

These By-Laws were adopted by a vote of the BYH Board of Directors  
On 06/22/2022.

## ARTICLE I

### OBJECTIVES

The purpose of Berlin Youth Hockey is to establish an organization in which children learn the fundamentals of skating, hockey, sportsmanship and citizenship with an emphasis on teaching and participation. We will also provide an opportunity for competitive hockey at a level commensurate with the ability of the players. We will adhere to USA Hockey's Zero Tolerance policy.

### Article II

The fiscal year of the Corporation Berlin Youth Hockey shall be in the period June 1st to May 31st. Berlin Youth Hockey is registered with the IRS as a 501(c)3 Not for Profit Organization.

### Article III

The name of the Corporation shall be the Berlin Youth Hockey Association, Inc.

### Article IV

The Corporation seal shall be circular in form and have inscribed thereon the name of the Corporation, the year of the Incorporation, and the words "New Hampshire".

### Article V

The Corporation shall have all the powers and enjoy all the privileges granted by the laws of New Hampshire and in particular RSA 292.

## Article VI

### Section 1

The Board of Directors of the Berlin Youth Hockey Association Inc., shall consist of a 15-member elected board. The Board of Directors shall be elected by the members who are present and in good standing at the Annual Meeting. Voting for Directors shall be by written ballot. Each member in good standing may vote. No nominee shall receive more than one (1) vote on any single ballot. The nominees receiving the highest number of votes shall be deemed elected. If the number of nominees does not exceed the number of Directors to be elected the written ballot vote shall be waived and the nominees shall be declared to have been elected. In the event that the Members are unable to elect Directors due to a lack of a quorum of members at the Annual Meeting, Directors shall be elected by a vote of the Directors then in office.

The Officers of Berlin Youth Hockey shall be comprised of a President, Vice President, Treasurer, and Secretary; 11 regular board members. Board members shall be elected for three (3) years. Five (5) board members terms shall be filled each year. In the case of the President's term ending, that individual may stay on for one more year as immediate past President, thereby making a 16-member board.

### Section 2

Said Officers of the Corporation other than Directors shall be elected by the Directors at a meeting of the Board of Directors to be held soon after the adjournment of the Annual Meeting.

### Section 3

All Officers elected by the Directors shall serve until the next Annual Meeting unless sooner removed.

## Section 4

The Officers and Directors shall serve without compensation.

## Section 5

Two or more offices may be held, at the same time, by the person an individual and the Officers and Directors of the Corporation need not be board members. For example, Referee In Chief, Registrar, Complaint Committee, NH State Delegate, Seacoast Delegate, Head Team Mom, and Fundraiser Chair.

## ARTICLE VII

### Section 1

The Board of Directors may remove for cause of any Officer elected by them at any meeting called for that purpose.

### Section 2

Vacancies on the Board of Directors or in any office shall be filled by a majority vote of the remaining Directors. Those so elected shall serve until the term of the person who has vacated or been removed from that position has expired.

## ARTICLE VIII

### Section 1 Conflict of Interest Statement

Pursuant to RSA 293-A:8.31 Berlin Youth Hockey adopts the following procedure when managing conflict of interest transactions:

1. A conflict of interest transaction is defined as a transaction in which a member of the Board of Directors has a direct or indirect interest.

A conflict exists if a Director (a.) has a material financial interest or in which he/she is a general party in another entity which is party to a transaction or (b.) he/she is a director, officer or trustee of another entity which is party to the transaction and the transaction is or should be considered by the Board.

2. The board member having the direct or indirect conflict shall notify all other members of the conflict, state for the record their interest and refrain from participating in the discussion and voting on the matter as a board member.

3. A conflict of interest transaction shall be approved if it receives the affirmative vote of a majority of the Directors of the Board who have no direct or indirect interest in the transaction.

## Section 2

The Directors shall have all the powers of the Corporation not inconsistent with the by-laws and the laws of the State of New Hampshire.

## Section 3 Prior Notice

Meetings of the Directors shall be held monthly. The Members will be given two days written, or email notice, and/or designated at the prior Directors' meeting. The notice shall include the place, time and agenda. Emergency or special meetings shall not require the two (2) days written notice nor shall they require the agenda but shall require the purpose.

## Section 4 Quorum

At any meeting the Board of Directors, six (6) of the Directors in office excluding the President, shall constitute a quorum. If a quorum is not present such meeting shall be adjourned.

## Section 5 Attendance

A Director who misses four (4) regularly scheduled meetings in a year (year being from Annual Meeting to Annual Meeting) shall relinquish his/her seat on the Berlin Youth Hockey Board of Directors and shall no longer be considered a Board member.

## ARTICLE IX

### Duties of Officers and Appointees

A. President- The President shall preside at all meetings of Members of Berlin Youth Hockey and all meetings of the Board of Directors and shall prepare agendas for such meetings. The President shall be a member, ex-officio, of all committees created by the Board. The President shall execute all contracts or other legal documents on behalf of BYH as authorized by the Board of Directors.

B. Vice President- The Vice President shall perform all the duties and have all the powers of the President in the event of the President's absence or incapacity.

C. Treasurer- The Treasurer shall keep complete and accurate books or account, showing the financial transactions and conditions of BYH and shall prepare a report for every meeting of the BYH Board or whenever requested to do so by any Director. The Treasurer shall sign all checks in payment of liabilities approved by the Board and shall collect all bills, notes, demands, claims, and rentals of any kind and description. The Treasurer shall deposit the funds of BYH in such banks and accounts as designated by the Board. The Treasurer shall make all financial records available whenever such audit shall be requested by the Board.

D. Secretary- The Secretary shall have the care and custody of all records, legal documents, reports and records produced and maintained by all

officers, appointees, and special committees, and other papers of value belonging to BYH. All such records may be stored electronically if such storage is provided by BYH. Upon request by any member or director, the Secretary shall make any BYH records or documents available for inspection. To the greatest extent practicable, the Secretary shall cause the Articles of Agreement, By-Laws, agendas, and minutes of all BYH Board or Member meetings to be posted to the BYH website and be accessible to all BYH Directors, Officers and Members.

E. Registrar- The Registrar (appointed position) shall oversee the registration of players and the collection of registration fees. The Registrar shall turn over all registration fees collected to the Treasurer for deposit in accordance with the Treasurer's regular duties. The Registrar shall maintain accurate records of all player registration and registration fees collected. The Registrar shall prepare a registration report whenever requested to do so by any Director. The Registrar, in consultation with the Board, shall establish all registration dates and deadlines for payment of registration fees.

F. Coaching Director- The Coaching Director (appointed position) shall:

1. Assure that all BYH coaches meet the minimum requirements for the respective level at which they are coaching.
2. In consultation with the Board, make all head coach and assistant assignments or removals.
3. Provide all necessary information and material to keep coaches up to date regarding coaching techniques and certification programs as may be required.
4. Conduct and preside over all coaches' meetings.
5. Act as a liaison between the Board and coaching staff and between the coaching staff and the Members, for the purpose of addressing grievances related to coaching performance, team performance, rosters and player participation.

G. Scheduler- The Scheduler (appointed position) will act as a liaison between BYH and rink personnel for the purpose of obtaining and allocating sufficient ice time to support practice sessions, games, clinics, and tournaments. The Scheduler shall also be responsible for coordinating with other youth hockey organizations to schedule all required league games, both home and away. The scheduler shall have ongoing communication with coaches and other necessary parties around schedule changes.

H. Referee-In-Chief- The Referee-In-Chief shall be responsible for the conduct and behavior of all referees used by BYH and shall be responsible for identifying and obtaining qualified referees for all home games. The Referee-In-Chief shall also be responsible for maintaining a current list of certified referees, identify potential referee candidates, and assisting them in acquiring certifications as required by state league rules.

I. League Representative/Delegate- The League Representative/Delegate will represent BYH at all league meetings and events in which the association actively participates.

## ARTICLE X

### Special Committees

Special Committees may be appointed by the Board as needed. Special Committees shall serve until they complete the project for which they are appointed and shall render a final report to the Board.

## ARTICLE XI

### Annual, Regular and Special Meetings

#### Section 1 Annual Meeting

The Annual Meeting of the Members shall be held on or before June 30th at such hour and place as the Board shall designate. The Board shall have

the power to schedule the Annual Meeting on any other date if it decides it would be in the best interest of BYH to do so. At such annual meeting, the Membership shall elect by written ballot five (5) Directors for three year terms to bring the number of Directors to fifteen (15). Should more than five (5) vacancies exist at the Annual Meeting the Membership shall fill those vacancies by electing Director or Directors for one or two year terms as required to complete a fifteen member Board.

### Section 2 Special Meetings

Special Meetings of the Members shall be called by the President upon written request of five (5) or more members in good standing stating the reason for the request. The Special Meeting shall be held at a location designated by the President and within a reasonable time after receipt of the request.

### Section 3 Quorum

At any meeting a Quorum shall consist of a majority of the Board. At any meeting a majority consists of one more than half of the Board members present for voting. A Board member must be present to vote. A majority vote of the Membership shall be necessary for any action by the membership when not contrary to the laws of the State of New Hampshire.

### Section 4 Removal of Officers/Director

A Director may be removed by a majority vote of the Members.

An Officer may be removed by a majority vote of the Board. Any Officer serving as a Director who is removed from office pursuant to this Section shall continue to serve as a Director unless removed by the Members.

## Section 5 Notice of Meetings

Written notice of all Member meetings including the Annual Meeting shall be provided to all Members at least seven (7) days prior to the date of the meeting and shall state the time, place and purpose of the meeting.

Written notice of all Board meetings shall be given to the Directors and Members at least two (2) days prior to said meetings.

## Section 6 Executive Sessions

The Board may elect to enter a closed executive session for the purpose of discussing personnel matters, matters involving sensitive personal or financial information, pending or threatened litigation, or other matters whose disclosure would constitute an invasion of privacy.

The Board may enter a closed executive session by a majority vote on a motion stating the reason for executive session.

## Section 7 Notice Requirements

Any notices required by these By-Laws shall be sent to the postal address or email address that is provided by a member when registering or as updated thereafter. Members shall be responsible for providing accurate and current contact information to the Board. Proper notice may also be effectuated by posting of such notice on the BYH website provided the posting meets any notice deadlines set forth herein.

## ARTICLE XII

### Sportsmanship

#### Section 1

The coaches, officials, parents, and any representative of the Berlin Youth Hockey Organization will at all times display strict, appropriate behavior and sportsmanship.

#### Section 2

In order to have a viable organization the teams will at all times adhere to the scheduled practices, games and tournaments. The head coach will be held responsible for the aforementioned rule.

#### Section 3

Any breach of the bylaws will result in a hearing off the Board of Directors and may result in suspension or expulsion from Berlin Youth Hockey.

## ARTICLE XIII

### AMENDMENTS

These bylaws may be altered, amended, or repealed at any legal meeting of the Membership by a simple majority of those Members who are in good standing to vote and are present at said meetings. If adopted, an amendment to the By-Laws shall be immediately effective unless otherwise provided in the text of the amendment.

## ARTICLE XIV

### TRYOUTS

The tryout selection process shall be conducted in accordance with written guidelines. From time to time these guidelines may be amended by a majority vote of the membership and the Annual Meeting or any other legal meeting called for that purpose.

The purpose of the guidelines now or as amended in the future shall be to establish an equitable tryout selection that serves the best interest of the players at large.

## ARTICLE XV

### PAYMENT PLAN

#### Section 1

If your ice time bill is not paid in full by December 30th your child(ren) cannot participate in any practices, games and/or tournaments.

Before you register for next year's season, your prior ice bill must be paid in full.

If there is a hardship case you must contact a member of the Executive Board in writing explaining your hardship case and what payment arrangements can be made; this letter must also be signed.

Exception to this rule is Midgets. Their full season ice bill, and any outstanding balances will be due on or before October 31st.

Exception to this rule is Learn to Skate/Instructionals. Their ice bill is due in full prior to their first session.

## Section 2 Tuition

Fees are determined by BYH Board prior to each season. Fees are based on anticipated costs including ice cost, insurance, league fees, equipment replacement and referees. Fees may not necessarily be uniform across leagues due to varying costs.

BYH is under no obligation to provide refunds or credits of any kind.

Refunds or credits may be granted by the Board upon written request either in full or in part in the event of a season ending injury. Any refund or credit granted will be solely at the discretion of the Board.

Refunds or Credits will not be granted under any circumstances to player who are expelled or suspended from the league as a result of disciplinary action.

As USA Hockey fees are non-refundable, no refund or credit will include said fees.

At the conclusion of the evaluation process and once rosters have been established by the Board, refunds or credits will not be available in the event a player wishes to resign from the league. Dissatisfaction with a player's placement is not grounds for a refund or credit under any circumstances.

The Board will consider a refund or credit on a pro-rated basis for a player whose family relocates to a new address outside of Coos County during an ongoing season.

The Board reserves the right to solely review refund or credit requests due to circumstances under these By-Laws.

## ARTICLE XVI

### VOTING PRIVILEGES

#### Section 1

Members: The members of BYH ("Members") shall consist of:

1. Regular Members, which shall be the parents or legal guardians of players registered and participating in the BYH program at any level, and
2. Associate Members, which shall be any other person who is not a Regular Member, participating in BYH as a coach, referee, Director, Officer or Appointee to any BYH position.

#### Section 2

Good Standing: Members shall be eligible to vote at the annual meeting only if such members are in good standing. Members shall be considered to be in good standing as follows:

1. A Member shall be in good standing if:
  - a. During any BYH season the Member has paid, in full, all registration and tuition fees for all of that Member's players registered and participating in BYH for the current season; or
  - b. During any BYH season, but prior to the deadline for making full payment of all registration fees established by the Board or Registrar, the Member has paid the minimum deposit due upon registration, and any incremental payments due thereafter, for all of that Member's players registered and participating in BYH for the current season.
2. Each Member shall be entitled to one (1) vote with a maximum of two (2) votes per family.

3. An Associate Member shall be in good standing at any time during which the Associate Member is actively participating in BYH as a coach, referee, Director, Officer or Appointee to any BYH position. An associate member shall be entitled to one (1) vote.
  
4. Player Participation- No player shall be permitted to participate in any BYH practices, games and/or tournaments at anytime during which that player's parents or guardian are not in good standing for failure to pay that player's registration fees, deposits, or incremental payments when due.

By-Laws Adopted by BYH Board of Directors: \_\_\_\_\_

Amendment: Article II (Fiscal Year)

Voted and approved by Board of Directors: June 22, 2022