

Fitness Club Bylaws



Article I- General

- Section A: The Fitness Club
- Section B: the purpose of the Fitness Club is to promote health through a program of exercise taught by certified instructors and choreographed to music and fellowship among members.
- Section C: These bylaws will fully comply with the Recreation Center of Sun City West, Inc., Articles of Incorporation, Association Bylaws, Rules, Regulations, and Procedures (RR&Ps) for Charter Clubs. In the event of a conflict between these bylaws and the above stated governing documents of the Recreation Centers, the Recreation Centers' documents shall prevail.
- Section D: This Charter Club shall be operated as a nonprofit organization in accordance with applicable Arizona and Internal Revenue Tax Exempt Codes, and Association's Bylaws.

Article II – Membership

- Section A: Membership shall be open to members in good standing of the Recreation Centers.
- Section B: There shall be no other precondition for membership, nor will members be required to join any national, state or regionally affiliated organization.
- Section C: Guest privileges are specified in the Rules, Regulation, and Procedures. Chapter 3, Article II.
- Non-Recreation Card Holders may not be given more privileges than a Recreation Card Holder. A recreation card holder may attend a maximum of six (6) times per year before required to join the Club.
- Section D: The dues (amount) for each member will be determined annually on the recommendation of the club board and approved by a majority vote of the club members attending the meeting after a quorum* has been established.

*Quorum is the minimum attendance at a club meeting necessary to conduct elections, to approve bylaws, to approve budgets, or to conduct other club business that requires a vote. A quorum shall be ten percent (10%) of the club's membership. However, a quorum requirement cannot be less than 20 members or more than 100 members

Section E – Maintaining a Club Charter:

- A. Chartered Clubs must meet a membership participation rate of 75% as measured by monthly CR-4 (Monthly Participation Report) and annual CR-15 (Membership Report).
 - 1. Membership participation is the action of taking part in club activities.
 - 2. 75% of a clubs' membership must have participated in club activities at least once within annual membership period.
 - 3. Clubs are responsible for recording individual member participation.
- B. A Club Charter is dependent on club membership, membership participation and longevity of existing Club Charter.

Section F: Each club member is responsible for monitoring at club facilities per club bylaws.

Section G: The club board initiates periodic (at least annual) reviews of club membership to ensure all its members are valid Recreation Card Holders.

Section H: **Member Conduct:** Members who threaten the safety of themselves or others, are abusive, blatantly create turmoil, disruption, or dissension among club members, clubs or the Association in general may have their club membership temporarily suspended (up to two (2) weeks) by the club.

IMPORTANT: All disciplinary actions must be approved by the Club Board (majority vote 51%), member notified within 5 business days of infraction, documented in club records including CR- 16 (scwclubs.com) and copies forwarded to the Recreation Activities Manager and Chartered Clubs Committee Chair.

- 1. Verbal warning to member from the Club President and a Board Member sharing details of incident and violation.
- 2. Written warning from the Club Board documenting details of incident and violation.
- 3. Written notice from the Club Board of temporary club suspension (maximum of two (2) weeks).
 - a. Member may appeal a suspension with written notice to the Club Board, Recreation Activities Manager and Chartered Clubs Committee Chair.
 - b. Appeal will pause suspension until ruling, member rights and privileges continue until ruling complete.
 - c. Appeal is heard at a scheduled meeting with Recreation Activities

Manager, Chartered Clubs Committee Chair & other individuals approved by the Recreation Activities Manager.

1. Member in question and Club President or presiding officer shall present their case.
2. Ruling will be made based on majority consensus.
3. Recreation Activities Manager will forward appeal ruling to Club Board and Member.
4. Member may appeal ruling by written notice to the Recreation Activities Manager requesting a hearing with the Governing Board. Request is forwarded to the General Manager. Further disciplinary action requests by a Club Board shall be forwarded to the General Manager by the Recreation Activities Manager with a copy of the disciplinary actions to date.
 - a. General Manager may suspend a member up to sixty (60) days.
 - b. Club termination may be recommended by the General Manager to the Governing Board.
 - c. Severe cases of adverse Club Member behavior may be cause for suspension of Association membership rights and privileges (i.e. suspension of the RCSCW Recreation Card).
5. Any suspension or termination of club membership or Association rights and privileges may be recommended to the Governing Board by the General Manager following the same Process of Revocation procedures as described in RR&Ps Chapter 2, Article VII, C after completion of procedures listed above.

NOTE: Infractions addressed and corrected immediately do not require further action or documentation. Infractions which result in county or legal involvement (i.e., physical altercation) will move directly to the General Manager for recommendation to the Governing Board.

IMPORTANT: Membership Policy Statement M02 Suspension of Membership, 3.2.1:

Failing to attend the hearing or informing the Governing Board that the person will not attend, shall be considered an expression of "no contest" by the person. In such an event, the Governing Board may accept all reports and testimony as true.

Section I: Privileges

1. Attend membership meetings of the club and cast one vote on each matter coming before the meeting, including elections of officers
2. Participate in the social events of the Club
3. Inspect the records of the Club

4. Receive a copy of the bylaws and current activity program.
5. Petition the President, in the form of a written request signed by a quorum of the membership, on an issue.

Article III – Officers

Section A: The club board must consist of (at a minimum) four officers: President, Vice President, Secretary, and Treasurer. All Club members are eligible to be officers.

1. The Club Board of Directors shall consist of the Club's officers (Club Board) and one class representative elected from each of the Club's classes to serve without monetary compensation and shall submit their name(s) to the Club secretary. Should there be more than one (1) representative elected by a class, only one (1) may serve and/or vote at any regular or special meeting of the general membership or Board of Directors.

Section B: Newly elected or appointed officers, within fourteen (14) business days of taking office shall attest that they have read and understand the Association's Rules, Regulations, and Procedures for Charter Club by signing the CR-5 (New Club Officers and Rules, Regulations, and Procedures for Charter Club Affirmation Report) and forwarding it to the office of the Recreation Manager.

1. The election of officers may be held at the fall membership meeting in November. The elected officers shall be installed and shall assume their duties on January 1st.

Section C: The club board shall be elected by a majority vote of those present at the club's annual membership meeting after a quorum is established. The elected officers shall serve **without** compensation. An officer normally may not serve as an independent contractor. (RR&Ps, Chapter 4, Article VI, L)

Section D: Each club is responsible to designate in their bylaws the individual responsible to submit the CR-15 membership report to the Recreation Activities Manager by Feb 1, of each year.

Section E: Terms of Office and Responsibilities of Officers/Club Board and Board of Directors.

All Officers and Class Representatives shall perform their duties as specified in these bylaws and shall deliver all materials pertaining to their office within ten (10) days after January 1st.

Any reference to an officer being ex-officio will state term is not to exceed one year.

The President shall:

1. Act as a chairperson of all special committees deemed necessary. All committee chairpersons shall be members of the Board of Directors except for the nominating committee and the chairperson of the auditing committee.

2. Be an ex-officio member of all committees, with exception of the nominating and auditing committee for a term not to exceed one (1) year.
3. Present a nominating committee as appointed by the Class Representatives for approval by the general membership.
4. Submit Form CR-6 (Charter Club Activity Calendar) for the next full year on May 1st-15th and CR-14 (Facility Reservation or Cancellation) forms as needed during the current year to the office of the Recreation Activities Manager.
5. Complete the Form CR-8 or CR-8A (Independent Contractor Agreement) and submit to the office of the Recreation Activities Manager.
6. Perform other duties as they are deemed to be indicative to the office of President.

The Vice-President shall:

1. Assist the President in executing the duties of the office and shall assume the duties of the President in their absence.
2. Assume the Presidency in the event the President is unable to complete their term in office.

The Secretary Shall:

1. Record the proceeding of the Board of Directors and Club meetings
2. Distribute the correspondence of the club, as directed by the President.
3. Call meeting to order in the absence of the President and Vice-President and preside over the elections of temporary presiding officers.
4. Properly record amendments to the Bylaws.
5. Preserve all records for a minimum of five years.
6. Appoint an Assistant Secretary if needed, to assist with Secretary's duties.

The Treasurer shall:

1. Be the custodian of the funds of the club.
2. Pay all bills promptly.
3. Keep an accurate report of receipts and expenditures.
4. Give a comprehensive report at each Board of Directors meeting and at each business meeting of the club.
5. Close the books no later than December 31st and submit them to the auditing committee within 15 days.
6. Submit a written report, properly audited, to the President for approval by the Board of Directors.
7. Submit form CR-7 (Annual Financial Statement) to the office of the Recreation Activities Manager by February 1st for the preceding calendar year.
8. Submit form CR-15 (Annual Membership Roster) as of December 31st to the office Recreation Activities Manager by February 1st for the preceding calendar year.
9. Appoint an Assistant Treasurer if need to assist with the Treasurer's duties.

Class Representatives shall:

1. Over see and/or maintain up-to-date class attendance cards or other class attendance records as appropriate for each class
2. Be responsible for ensuring that all monies/membership records, etc. are received by the club Treasurer.

3. Each September it shall be the responsibility of the Class Representative(s) to appoint a member from the class they represent, to the nominating committee.
4. Serve as/or appoint an appropriate number of door personnel for selling of tickets, processing new members or membership renewals, performing duties listed in 1 thru 3 above and/or other duties necessary to ensure the classes smooth operations.

Section F Other (vacancies in office, impeachment)

Vacancies in office.

1. Vacancies in an elected office shall be filled through appointment by the President and confirmed by a majority vote of the Club Board of Directors for the duration of the original term. The Vice President shall accede to the office of President in case of vacancy.
2. A member appointed to fill a vacancy in an elected office, which is active in that office for a period of five (5) months or longer, shall be deemed to have served a full term.

Section G Impeachment: To impeach an officer or fill a vacancy, Robert's Rules of Order must be followed. If an impeachment is successful, the election of a new officer must follow immediately. (The procedure is available from the Recreation Activities Manager)

Section H It is the responsibility of the club president to pass the Rules, Regulations, and Procedures book onto their successor.

Article IV – Meetings

Section A Frequency of Meetings: There will be general membership meeting conducted during each quarter of the calendar year. One of these meeting should be designated as the election meeting.

Section B Special Meetings of the General membership: Special meeting of the general membership may be called by the President as he/she deemed necessary or shall be called upon written request signed by either one-third (1/3) of the Board of Directors membership or twenty (20) of the Club membership.

Section C Provisions for Calling and Recording Meetings:
Minutes will be taken by the secretary to document all business sessions and approved by the club president. Minutes, as well as other pertinent administrative records will be retained for a period of three (3) years. Minutes should be available to membership before the next meeting.

Section D Voting and Quorum Requirements:

1. Club Board Meeting- A quorum is a simple majority of the board.

2. **Membership Meetings-** A quorum is the minimum attendance at a club membership meeting necessary to conduct elections, to approve bylaws, to approve budget, or to conduct other club business. There will be no proxy votes. The required majority must be of those present at a meeting to specifically called for such purpose. A simple majority is required for all issues except bylaws. To approve bylaws, a two-thirds (2/3) majority is required. A quorum shall be ten (10) percent of the club membership, however it cannot be less than twenty (20) members. A club could have excess of 100 members at a meeting, but the top requirement is 100.
3. Voting may be done in person, by paper ballot, or any generally accepted other technologically assisted solutions and retained in club records.
4. Reference Robert's Rules of Order for assistance in parliamentary procedures. Please note that stated bylaws take precedence over Robert's Rules, i.e., anything not stated in bylaws shall be referred to Robert's Rules for parliamentary procedures.

Article V - Financial

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| Section A | Financial Records shall be retained for a period of seven (7) years (prior to the current year). |
| Section B | Approval by the Board of Directors must be obtained for any expenditure more than five hundred dollars (\$500). Other expenditures of \$25 or less can be paid by petty cash. (RR&Ps, Chapter 4, Article V, B, 4). |
| Section C | Signatures of the President and Treasurer must be on file with the financial institution used by the club. Checks can be signed by the Treasurer or the President. Expense checks more than \$500 require the signature of both the Treasurer and the President. |
| Section D | No club member shall receive compensation or financial award from club funds for contributions or service to the club. The only exception is when a member has an independent contractor agreement previously approved by the Recreation Activities Manager. |
| Section E | Financial records must be audited on a yearly basis by individuals other than those elected to club board. The results of the Report of Audit will be presented to the general membership and duly recorded in the applicable minutes of such meeting. A copy will be provided to the office of the Recreation Activities Manager. |
| Section F | Club advertising: Any commercial advertising or flyers of club activities must follow Association policies. |

- Section G **Contracts:** Any contracts for instructors will be handled in compliance with Chapter 4, Article VI of the RR&Ps. Each contract must be renewed on a yearly basis and a copy of each sent to the Recreation Activities Manager for approval.
- Section H **Treasures responsibility:** The treasure is required to submit Form CR-7 (Annual Financial Statement) to the office Recreation Activities Manager by February 1 for the preceding calendar year.

Article VI – Committees

- Section A **Committees and/or chairpersons** may be elected by the general membership or appointed by the club board.
- Section B **Permanent (standing) committees**, at a minimum, will included Safety and Audit.
- Section C **Specify the duties of the Safety Chairman/Committee:**
1. **The Safety Committee** will consist of the elected Class Representatives or their designee(s). A member of the Safety Committee shall be present at each class and will ensure that class size does not exceed Fire Code Regulations and that the class area is safe and free of hazards. Any unsafe condition shall be promptly reported to the facility supervisor for resolution.
- Section D **Specify the duties of the Audit Committee:**
1. **An Audit Committee** appointed each year by the Board of Directors will remain in force until relieved by the next incoming Board of Directors. The responsibilities of the Audit Committee are set forth in Article V, Section E.
- Section E **Nominating Committee:**
1. **A Nominating Committee** shall be formed in September and will consist of one member from each of the Club classes appointed by the Class Representative, plus one additional member who will be appointed by the President. The nominating shall elect a member to serve as chairman.
 2. **The nominating committee** shall present a slate of one or more candidates for each office with prior consent of the candidates. The slate is to be posted on the Club bulletin board and posted in each class no less than three (3) weeks prior to election day.
- Section F **The President** shall appoint a chairperson to organize a social committee to plan celebration events and other club functions.
- Section E **The President** shall act as an advisor to the newly elected President and may be the ex-officio to the Board of Directors for the following year.

Article VII - Amendments

To amend the bylaws of this club requires a two-thirds vote of the membership present at a meeting specially called for such a purpose, a quorum being present. Procedures for filing amendment(s) are as follows:

1. The Recreation Centers' Activities Manager shall review the proposed amendments prior to the submittal to the club membership.
2. Proposed amendments shall be well publicized to the membership one (1) month prior to the vote. All amendments must be voted upon and approved by a quorum of the membership.
3. A complete revised set of the club's bylaws will be submitted to the Recreation Centers' Activities Manager for final review. The amended bylaws required the approval of the Recreation Centers' Activities Manager prior to implementation. The results and date of the membership vote shall be noted on the submitted document.

Article VIII Dissolution

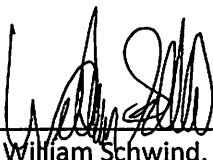
Prior to club dissolution (after all debts are satisfied) all properties and assets shall be turned over to the Recreation Centers.



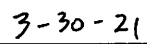
Vicki Crites, President



Date



William Schwind, General Manager



Date