Pinscher", By-Laws of the club, the "DPCA Code of Ethics and the DPCC mediation agreement form to be signed and returned to the Secretary before the first day January and He/She shall apply on a form approved by the Board of Directors and which shall provide that the applicant agrees to abide by this Constitution and By-Laws and the rules of the American Kennel Club. The application shall state the name, address, and occupation of the applicant and it shall carry the endorsement of two members in good standing. Accompanying the application the prospective member shall submit dues for the current year. All applications are to be filed with the Secretary. Within a six month period of time each applicant must attend three meetings of the Club at which the application will be read. At the club meeting thereafter the applicant shall not attend, and the application will be voted upon and affirmative votes of three-fourth of the members in good standing, present and voting, at that meeting shall be required to elect the applicant. Any applicant rejected by the club will receive his dues back, and may not reapply within six months after such rejection.

Section 4. Definition of a member in good standing: A member whose dues are paid for the current year in a timely manner.

Section 5. Termination of Membership. Memberships may be terminated:

(a) **by resignation.** Any member in good standing may resign from the club upon written notice to the Secretary. Dues obligation are considered a debt to the club and they become incurred on the first day of each fiscal year.

(b) **by lapsing.** A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid 45 days after the first day of the calendar year. In no case may a person be entitled to vote at any club meeting when his dues are unpaid as of the date of this meeting.

(c) **by expulsion.** A membership may be terminated by expulsion as provided in Article VI of these By Laws.

(d) **failure to comply** Failure to comply with signing the mediation agreement shall be deemed a

voluntary relinquishment of membership in the DPCC and additionally will subject the party who fails to comply with responsibility for all costs and attorneys fees incurred by the DPCC in addressing that failure to comply.

ARTICLE II

MEETINGS AND VOTING

Section 1. Club Meetings.

(a) Meetings of the club shall be held within the greater Charlotte area at such hour and place as may be designated by the Board of Directors. The quorum for such meetings shall be 20% of the members in good standing. Notice of each such meeting shall be given by the Secretary at least five days prior to the date of the meeting.

(b) Since February 1976 the regular general club meeting of the Doberman Pinscher Club of Charlotte, Inc. has been held and shall continue to be held on the second Thursday of each month.

(c) The date of any general meeting may be changed by the Board of Directors. Written notice shall be given by the Secretary at least 10 days and not more than 15 days prior to the date of the meeting

Section 2. Special Club Meetings. Special club meetings may be called by the President, or by a majority vote of the Board members who are present and voting at any Board meeting, or shall be called by the Secretary upon receipt of a petition signed by five club members in good standing. Such special meetings shall be held within the greater Charlotte area. Place, date and hour may be designated by the person authorized to call such meetings. Written notice shall be given by the Secretary at least ten days and not more than fifteen days prior to the date of the meeting, and shall state the purpose of the meeting, and no other club business may be transacted thereat. The quorum for such a meeting shall be 20% of the members in good standing.

Section 3. Board Meetings.

(a) Meetings of the Board of Directors shall be held in the greater Charlotte area, on the second Thursday of each month. Notice of each such meeting shall be given by the Secretary at least five days prior to the date of the meeting. A quorum of such meetings shall be a majority of the Board.

(b) The date for any Board meeting may be changed by the Board of Directors. The Board members shall be notified by the Secretary at least ten days prior of the date of the meeting.

Section 4. Special Board Meetings may be called by the President and shall be called by the Secretary upon receipt of a written request signed by at least three members of the Board. Such special meetings shall be held in the greater Charlotte area at such place, date and hour as shall be designated by the person authorized herein to call such meeting. Written notice of such meeting shall be mailed by the Secretary at least ten days and not more than 15 days prior to the date of the meeting. Any such notice shall state the purpose of the meeting and no other business shall be transacted thereat. A quorum for such a meeting shall be a majority of the Board.

Section 5. Voting. Each member in good standing shall be entitled to one vote at any meeting of the Club at which he is present. Proxy voting will not be permitted at any club meeting or election.

Section 1. Board of Directors. The Board shall be comprised of the officers and one other person all of whom shall be elected for one-year terms at the club's annual meeting, as provided in Article IV, and shall serve until their successors are elected. General management of the club's affairs shall be entrusted to the Board of Directors. It shall be incumbent upon each member of the board to attend all meetings and to take an active part in the government and management of the club. The Board of Directors may from time to time make regulations in accordance with the powers herein given or on matters not herein provided. It may also add duties to any board position as needed to fulfill the best interest of the club.

Section 2. Officers. The club's officers, consisting of the President, Vice-President, Secretary and shall serve in their respective capacities both with regard to the club and its meetings and the Board and its meetings. Any officer or board member not attending the upcoming club meeting will be obligated to contact another board member and have all information of their responsibility forwarded to the Board.

(a) **The President** shall preside at all club meetings of the club and of the Board, and shall have the duties and powers normally assigned to the office of President in addition to those particularly specified in these By-Laws.

(b) **The Vice President** shall have the duties and exercise the powers of the President in case of the President's death, absence, or, incapacity. It shall also be the duty of the Vice President to carry on educational work both among the club members and the general public, for the advancement of the cause of purebred Doberman Pinschers or to acquaint all purebred Doberman Pinscher owners with matters pertaining to the better care, showing, handling, and advancing purebred Doberman Pinschers in general. In order that he may carry out this work officially, he shall have the right to appoint with the approval of the President such committees as he deems necessary to carry on any program he may originate. He shall be ex officio member of these committees and will reserve the right to discharge any committee worker who proves to not doing, or misrepresenting his job with club in any way.

(c) **The Secretary** shall have charge of the correspondence of the club and shall also maintain a roll of members of the club along with their addresses, phone numbers, fax numbers, and dog's names. He shall carry out all duties normally ascribed to the position, which includes staying alert and informed about all vital correspondence from the parent club (DPCA). He shall keep, and present to the Board, a written copy of any type of correspondence with persons, or with other clubs, private or otherwise. He shall keep a record of all meetings of the club and Board and is responsible for all written matters concerning the club. The Secretary is also responsible for maintaining a sufficient amount of copies of the club's Constitution and By Laws, The DPCA Code of Ethics, the breed standard and membership applications to supply prospective members.

(d) **The Treasurer** shall collect and receive all monies paid into the club, shall keep a true and accurate record of these, and pay all bills contracted by the club which have been approved by the Board of Directors. The Treasurer shall also keep a membership list showing the date of the memberships paid and shall notify the Secretary of these memberships and he shall keep his roll of membership up to date with the Secretary and the Secretary the same. The funds paid into the treasury shall be kept in a bank in the city of Charlotte, NC. His books shall at all times be open to the inspection of the Board of Directors or any club member in good standing, and he shall report to the Board and the club at every meeting the condition of the finances of the club and at the annual meeting of the club he shall render an account of all monies received and expended during the year previous. The account will be audited by a three person committee appointed by the board during the annual meeting and be completed by the next meeting.

Section 3. Vacancies. Any vacancies occurring on the Board of Directors during the *year* shall be filled until the next annual election by majority vote of all of the members of the Board at its first regular meeting following the creation of such vacancy, or at a special club meeting called for this purpose; except that a vacancy in the office of the President shall be filled automatically by the Vice President, and the resulting "vacancy" in the office of Vice President shall be filled by the Board.

ARTICLE IV

THE CLUB YEAR. ANNUAL MEETINGS, ELECTIONS

Section 1. Club Year. The club's fiscal year shall begin on the first day of October and end on September 30. The club's official year shall begin immediately at the conclusion of the election at the annual meeting and shall continue through the election at the next annual meeting.

Section 2. Annual Meeting. The annual meeting shall be held in the month of January at which officers and the director for the ensuing *year* shall be elected by secret, written ballots from among those nominated in accordance with Section 4. of this article. They shall take office immediately upon conclusion of the election and each retiring officer shall turn over to his successor in office all properties and records relating to that office within 30 days after the election.

Section 3. Elections. The nominated candidates receiving the greatest number of votes for each office shall be declared elected. The candidate for the other position on the Board who receives the greatest number of votes for such position shall be declared elected.

Section 4. Election Rules. No club member may be elected for any position unless he has been a member in good standing for at least one *year*.

Section 5. Nominations. No person shall be a candidate in a club election who has not been nominated and is not a member in good standing. During the month of October, the Board shall select a nominating committee consisting of three members and two alternates, not more than one shall be a member of the Board, all of whom shall be members in good standing. The Secretary shall immediately notify the committee and alternates of their selection. The Board shall name a chairman for the committee, and it shall be the chairman's duty to report the nominations at the November meeting.

(a) The committee shall nominate one candidate for each office, and Board. It is the committee's duty to inform all candidates of the duties of said positions and get written consent of said duties After securing the consent of each person so nominated, the committee shall immediately report their nominations to the Secretary in writing who in turn will send written notice to all members in good standing.

(b) Additional nominations may be made at the December meeting by any member in good standing in attendance provided that the person so nominated does not decline when his name is proposed, and provided further that if the proposed candidate is not in attendance at this meeting, his sponsor shall present to the Secretary a written statement from the proposed candidate signifying his willingness and his knowledge of duties to be a candidate. No person may be a candidate for more than one position, and the additional nomination which are provided for herein may be made only from among those members who have not accepted a nomination of the Nominating Committee.

(c) Nominations cannot be made at the annual meeting or in any manner other than is provided in this Section.

Section 5. Delegate and Alternate Delegate to the Doberman Pinscher Club of America shall be elected each year by the Board of Directors. Regard must be paid to the proposed candidate's attendance of the Doberman Pinscher Club's National Specialty. The candidate proposed for the Delegate position must be a member in good standing and has attended at least one DPCA National Specialty within the past three years.

ARTICLE V

COMMITTEES

Section 1. The Board may each year appoint committees to advance the work of the club such matters as specialty shows, obedience trials, trophies, annual prizes, membership and other fields which may well be served by committees. Such committees shall always be subject to the final authority of the Board. Special committees may also be appointed by the Board to aid in particular projects.

Section 2. Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee; the Board may appoint successors to those persons whose services have been terminated.

ARTICLE VI

DISCIPLINE

Section 1. Suspension. Any member who is suspended from the privileges of the American Kennel Club and/or the Doberman Pinscher Club of America shall automatically be suspended from the privileges of this club for a like period.

Section 2. Charges. Any member in good standing may prefer charges against a member for alleged misconduct prejudicial to the best interest of the club or breed. Written charges with specifications must be filed in duplicate with the Secretary, together with a deposit of \$ 20.00 which shall be forfeited if such charges are not sustained by the Board following a hearing. The Secretary shall promptly send a copy of the charges to each member of the Board or present them at a Board meeting, and the Board shall first consider whether the action alleged in the charges, if proven, might constitute conduct prejudicial to the best interest of the club or the breed. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interest of the club or breed, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charges, it shall fix a date of the hearing by the Board not less than 3 weeks or more than 6 weeks thereafter. The Secretary shall promptly send one copy of the charges to the accused member by registered mail, together with a notice of the hearing and an assurance that the defendant may personally appear in his own defense and bring witnesses if he wishes.

Section 3. Board Hearing. The Board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained, after hearing all the evidence and testimony presented by the complainant and the defendant, the Board may by a majority vote of those present suspend the defendant from all privileges of the club for not more than 6 months from the date of the hearing and, if it deems that punishment 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 fellow members at the ensuing club meeting which considers the Board's recommendation.

Immediately after the Board has reached its decision, its findings shall be put in written form and filed with the Secretary. The Secretary, in turn, shall notify each of the parties of the Board's decision and penalty, if any.

Section 4. Expulsion. Expulsion of a member from the club may be accomplished only at a meeting of the club following a Board meeting and upon the Board's recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the club to be held within 60 days, but not earlier than 30 days, after the Board's recommendation of expulsion. 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 Board's findings and recommendations, and shall invite the defendant, if present, to speak in his own behalf if he wishes. The members in good standing shall then vote by *secret* written ballot on the proposed expulsion. A two-thirds vote of those present and voting at *the* meeting shall be necessary for expulsion. If expulsion is not so voted, the Board's suspension shall stand.

ARTICLE VII

AMENDMENTS

Section 1. Amendments to the Constitution and By-Laws may be proposed by the Board of Directors or by written petition addressed to the Secretary signed by 20% of the members in good standing. Amendments proposed by such petitions shall be promptly considered by the Board of Directors and must be submitted by the Secretary to the members with recommendations of the Board for a vote within 3 months of the date when the petition was received by the Secretary.

Section 2. The Constitution and By-Laws may be amended by a two-thirds vote of the members in good standing, present and voting, at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meeting and mailed to each member at least 2 weeks prior to the date of the meeting.

ARTICLE VIII

DISSOLUTION

Section 1. The club may be dissolved at any time by written consent of not less than two-thirds of the members in good standing. In the event of the club's dissolution, other than 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 debts of the club, its property and assets shall be given to a charitable organization exempt from federal income taxes under 501(c)(3) tax status, for the benefit of dogs, selected by the Board of Directors.

ARTICLE IX

ORDER OF BUSINESS

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

- (1) Roll call
- (2) Minutes of last meeting
- (3) Report of President
- (4) Report of Vice President
- (5) Report of Secretary
- (6) Report of Treasurer
- (7) Reports of Committees
- (8) Election of officers and Board (at annual meeting)
- (9) Election of new members
- (10) Unfinished business
- (11) New business
- (12) Adjournment

Section 2. At meetings of the **Board**, the order of **business**, unless otherwise directed by majority vote of those present, shall be as **follows**:

- (1) Minutes of the last meeting
- (2) Report of Secretary
- (3) Report of Treasurer
- (4) Reports of Committees
- (5) Unfinished business
- (6) **New** business
- (7) Adjournment

ARTICLE X

RULES OF ORDER

Section I. Roberts Rules of Order (revised edition kept by Secretary), shall govern in all cases in which they are applicable and in which **they** are not inconsistent with the Constitution and *By-Laws* or the Special Rules of Order of this Club.