

- 5.2.a. If the committee still finds that the complaint is justified, it shall then decide what action to take. This action may be
- (i) a request to the defendant(s) to discontinue or change the alleged unsportsmanlike, illegal, undesirable or inappropriate conduct or rectify any alleged wrong, as the case may be,
 - (ii) as in (i) above, and with a warning to the defendant(s) that continuation of such conduct or failure to rectify the wrong could result in expulsion, or
 - (iii) a recommendation that the defendant(s) be expelled from the club.

If expulsion is recommended, the complaint and the recommendation must be published in writing to all members (but not to guests replacing member, or paying guests) present at the next regularly scheduled meeting out of season, or on the next regularly scheduled trip in season. The members shall vote whether to accept the recommendation; a simple majority shall be required from the recommendation to be accepted. In the event of a tie, the President has the deciding vote. If the recommendation is so accepted, the defendant(s) shall cease to be members effective immediately, and shall be issued a refund calculated in accordance with article 1.4.

Any member(s) so evicted may not re-join the Club except after review and approval by the complaints committee.

- 5.2.b. If the committee finds that the complaint is not justified, it shall so advise the plaintiff(s), and may in this case not publicize the complaint. The same plaintiff(s) may in this case not make the same or a similar complaint against the same member(s) until at least 2 weeks have elapsed.
- 5.3 Article 5.1 and 5.2 shall not preclude the Executive from taking such action as it deems necessary for the proper operation of the club or to ensure the safety, comfort or pleasure of the members.
6. **AMENDMENT OF THE RULES**
- 6.1 Amendments to these rules may only be made during the period from 1 October to 30 April. The general meeting at the end of the season may be used for this purpose.
- 6.2 A special meeting may be called if at least 25% of the membership request it. At least two weeks notice has to be given. The notice must include the proposed amendment(s). The time and place of the special meeting may be a ski-trip (i.e. on the bus).
- 6.3 A quorum is 15 members, and a proposed amendment will be adopted if it receives at least two thirds of the votes cast. In the event of a tie, the President has the deciding vote. A member may vote for another member if he or she has written permission to do so.

Revised 20 March 1993.

SKI DE FOND VILLE-MARIE

PREAMBLE

Ski de fond Ville-Marie is a voluntary club, originally named Montreal Ski de Fond and incorporated with letters patent under the Québec *Loi sur les compagnies*, registered February 26, 1992 under libro C-1382, folio 92, for the purpose of providing bus transportation to its members to go cross country skiing, and recreational, social and sportive purposes.

The executive is elected by the members. Each member of the executive has volunteered to serve and does so without remuneration. The executive takes reasonable precaution that the bus company with which it makes an agreement to provide the transportation is licensed to carry passengers and carries appropriate liability insurance. The executive does not, however, assume any responsibility if this should not be the case.

When the bus reached its destination, each skier skis where he or she wishes. The more experienced skiers (who may be members of the Executive) may offer suggestions regarding where to ski, how to wax and how to ski, but assume no responsibility for this information or for any consequences of its use. The members of the Executive, or any other skier offering advice, can not be responsible for knowing the degree of skiing proficiency of each skier, but will rely on the skiers' own declaration. Thus whereas skiers may offer other skiers advice and one or more skiers may take the role of a group leader while skiers ski together, any such grouping is coincidental and should not be construed as a guided tour. Whoever emerge(s) as the leader(s) should not be construed to have any responsibility for the other members of the group. Each skier is responsible for himself or herself and is expected to take the necessary precautions not to injure himself or herself, to inform himself or herself about the length and difficulty of the trails and to take care not to choose trails that are beyond his or her capabilities, thus being able to complete the tour and return to the bus comfortably and in time for pre-determined departure time.

Above all, each skier is expected to know basic safety rules, including not skiing alone, carrying extra clothing and a spare ski tip and being prepared for inclement weather, thus not exposing himself or herself to unnecessary risks.

CONSTITUTION

1. MEMBERSHIP

- 1.1 Subscription for membership start 1st November. The previous year's members have priority. The maximum number of members will depend on the capacity of the bus, and will be determined by the Executive.
- 1.2 The previous year's members have until 15 November to confirm their application by paying the membership fee. After that date, any applicant who pays the fee becomes a confirmed member. If there are more applicants than spaces, a waiting list shall be kept, and waiting applicants are admitted on a first come - first served basis. If an existing member states (s)he is not re-joining, a new member can be admitted in his/her place.

- 1.3 The annual membership fee will depend in the cost of the bus, and will be determined by the Executive. For the purpose of article 1.2 a payment equal to the previous year's membership fee shall be deemed to be confirmation of application for membership.
- 1.4 If a paid-up member wishes to cancel the membership before December 16th, a full refund will be given. If a member wishes to cancel the membership after December 15th and before January 1st, a 50% refund will be given. If a member cancels the membership after December 31st, no refund will be given.
- 1.5 If a new member joins after the season has started, the fee will be the full annual fee rounded up to the nearest 50 cents, for each scheduled ski Sunday which has already elapsed.
- 1.6 The balance of the membership fee is due no later then January 1st.

2. ELECTIONS

- 2.1 Elections are to be held each spring at the end of the ski season. The following positions are to be elected from the current membership:
 President;
 Vice-President;
 Secretary-Treasurer.
- In addition, the Past President is a member of the Executive.
- 2.2 An auditor shall be elected from the membership. The auditor can not be a member of the Executive.
- 2.3 A complaints committee of three members shall be established. Two of these shall be elected from members who are not members of the Executive, the third shall be the President.
- 2.4 Any member may stand for election, and any member may be re-elected. Elections are by secret ballot, unless otherwise decided immediately before the election by simple majority of a show of hands.
- 2.5 If a member who is elected to an office in the spring does not renew his/her membership on November 15th, new election for that office shall be held at the first convening of the members. This election does not require prior notice.

3. TRIPS

- 3.1 Minors under 18 must be accompanied by an adult.
- 3.2 There will be no smoking on the bus.
- 3.3 Each skier is responsible for his/her own trail fees, although the Executive may decide to subsidize this fee.
- 3.4 The club will arrange 8 - eight - trips, weather permitting. An additional trip may be arranged if weather and the club's financial situation permit.
- 3.5 The first trip shall be arranged for the first Sunday after January 4th, weather permitting.
- 3.6 The bus may leave any time after the scheduled departure time from any of the agreed pick-up points, and the club assumes no responsibility for skiers who are left behind either in Montreal in the morning or at the place of skiing in the afternoon.
- 3.7 The Executive shall set the fee per trip for guests who wish to ride on single trips.
- 3.8 Guests must not be brought along unless permission has been obtained from a member of the Executive, to ensure that the bus does not become

- overcrowded.
- 3.9 If a member does not attend a trip, (s)he is not entitled to a refund, but (s)he may arrange for someone to take his or her place. The telephone captain must be advised of the name of the replacement. If this is done, the replacement does not have to pay any fee. If the telephone captain has not been advised, the replacement must pay the normal guest fee.
- 3.10 In choosing the places to visit, the Executive must try to arrange trips to places offering good and varied looped trails. In addition, it may from time to time select places wherefrom or whereto point-to-point tours can be made, bring the skiers who wish to ski point-to-point to the point of departure and pick them up at the point of destination. To help the Executive, it may appoint consultants from amongst the members for the selection of the places to visit and the point-to-point tours.
- 3.11 A sugaring-off trip may be arranged; this trip may be partly funded by additional contributions from members, depending on the club's financial situation. The meal will be payable by the individuals themselves.

4. OPERATING PROCEDURES

- 4.1 The Executive decides which places to visit, but must try to choose at least one place which the club has not visited during the last three seasons. Last minute changes can be made if weather and/or snow conditions warrant, including cancellation of the trip in extreme circumstances.
- 4.2 At the end of the season, a general meeting will be held, to
- a. discuss the financial situation of the club,
 - b. evaluate the places the club visited the past season, using the questionnaires which the skiers have filled in after each trip. This evaluation will be used as a guideline when the Executive selects places to visit the following season, and
 - c. discuss plans for the next season.
- At this meeting, the treasurer must submit an audited financial report.
- 4.3 The money left over at the end of the season will be held in a bank account or as an interest bearing deposit and will be added to the funds for the following year.

5. COMPLAINTS

- 5.1 Any member or group of members (hereafter referred to as the plaintiff(s)) who has (have) a complaint against any other member or members, including the Executive or any member(s) thereof, (hereafter referred to as the defendant(s)) may bring the complaint to the complaints committee. The complaint must be specific, and must be in writing. The complaints committee shall keep the complaint confidential, shall evaluate the complaint and shall decide, by simple majority, whether the complaint is justified. To this end, it shall make such investigations as it deems necessary, including (but not necessarily) communicating further with the plaintiff(s) for further information and/or the defendant(s) to obtain his/her/their view or version.
- 5.2 If the committee believes that the complaint is justified it must notify the defendant(s). The defendant(s) can demand to be heard by the committee, and the committee must then hear the defendant(s) within a period of 2 weeks.