

**Bylaws of  
Adirondack District Masters Swimming**  
*(as amended on November 26, 2000)*

**ARTICLE 1. OBJECTIVES AND JURISDICTION**

1.1. Name and Objectives. The name of this committee shall be the Adirondack District Local Masters Swimming Committee. The objectives of the organization shall be to promote and develop swimming for the purposes of fitness, competition, and recreation for swimmers of all abilities aged nineteen years and over, in accordance with the standards and under the rules prescribed by the United States Masters Swimming, Inc. (USMS), and this Local Masters Swim Committee (LMSC).

1.2. Geographic Boundaries. The geographic boundaries of this LMSC shall include the following New York State Counties: Albany, Chenango, Clinton, Columbia, Delaware, Essex, Franklin, Fulton, Greene, Hamilton, Herkimer, Jefferson, Lewis, Madison, Montgomery, Oneida, Otsego, Rensselaer, Saratoga, Schenectady, Schoharie, St. Lawrence, Ulster, Warren and Washington.

1.3. Jurisdiction. The LMSC shall have jurisdiction over the sport of Masters Swimming as has been delegated to it by the USMS.

**ARTICLE 2. MEMBERSHIP**

2.1. The membership shall consist of the following:

A. Swim Clubs

I. Those clubs that have joined and are in good standing as members of the LMSC and that have athletes registered to represent them

II. Those organizations that conduct a program in swimming or are otherwise composed of persons joined together in support of swimming or some aspect of it.

III. Each swim club shall appoint a representative to the LMSC. Such appointment shall be in writing, to the LMSC Secretary and duly certified by the Secretary of the appointing swim club. In the same manner, the appointing swim club may withdraw its representative (by written notice addressed to the Secretary of the LMSC and signed by the Secretary) and a new swim club representative may be appointed.

B. Individual members. Individual members shall be any athlete, coach, official, administrator, or other person who:

I. is interested in the purposes or programs of the LMSC and

II. who has completed and paid the required membership fee to the LMSC (which includes the fee to the USMS).

Individual members will receive a membership card certifying their membership. Members may attend all special and general meetings of the LMSC.

2.2. Responsibilities. Members shall

A. elect officers;

B. ratify or rescind policy and programs established by the Board of Directors hereinafter defined;

C. amend the by-laws of the LMSC as hereinafter proscribed in Article 12.

**ARTICLE 3. GOVERNANCE**

### 3.1. LMSC Board of Directors.

A. Members. The LMSC Board of Directors shall consist of the following:

- I. each officer of the LMSC
- II. the immediate past Chair
- III. a representative of each swim club that has joined and is in good standing. (Each representative shall be certified in writing by the Secretary of the swim club.)
- IV. Committee Chairs. Whenever feasible, the Board of Directors shall represent a variety of geographic locations within the LMSC.

B. Responsibilities. The LMSC Board of Directors shall act for the LMSC and its members during the interval between general membership meetings, subject to the approval and ratification of the membership, except that it cannot amend these bylaws. The Board shall have the power and it shall have the duty:

- I. to establish program and policy, subject to the ratification of the membership, and to lend direction thereto;
- II. to establish the Review Section;
- III. to develop and propose the annual budget of the LMSC to the membership for amendment and presentation;
- IV. to call regular and special meetings of the LMSC Board of Directors;
- V. to designate interim appointments to any officer vacancy occurring between regular elections until the next general, special, or annual meeting of the LMSC.

## ARTICLE 4. OFFICERS

4.1. Officers. The elected officers are the Chair, Treasurer, Registrar and Secretary.

4.2. Eligibility. Only members of the LMSC are eligible to hold office.

4.3. Term of Office. Each officer shall serve a term of two years.

4.4. Nominations. The slate of officers to stand for the election will be prepared by a nominations committee consisting of at least three (3) LMSC members. The nominations committee shall be elected at the annual meeting. The slate of candidates shall be announced to the membership with notice of the next annual meeting. Nominations may be solicited from the membership and additional nominations may always come from the floor at the annual, special, or any general meeting when an interim appointment has been made by the Board of Directors.

4.5 Elections. Election of nominated candidates shall be by a majority vote of those members present at the Annual Meeting and of completed proxy ballots returned to the Secretary by members unable to attend the Annual Meeting.

4.6. Duties. The duties of the officers are as follows:

A. Chair: the Chair shall be responsible for the day-to-day management of the business affairs of the LMSC. The Chair shall call general, special or Board of Directors meetings when and where deemed necessary and shall preside at all meetings. In the absence of an active nominations committee s/he shall appoint committee chairs for such standing and special committees as may be necessary to fill the duties and responsibilities of the LMSC, all with the advice and consent of the Board of Directors.

B. Treasurer: The Treasurer shall be responsible for preparing the annual budget for review and approval by the Chairperson and the Board of Directors and submissions to the membership for adoption and amendment at the annual meeting. The Treasurer shall receive all monies and pay all the bills approved by the Board of Directors or authorized by a budget approved by the membership. The Treasurer is responsible for maintaining all financial records, including bank and checking records, and for making timely reports (at least annually) to the membership

C. Registrar: The Registrar shall be responsible for registering all swimmers and preparing monthly reports.

D. Secretary: The Secretary shall be responsible for keeping a record of all meetings, conducting official correspondence, issuing meeting notices and minutes of meetings, and submitting such reports as shall be required by USMS.

4.7. Vacancies. Vacancies created for any reason in any office shall be filled by interim appointment by the Board of Directors until the next general or annual meeting.

4.8. Any elected officer may be removed from office, FOR CAUSE, by a simple majority vote at any special, regular or annual meeting: such CAUSE shall include, but not be limited to, dereliction of duties of the office, misappropriation of LMSC funds, civil or tort related to LMCS matters or conviction of a felony while in office.

## ARTICLE 5. MEETINGS

5.1. Annual Meeting. The annual meeting of the membership shall be held no later than December 1 of each year. When elections are held the new officers' terms shall begin no later than January 1 of the following year.

5.2. Special Meetings. Should the Chair fail to call regular membership meetings, or should a special membership meeting be deemed necessary, such a meeting may be called at any time upon the request of any three members of the Board of Directors.

5.3. Notices.

A. Time: not less than 15 days' notice must be give by Secretary for any annual or special meeting of the membership.

B. Information: the notice of a special, general or annual meeting shall contain the time, date, and site. For special meetings, the purpose of the meeting shall be stated.

5.4. Order of business. At all membership meetings and meeting of the Board of Directors, the following is the order of business:

- A. Attendance
- B. Reading, correction, adoption of minutes
- C. Reports of the officers
- D. Reports of the committees
- E. Unfinished business
- F. Elections (as appropriate)
- G. New business
- H. Resolution and orders
- I. Adjournment

5.5. Quorum. A quorum necessary to conduct the business of the Board of Directors shall consist of the majority attendance of the Board. For special, general, regular, or annual meetings of the membership, a quorum shall consist of a minimum of five LMSC members exclusive elected officers.

5.6. Rules of Order. At all meetings, the current Roberts' Rules of Order shall be the procedural rules.

## ARTICLE 6. COMMITTEES

6.1. Committee Chairpersons. The committee chairs are selected by the Board of Directors. The committees shall consist of the following:

- A. Newsletter
- B. Publicity

C. Records

D. Meet Management. This committee will additionally be responsible for the sanctioning of meets and clinics.

6.2. Membership. Members of all committees shall be appointed by the LMSC Chair with the advice and consent of the Committee chairs.

6.3. Ad Hoc Committees. The Board of Directors may appoint the chair and members to any ad hoc committees.

## ARTICLE 7. CONDITION OF COMPETITION

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

## ARTICLE 8. CHAMPIONSHIPS

8.1. General. Swimming championships when possible will be held in accordance with the rules of USMS for the conduct of championships as described in the USMS rules.

## ARTICLE 9. DUES AND FEES

9.1. Athlete Registration. Each member, or each swimming club on its own behalf, pays to the registrar an annual fee established by the LMSC and USMS. The fee shall include a charge for insurance.

## ARTICLE 10. REPORTS AND REMITTANCE

10.1. Annual Reports. The secretary shall forward to the USMS Secretary a copy of the audit of accounts of the LMSC, together with a complete report of the Annual Meeting of the LMSC within thirty (30) days following the Annual Meeting. The audit is to be signed by a Certified Public Accountant or by three members of the Board of Directors. The Secretary of the USMS shall then forward the audit of the accounts to the Treasurer of the USMS for filing.

10.2. Membership Reports. The Registrar shall forward each month to the USMS Registrar, a report listing all athletes and clubs and their addresses that have joined the LMSC and USMS within the prior month. This report shall be forwarded to the Treasurer and then sent to USMS with the appropriate LMSC fees.

10.3. General. The LMSC shall make other reports and remittances to the USMS as specified in the USMS Code or by the National Board of Directors and Board of Governors. The LMSC Chair, Secretary, Treasurer, and Registrar are responsible for ensuring that all required reports are made.

## ARTICLE 11- HEARINGS, APPEALS AND ATHLETE'S RIGHTS

11.1. Athlete's Bill of Rights. The LMSC, in accordance with the Rules of the USMS, shall respect and protect the right of every eligible individual to participate as an athlete, coach, trainer, manager, administrator, or other official in any Masters swimming competition, as long as such competition is conducted in compliance with reasonable local, national, and applicable international requirements.

11.2. Review Section.

A. The Board of Directors shall upon request, elect a Review Section comprised of no less than five members. Its may be conducted by an attorney-at-law retained by the Review Section and with the consent of the Board of Directors for that purpose. If the attorney is not a member of the USMS, s/he shall have no vote. The Chair of the Review Section shall be elected by its membership. A quorum for any hearing conducted by the Review Section shall be 50 percent of its membership, but in any event, no less than three.

B. General Jurisdiction. The Review Section may conduct hearings on any matter affecting USMS and the LMSC and arising solely within the boundaries of the LMSC and involving only members of the LMSC.

C. Appeal. The decision of the Review Section will be final in all cases, subject only to appeal to the Board of Directors of the LMSC at the option of the applicant and thereafter to the USMS National Board of Review.

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

## ARTICLE 12. MISCELLANEOUS

12.1. Amendments. Any provision of these by-laws not proscribed by USMS, may be amended at any meeting of the membership of the LMSC by a two-thirds vote of the members voting. At least thirty days' notice must be given to every member of the proposed amendments.

12.2. Fiscal year. The fiscal year of the LMSC shall correspond to the calendar year.

12.3. Mailing address. The LMSC must submit a permanent mailing address for use by national headquarters.

12.4. Mail Vote. Any action that may be taken at any regular or special meeting of members of either the membership or the Board of Directors, except amendment of these by-laws, may be taken without a meeting. If any action is taken without a meeting, the Secretary shall distribute a written ballot to every member entitled to vote on the matter. The ballot shall set forth proposed action, provide an opportunity to specify approval or disapproval of any proposal, and provide a reasonable time within which to return the ballot to the Secretary. Approval by written ballot shall be valid by a majority of the votes cast.

12.5. Dissolution. Upon dissolution, the net assets of the LMSC will not inure to the benefit of any private individual or corporation, but will be distributed to the United States Masters Swimming, Inc., to be used exclusively for educational or charitable purposes or if the United States Masters Swimming, Inc., is not then in existence, or is not then a corporation which is exempt under Section 501 (c) (3) or the Internal Revenue Code and to which contributions, bequests, and gifts are deductible under Section 170 (c) (2), 2055 (a) (2) thereof, such assets shall be distributed to such a corporation, to be used exclusively for educational and charitable purposes.