

# WESTCHESTER COUNTY USBC, INC. BYLAWS

## Article I Name

The name of the organization is the Westchester County USBC Association, Inc., chartered by the United States Bowling Congress.

## 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. Adhere to stated requirements as set forth in the *USBC Bylaws and USBC Association Policy Manual*.
5. 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.
6. 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.
7. 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 IRC, or corresponding section of any future federal tax code.

### Section C. Charter Dissolution

Upon termination of its charter, the 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.

If the named recipients are unwilling to accept the assets, are no longer qualified as 501(c)(3) organizations, or are no 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 shall be to operate exclusively for charitable and educational purposes, including fostering national or international amateur sports competition within the meaning of Section 501(c)(3) of the IRC, or corresponding section of any future federal tax code, and to:

1. Provide equal opportunity for all in the sport of bowling without regard to race, religion, sex, sexual orientation, disability, national origin or age.
2. Promote the game of American Tenpins.
3. Conduct and support bowling competition.
4. Engage in any other activities permitted by an organization classified as tax exempt under Section 501(c)(3) of the IRC.

### Article IV Membership and Dues

Membership is in effect from August 1 through July 31 and is composed of:

1. **Adults** who have paid the appropriate USBC, state (if applicable) and local association dues; and
2. **Youth** who have paid the USBC standard youth dues and bowl in USBC Leagues in the association's jurisdiction.

Adults shall pay applicable membership dues, except as provided in Rules 100e, Traveling League and 100l, Mail-o-Graphic League.

The board, adult members and youth representatives, by two-thirds vote, determine and adopt adult dues, if any.

Youth representatives consist of:

1. USBC youth members, at least 14 years of age, bowling in USBC Leagues within the association's jurisdiction.
2. One adult representative, who is a USBC member, from each certified youth league. (A league is not eligible for representation if it has not submitted a league application.)
3. One center representative, who is a USBC member, from each center having at least one certified youth league.

The annual adult standard membership dues are as follows:

<i>Local</i> _____	<i>\$8.00</i>
<i>State</i> _____	<i>\$1.00</i>
<i>USBC adult standard membership</i>	<i><u>\$13.00</u></i>
<i>Total</i>	<i>\$22.00</i>

The annual USBC youth standard membership dues are \$4, state/local association dues are not allowed.

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

1. Adult 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 transferrable.

## **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, which includes the officer and director positions. At least 20% of the total number of board members must be directors representing youth. The board, adult members and youth representatives determine:

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

#### **The number of:**

<b>Officers is</b>	<b>3</b>
<b>Adult Directors is:</b>	<b>12</b>
<b>Directors Representing Youth is:</b>	<b>5</b>

**Total number of board members is: 20**

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

1. Enforce the bylaws.
2. Comply with the *USBC Association Policy Manual*.
3. Conduct championship level competition for:
  - a. **Adult.** Its membership constituency (men and women) and complying with state and local laws in their area.
  - b. **Youth.** All USBC youth members
4. Implement USBC programs as requested.
5. Select/appoint the Association Manager.
6. Approve use of membership records.
7. Re-rate the league average of an association member when there is evidence the bowler's average does not represent the bowler's true ability.
8. Conduct suspension and reinstatement hearings if requested by USBC Headquarters.

### **Section B. Eligibility**

A candidate for the board (elected or appointed) must be:

1. **Adult.** A USBC member in good standing of the association at the time of election and throughout their term.  
**Youth.** USBC youth member bowling USBC Leagues within the association's jurisdiction.
2. Elected or appointed without regard to race, religion, sex, sexual orientation, , 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 membership.

- 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. At least 20% of the board must be directors representing youth.
- c. 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.

Additional eligibility requirements, if any, are to be approved by the board, adult members and youth representatives.

### Section C. Election of Directors

#### All Directors are:

1. Elected by the board, adult members and youth representatives.
2. Elected by majority vote, unless plurality vote is adopted by the board, adult members and youth representatives. They are elected by plurality vote.
3. A slate.
4. Nominations from the floor.

At least 20% of the total number of board members must be directors representing youth. Qualifications must be submitted in a format specified by the board.

Voting will be by those individuals present and voting and by ballot if there is more than one nominee for each position.

### 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 board, adult members and youth representatives.

<u>Group A (3 years):</u>	<u>Group B (3 Years):</u>	<u>Group C (3 years):</u>
Sgt.-at-Arms	Vice President	President
5 – Directors	3 – Directors	3 - Directors
	2 – Directors (Youth)	2 – Directors (Youth)

Director (Proprietor) – 1 year term  
 Director (Youth Leader) – 1 year term

### 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 meeting following the Removal Procedures in the Suspension and Reinstatement Chapter in the USBC Association Policy Manual. An appeal may be filed with USBC Headquarters 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.** The board fills vacancies in the president's position. All other vacancies are filled by the president, subject to approval by the board.

## **Article VI Officers**

### **Section A. President and Vice President**

The officers of this association shall include a president and vice president.

### **Section B. Election**

The board, adult members and youth representatives determine the election process.

Officers are elected by a majority vote of the board, adult members and youth representatives, present and voting, from:

- a. A slate
- b. Nominations from the floor

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

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

### **Section C. Term**

The term for officers is 3 years, not to exceed three years in a term. The board, adult members and youth representatives determine the number of years in a term, the number of terms allowed and a stagger system.

### **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:** All committees should be composed of both board members and non-board members.

#### **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, adult members and Youth Representatives 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 Annual Meeting.)

#### **1. Attendance**

a. Attendance is open to all adult members, Youth Representatives and USBC youth members bowling in USBC Leagues within the association's jurisdiction.

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

Voice: Adult members and USBC youth members bowling in USBC Leagues within the association's jurisdiction may attend with voice only.

Vote: Board, adult members and youth representatives may attend with both voice and vote. Absentee and proxy voting are not permitted.

#### **3. Responsibilities**

Board, adult members and youth representatives shall::

- 1) Adopt bylaws, with the exception of the youth dues.
- 2) Adopt local adult dues.
- 3) Elect
  - a) delegates and alternates for the USBC annual meeting.
  - b) delegates and alternates representing adult members for the state annual meeting(s).
  - c) Youth delegates and alternates for the state annual meeting.
  - d) The board, including 20% directors representing youth.

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

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

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

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

#### **6. Quorum**

Twenty (20) members and youth representatives constitute a quorum. The board, members and Youth Representatives determine the number.

#### **7. Action**

A majority vote of those adult members, Youth Representatives and board 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 requires a majority vote. Election of directors requires a majority vote, unless plurality vote has been adopted in accordance with the bylaws. Election of delegates, youth delegates and alternates requires a plurality vote. Absentee and proxy voting and other types of voting agreements 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.** Ten (10) board members constitute a quorum. The board, adult members and Youth Representatives determine the number.

3. **Action.** A majority vote of those officers and directors 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.
4. **Action(s) Without a Meeting.** Actions that are deemed necessary to conduct business/operations of the association may be taken outside of a board meeting by use of mail, e-mail or teleconferencing. This type of action must be permissible by state law and approved by the board, adult members and youth representatives.
  - a. The procedures found in the USBC Association Policy Manual, Chapter 8, Section D, Item 4 must be followed
  - b. The association does not allow the board to vote via mail, e-mail, or teleconference.

### **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: Finance and Youth.

1. **Finance Committee.** The committee is responsible for reviewing and monitoring association financial matters.
3. **Youth Committee.** The Committee is responsible for monitoring, promoting, reviewing and recommending youth programs conducted by the association.

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

The president may establish other committees, with board approval.

## **Article IX Delegates, Youth Delegates and Alternates**

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

Delegates and alternates are elected by plurality vote of the board, adult members and youth representatives present and voting. (See Article VI, Section A of the National Bylaws for representation.)

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

The association has delegates representing adult members and youth delegates representing USBC youth members bowling in USBC Leagues within the association's jurisdiction.

Adult and youth delegates and alternates are elected by plurality vote of the board, adult members and youth representatives, present and voting.

### **Section C. Eligibility**

1. **USBC Annual Meeting.** Delegates and Alternates must be:
  - a. At least 18 years of age.
  - b. **Adult.** A USBC member in good standing of the association at the time of election and throughout their term.  
**Youth.** USBC youth member bowling in USBC Leagues within the association's jurisdiction.
2. **State Annual Meeting(s).** Delegates and alternates must be:

- a. At least 14 years of age.
- b. **Adult.** A USBC member in good standing of the association at the time of election and throughout their term.  
**Youth.** USBC youth member bowling in USBC Leagues within the association's jurisdiction.

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.

An association is not eligible to send delegates and youth 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, Youth delegates and alternates serve for one year, beginning August 1, and are elected by:

1. Board, adult members and youth representatives.
2. A slate.
3. Nominations from the floor. (Qualifications must be submitted in a format specified by the board.)
4. 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 is 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 by the alternates in the order in which they were elected. 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 or USBC youth member who bowls in USBC Leagues within the association's jurisdiction may submit proposed amendments to these bylaws. The bylaws may be amended at any membership meeting by a two-thirds vote of the board, adult members and youth representatives 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 membership meeting when the association is considering the proposal. (The date or number of days is to be set by the board, adult members and Youth Representatives) (See Section B Change in Dues.)

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

Forward a notice to each league secretary and board at least 15 days prior to the meeting at which the proposed change is considered. 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 adult dues, and the reason for the change, will be forwarded, in writing to each league secretary.

**Section C. Effective Date**

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

*\*A plurality vote is the largest number of votes cast for a given candidate. The candidate(s) receiving the most votes is(are) elected.*

**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.

First Adopted:	January 30, 2006	Inaugural Meeting for the first fiscal year 2006/07
Amended:	July 23, 2007	Annual Meeting, effective fiscal year 2007/08
Amended:	Oct. 5, 2009	Fee changes per USBC for fiscal year 2009/10
Amended:	July 10, 2011	Annual Meeting, effective fiscal year 2011/12
Amended:	July 12, 2015	Annual Meeting, changes per USBC effective fiscal year 2015/16
Amended:	July 17, 2016	Annual Meeting, changes per USBC effective fiscal year 2016/17
Amended:	July 23, 2017	Annual Meeting, changes per USBC effective fiscal year 2017/18
Amended:	July 21, 2019	Annual meeting, changes per USBC effective fiscal year 2019/20