

BYLAWS

FLORIDA GOLD COAST LMSC

ARTICLE I: NAME, OBJECTIVE, AND JURISDICTION

A. NAME

The name of the organization shall be the Florida Gold Coast Local Masters Swimming Committee (FGC LMSC).

B. OBJECTIVE

The Objective shall be to promote and develop physical fitness and competitive swimming for the benefit of adult swimmers of all abilities in accordance with the standards, objectives, and goals under the rules prescribed by United States Masters Swimming, Inc. (USMS) and the LMSC.

C. JURISDICTION

The FGC LMSC has jurisdiction over the sport of Masters Swimming as has been delegated to it by USMS, Inc. The geographical boundaries of FGC LMSC are: Counties of Palm Beach, Broward, Miami-Dade, Monroe, and that part of Hendry County east of Route 833 in the State of Florida.

ARTICLE II: PURPOSES

A. PURPOSES

The purposes of the LMSC shall be the objectives of Masters Swimming as follows:

1. To offer the opportunity to continue or re-institute conditioning in those 18 years of age and over who were formerly athletes or swimming enthusiasts.
2. To encourage and promote swimming and educate those individuals not previously involved in competitive or recreational programs regarding physical fitness and improvements in health.
3. To stimulate interest in Masters programs and offer encouragement to individuals, organizations, clubs and communities in the organizing and conducting of life-long recreational and competitive Masters programs.
4. To enhance fellowship among participants in Masters programs.

ARTICLE III: MEMBERSHIP

A. CLASSES OF MEMBERSHIP

1. **Club** – an organization or group of permanent character that is a member of USMS, registered through the FGC LMSC, and that actively promotes an/or participates in Masters swimming.
2. **Workout Group** - a subordinate organization (subgroup) of a USMS-registered club.

3. **Individual Members** – include athletes, coaches, or persons otherwise interested in the purposes and programs of the FGC LMSC. In joining the LMSC, these individuals will receive a membership card which certifies their membership.

B. RESPONSIBILITIES OF MEMBERS

1. **Income** – Any income received by any member from promotion of Masters Swimming or Masters Swimming events shall be used in accordance with the purposes of the FGC LMSC.
2. **Conduct** – Every member of the FGC LMSC shall abide by the Bylaws, and any Rules, Regulations, and Policies of the LMSC.
3. **Representation** – Clubs are required to have representation at a minimum of one meeting of the LMSC Board of Directors in any particular year, either in person or by proxy. Individual members may attend all meetings of the LMSC with voice, but no vote.

C. REGISTRATION OF MEMBERS

1. **Club Members** – Clubs shall register with the LMSC and USMS by submitting the approved form along with the registration fees established by USMS and the LMSC to the LMSC Registrar.
2. **Individual Members** – Individuals shall register with the LMSC and USMS by submitting the approved form along with the registration fees established by USMS and the LMSC to the LMSC Registrar. Proof of registration shall be required prior to participating in any LMSC or USMS sanctioned activity.

ARTICLE IV: BOARD OF DIRECTORS

A. Management in Board

The management of the FGC LMSC shall be vested in the Board of Directors, which shall consist of the LMSC Officers, committee chairs, and club representatives. Each officer and committee chairs shall have one vote and the number of votes for each club representative shall be based on the total number of athletes registered with that club as follows: clubs of 4-20 members shall have one (1) vote; clubs of 21-40 members shall have two (2) votes; clubs of over 41 members shall have three (3) votes. A Board member may cast their vote(s) by proxy in writing to any Officer and such vote(s) will be presented by the time of roll call.

B. Duties and Powers

The Board of Directors of the FGC LMSC shall have all powers necessary to proper management of the LMSC including, but not limited to: review and adoption of an annual budget, approval of LMSC expenditures, establishment of fees to provide revenues for the LMSC, election of delegates to the USMS House of Delegates, admission of eligible members, amendment of Bylaws and election of officers.

ARTICLE V: OFFICERS

A. OFFICERS

The officers of the LMSC shall consist of a Chair, Vice Chair, Secretary, and Treasurer to be elected from the eligible registered individual members

B. TERM

Each officer shall be elected by the Board at the annual meeting and serve a term of two (2) years, such term to begin January 1 after election. Officers are required to attend at least one meeting of the Board Of Directors in any particular year. Failure to comply may result in removal from office.

C. NOMINATIONS

Any individual member may be nominated for office by any member of the LMSC.

D. DUTIES OF THE CHAIR

The Chair shall schedule and call meetings when and where deemed necessary or required by these Bylaws and preside at all such meetings. The Chair shall appoint committee chairs and members for all standing committees and such special committees as may be necessary. Vacancies created, for whatever reason, in any office or job may be filled by an appointment of the Chair. Appointments shall be subject to majority approval by the Board of Directors at the current or next scheduled meeting.

E. DUTIES OF THE VICE-CHAIR

The Vice-Chair shall preside at all meetings in the absence of the Chair, and shall perform such other duties as the Chair or Board of Directors may designate.

F. SECRETARY

The Secretary shall be responsible for keeping and reporting the minutes of all meetings, conducting all official correspondence and making such reports to USMS as required. The Secretary shall send copies of the minutes of each meeting of the Board of Directors to each member of the Board within 30 days.

G. TREASURER

The Treasurer shall be responsible for receiving all monies, paying all bills approved by the Board of Directors, signing all checks, (payment of USMS dues is considered approved by the Board of Directors) and maintaining all financial records. Manage the FGC LMSC bank accounts and prepare at least annually the following:

1. Financial statement, including a list and location of all assets.
2. Budget to include projected revenues and expenses.

MONEY EXPENDITURES

1. All expenditures greater than \$500 need the approval of a majority of the officers.
2. Expenditures of \$200 - \$500 require the approval of two officers.
3. Expenditures of less than \$200 require no approval.

**ARTICLE VI:
MEETINGS**

A. REGULAR MEETING OF BOARD OF DIRECTORS

The Board of Directors shall meet yearly at such time and place as directed by the Chair. Where possible, such meetings shall be held in conjunction with FGC LMSC sanctioned swimming events. The annual meeting of the Board shall be held in the fourth quarter of each year for the purpose of electing officers.

B. SPECIAL MEETINGS OF BOARD OF DIRECTORS

Special meeting of the Board may be called at any time by the Chair, or by formal request to the Chair by three (3) or more Board members.

C. NOTICE

The Secretary shall send a notice of any regular or special meetings to all members of the board of Directors, at their last given address, at least fifteen (15) days prior to the date of the meeting. The notice of the meeting shall contain the time, date, site, and agenda. For special meetings, the purposes of such meetings shall be given.

D. ORDER OF BUSINESS

At all Board of Directors meetings, the order of business shall be as follows:

1. Roll Call
2. Reading, correction and adoption of minutes of previous meeting
3. Reports of Officers
4. Reports of Committees
5. Unfinished Business
6. Election, when appropriate
7. New Business
8. Resolutions and orders
9. Adjournment

E. QUORUM

A quorum at all meetings shall be a majority of the voting members of the Board.

F. RULES OF ORDER

Robert's Rules of Order shall be the procedural rules for all meetings.

**ARTICLE VII:
COMMITTEES**

A. STANDING COMMITTEES

The standing committees of the FGC LMSC shall be as follows:

1. **Meet Management** – Maintains meet manager's packet and calendar.
2. **Records** – Maintains listings of FGC LMSC competition records including top 10
3. **Fitness** – promote fitness oriented activities
4. **Risk management** – safety and liability
5. **Registration** – maintains registration of all LMSC members
6. **Officials** – Officials liaison to USA Swimming and USMS
7. **Nominating** – secure nominations for officers
8. **Open Water** – maintain open water calendar
9. **Newsletter** – maintain and publish newsletter
10. **Webmaster** – maintain website

B. COMMITTEE CHAIRS

Committee Chairs shall be appointed by the Chair. Their duties shall include:

1. Presiding at all meetings of the committee and performing such specific duties as outlined in LMSC Bylaws.

2. Communicating with committee and Board members to keep them fully informed.

C. COMMITTEE MEMBERS

All other committee members shall be appointed by the Chair with the advice and consent of the particular committee chairs.

**ARTICLE VIII:
CONDITIONS OF COMPETITION**

A. GENERAL

The conditions of competition in any swimming event, and the rules governing it, shall be those established by USMS or by the LMSC where its rules and regulations are not contrary to the rules of USMS.

**ARTICLE IX:
REPORTS AND REMITTANCE TO USMS**

A. ANNUAL REPORTS

The Treasurer shall forward to the national office a copy of the audit of the accounts of the LMSC as received by the Board of Directors. The Secretary shall forward a complete report on the proceedings of the annual meeting of the LMSC, within thirty (30) days after said meeting.

B. GENERAL

The LMSC shall make such other reports and remittances to USMS as specified in its Code or by the national Executive Committee or House of Delegates. The Chair, Secretary, and Treasurer are responsible for seeing that all required reports and remittances are made.

**ARTICLE X:
ATHLETE'S RIGHTS, HEARINGS AND RIGHTS OF APPEAL**

A. GENERAL JURISDICTION

The Board of Directors may conduct hearings on any matter affecting the LMSC, arising solely within the jurisdiction of the LMSC, and involving only members of the FGC LMSC.

B. DISCIPLINARY HEARINGS

The FGC LMSC Board of Directors may censure, suspend for a definite or indefinite periods of time, or expel any member of the LMSC, including any athlete, coach, manager, official, member of any committee or any person participating in any capacity whatsoever in the affairs of the LMSC, who has contravened any of the Bylaws or Rules of the LMSC, or who has acted in a manner which brings disrepute upon the LMSC, or upon the sport of Masters Swimming.

C. PROCEDURES

The procedures to be taken in reference to all hearings shall be as follows:

1. **Formal Hearing** – The respondent shall be given notice in writing, sent to his or her last known address by certified mail, return receipt requested, or by personal service, of the charges against the respondent in detail, or of the circumstances

which are believed to require answers, explanation or clarification. The written statement of charges shall also set out the penalties which may ensue if such charges are proved; shall contain a date at which time the penalties which may ensue if such charges are proved; shall contain a date at which time before the Board of Directors with the right to have counsel of their own choice for representation at the hearing; shall set a date of hearing not less than thirty (30) days nor more than sixty (60) days after the date of mailing such notification; and shall request the person charged to answer, in writing, to the Chair of the LMSC, all the charges set forth in such written statement. This answer shall be delivered to the Chair by either certified mail or registered mail, return receipt requested, no later than ten (10) days prior to the date of hearing. The statement shall also set forth the right of appellate review in the event the decision is rendered against the person charged. The decision shall be rendered at the time of hearing, or within twenty-four (24) hours thereafter.

2. **Emergency Hearing** – When compliance with regular procedures would not be likely to produce a sufficiently early decision to do justice to the affected parties, the Board of Directors, or its duly authorized agent(s) or representative(s), is authorized to summarily hear and decide a matter relating to a scheduled amateur athletic competition. The individual or entity charged may be suspended from participating in any activities of the sport of Masters Swimming whatsoever after being given such notice and hearing as time and circumstances may reasonably dictate. The hearing may be conducted at the site of athletic competition or by telephone conference if necessary, but in any event, under such circumstances as to fully protect rights of procedural due process of the individual or entity charged. The notice to be given to the individual or entity charged may be oral, or in writing, and, if oral, reduced to writing within twenty- four (24) hours, and shall in every instance contain all notice requirements set forth in subsection a of this section C. If an aggrieved party shall demand further hearing, such hearing shall be held in accordance with the provisions set forth in subsection A in this section C.

E. APPEAL

The decision of the FGC LMSC Board of Directors shall be final in all cases subject only to appeal to the USMS Executive Committee and thereafter of written notice of the decision of the LMSC Board of Directors. A petition to USMS must be filed with the national President within thirty (30) days after receipt of written notice of the decision of the LMSC Board of Directors. Any person representing a real party in interest in the case may appeal. Upon timely petition to the national general counsel and upon showing of good cause therefore the time for appeal from the decision of the LMSC Board of Directors may be extended.

F. NOTICE OF ATHLETES

In each case, where notice is mailed to a registered athlete, it is sufficient to mail the notice addressed to them at the residence given in their application for registration; or, if they filed with the LMSC Registrar a written notice of change of residence, then at such changed address.

ARTICLE XI: FISCAL YEAR

A. FISCAL YEAR

The fiscal year of the LMSC shall correspond to the LMSC membership year.

ARTICLE XII: FINANCES AND ASSETS

- A.** No part of the earnings of the FGC LMSC or the funds contributed by any person or corporation shall inure to the benefit of any officer or director of the LMSC or any private individual, or member, or other persons, except that reasonable compensation may be paid for services rendered to or for the LMSC affecting one or more of its purposes. In the event of the liquidation or dissolution of the LMSC whether voluntary or involuntary, no director or officers of the LMSC or any private individual, or member, or other person shall be entitled to any distribution or division of its remaining property or proceeds, and the balance of all money and all other property received by the LMSC from any source, after payment of all debts and obligations of the LMSC shall be first distributed to United States Masters Swimming, Inc. to be used exclusively for educational or charitable purposes, or if United States Masters Swimming, Inc. is not then in existence, then they shall be used or distributed exclusively for purposes similar in nature to those set forth in Article II of these Bylaws and within the intendment of Section 501 (c)(3) of the Internal Revenue Code of 1954 and the Regulations thereof as the same now exists or as they hereafter may be amended from time to time.

**ARTICLE XIII:
AMENDMENTS**

A. AMENDMENTS

Any provision of these Bylaws not proscribed by USMS may be amended at any meeting of the Board of Directors by a two-thirds vote of the members voting. At least thirty (30) days notice must be given to every Board member of any proposed amendment.