

WEST VOLUSIA PONY BASEBALL, INC.

BY - LAWS

ARTICLE I - NAME

The organization shall be known as West Volusia Pony Baseball, Inc., a registered Florida Non-Profit Corporation, operating under a registered fictitious name of West Volusia Youth Baseball (hereinafter "league"). Unless otherwise stated, reference to the "Board" shall mean the "Full Board".

ARTICLE II - OBJECTIVE

- A. The objective of West Volusia Youth Baseball shall be to implant firmly in the youth of the community the ideas of good sportsmanship, honesty, loyalty, courage, and reverence, so that they may be well adjusted, strong, and happy; and will grow up to be good, clean, healthy, and trustworthy adults.
- B. The objective will be achieved by providing supervised competitive baseball games. The supervision shall bear in mind that the attainment of exceptional athletic skill or the winning of games is secondary, and the molding of future adults as the prime importance.

ARTICLE III - GOVERNMENT

These articles constitute the rules and regulations under which West Volusia Youth Baseball will be governed. These articles hereby supersede any other rules or regulations, and by-laws written or implied. The official playing rules and regulations as published by the league, Dixie Baseball Inc., and Major League Baseball, shall be binding on West Volusia Youth Baseball.

ARTICLE IV - MEMBERSHIP

Membership is open to all residents of the West Volusia geographical area designated for this organization by Dixie Baseball and as approved by the Board. The Board, at the start of each season of play, will hold open registration for membership. Members are to present a birth certificate of the applicant, complete a registration form, the Code of Conduct, Parental Form, and Media Release, in full, to be considered for membership.

A player shall not move from one Dixie league to another within a common or overlapping boundary in the same season.

Anyone interested in managing, coaching, volunteering, or umpiring within the league will be required to complete an application to be kept on file for a period of one year. All applicants selected by the Board to manage, coach, volunteer, or umpire within the league will be subject to and must pass a background check. Please also refer to **ARTICLE IX – POLICY – Section 3** for additional information.

The Board, on a yearly basis establishes membership fees.

Membership voting rights will be granted for two votes per family actively registered in fall ball, and one to coaches and managers in fall ball without children registered.

ARTICLE V - MEETINGS OF THE MEMBERSHIP

Section 1 - Annual Meeting

The annual meeting of the West Volusia Youth Baseball membership shall be held at the league offices located at the Dewey O'Boster Sports Complex during the month of October, or as soon thereafter as possible, the specific date to be determined each year by the Board.

Section 2 - Meetings

- A. The Board will hold regular meetings on the first Monday of each month, and the third Wednesday of each month thereafter during league play, or on such other dates as set by the Board, and at such times as the President may direct.
- B. Agenda meetings comprised of the Board and any volunteered members of the league, shall meet on the first Monday of each month.

Section 3 - Quorum

The presence of 51 percent of the current members of the Board shall be necessary at any meeting to constitute a quorum for transacting business. The act of a majority of Directors present at a meeting when a quorum is present shall be the official act of the Board, unless stated otherwise in these Articles.

A quorum shall consist of nine members of the Board present at a scheduled or emergency board meeting.

Section 4 - Business to be Conducted

Business to be conducted at the annual membership meeting shall be:

- A. Reading of the minutes from the previous annual meeting.
- B. Annual report of the President to the membership.
- C. Annual report of the Treasurer to the membership
- D. Annual report of the Secretary to the membership.
- E. Election of Directors (Board Members)[nominations] for the ensuing year.
- F. Annual report of the League Commissioner to the membership.
- G. New business.

Section 5 - Special Meetings

- A. Special meetings of the membership may be called by the Board.
- B. Special meetings may be called upon written request of at least five (5) Board Members. Notice of special meetings shall be given by the Secretary to each Director not less than three (3) days prior to the meeting, by e-mail or telephone.

Section 6 - Public Notice

At least seven (7) days public notice shall be given prior to general membership meetings.

ARTICLE VI - BOARD OF DIRECTORS

Section 1 - Qualifications

Members of the Board shall be citizens of the United States of America and residents of Volusia County, unless the Board approves otherwise. Members of the Board shall pass a background check and not engage in activities deemed to violate moral turpitude. Members of the Board, must be accountable for their actions and put the responsibilities of the league ahead of personal gain.

Members of the Board can not manage a team in the "league" while they are the manager of a team in any other age competing baseball organization (AAU, Connie Mack, USSSA, etc).

If a Member of the Board is a Manager or becomes a Manager of any age competing baseball organization they are not eligible to manage in the "league". This does not include any Florida High School Athletic Association sponsored or approved organization(s).

The Board of Members shall be made up of three (3) equal categories of membership.

A. Executive Board

The Executive Board shall be made up of sixteen (16) members; eight (8) shall be titled and eight (8) shall be non-titled. The (8) titled members shall be (1) President, (2) First Vice-President, (3) Second Vice-President, (4) League Commissioner, (5) Treasurer, (6) Secretary, (7) Purchasing Agent, and (8) Chief Umpire. The Chief Umpire will be a voting titled position and can be held by the same person serving as president only.

The eight (8) non-titled executive board positions shall be filled by general election of the league membership each fall.

B. Lifetime Board Members

Present or former board members who have served a minimum of seven (7) years on the Board, and former league presidents who have served a minimum of two (2) years as president of the league shall become a candidate, at their request, for lifetime board member status on the Board. A majority vote of board members present at a quorum meeting is needed for approval.

C. Honorary Board Members

Present or former board members who have served a minimum of five (5) years on the Board shall become a candidate, at their request, for honorary board member status on the Board. A majority vote of board members present at a quorum meeting is needed for approval.

All Board members and their spouses shall qualify as league members and shall have the privileges of league membership.

All Board members shall have equal privileges as far as voting, nominations, making motions, seconding of motions, and any other steps in the legislation process concerning league matters, general rules, division rules or by-law changes, unless otherwise stated herein.

Section 2 - Duties of the Board

The Board shall transact all business of West Volusia Youth Baseball. It shall determine the policies, procedures for league operations and conduct, fiscal matters, employment of staff, and other personnel policies and generally shall assume responsibility for the guidance of the affairs of the league and/or corporation.

Section 3 - Vacancies

The Board shall have the power to fill any vacancy in any office occurring for any reason whatsoever by a majority vote. The President, in consultation with the Board, shall nominate persons to be voted on. Titled Board vacancies must be filled by an existing non-titled board member. Each fall at the first scheduled board meeting following the non-titled executive board election, the Board shall fill any vacant or challenged titled executive board member positions. Positions shall be filled by a majority vote of a quorum.

Section 4 - Removal of Directors and Officers

Any Director or Officer may be removed by the Board whenever, in the judgment of the Board, the best interests of the league and/or corporation will be better served thereby, by a majority vote of at least 2/3rds of the remaining Board members. If a member of the Board is absent for more than two Board meetings in succession without an excuse deemed acceptable by the remaining Board Members, this member shall be removed from the Board and a replacement elected. Please also refer to **ARTICLE IX – POLICY – Section 3** for additional information.

Section 5 - Delegation of Power

For any reason deemed sufficient by the Board, the Board may delegate any power or duty of any member of the Board to any other Officer or Director, but no Officer or Director shall execute, acknowledge, or verify any instrument.

ARTICLE VII - TERM OF OFFICE

Section 1 - Term of Office

The non-titled Board positions will hold a term of office of one (1) year, fall to fall. Each year, the general assembly (membership) will elect the eight (8) non-titled board members from the submitted nominations. Prior to the non-titled executive board election, the Board shall fill any vacant or challenged titled executive board member positions from the non-title Board members. Positions shall be filled by a majority vote of a quorum.

Titled Executive Board positions hold a term of office for two (2) years, or longer if unchallenged, or challenged and defeated, or until resignation. A challenged titled executive board position shall be voted on only by active Board Members at the next scheduled meeting of the Board. Active Board Members, defined for the purpose of this section, shall consist of any member attending 75% or greater in meetings over the twelve (12) month period preceding the date of the challenge; however if tenure is less than twelve (12) months, then 75% or greater in attendance during their period of tenure, to be eligible to cast a vote either in person or by written proxy to the Secretary.

Section 2 - Duties

A. President

1. Preside at all meetings of the Board.
2. Make all committee appointments.
3. Appoint an audit committee of not fewer than three (3) persons, or a certified accountant and/or accounting agency, who is/are approved by the Board to perform an audit of all bookkeeping records and Treasurer's reports. An audit can be ordered at any time by the President.
4. Be a member ex-officio of all committees except the Nominating Committee.
5. Perform all other duties pertaining to the administration of the business property and affairs of the league and/or corporation.

B. Secretary

1. Record the minutes of all meetings.
2. Write up the minutes as soon as practical following the meeting.
3. Confer with the President for possible commissions, appointments, orders or authorization.
4. Give notice of all meetings required by the statutes, by-laws or resolutions.
5. Carry and/or maintain all necessary correspondence and other documents of the league and/or corporation.
6. Perform such other duties as may be delegated to him/her by the Board.
7. Keep custody of the Corporate seal.
8. Regularly maintain and annually update all league Charter/Franchise documents and all corporate documents.
9. Take and maintain attendance records at meetings.
10. Perform, conduct, and oversee the registration process of general membership of the league for each season of play.

C. Treasurer

1. Prepare and file financial reports and returns required by all governmental agencies.
2. Be custodian of all funds and securities of the league and/or corporation and collect interest therein.
3. Maintain a record of the accounts of the league and/or corporation and report thereupon at each regular meeting of the Board.
4. Deposit all monies of the league and/or corporation in the name of the league in the bank, or banks, selected and designated by the Board, subject to withdrawal for authorized purposes, upon the joint signatures of two of the Officers of the Corporation.
5. Issue a copy of the corporation's bank statement to each Board Member and, upon request, make it available for inspection by any other league member.
6. Audit and oversee concession stand concessionaire, concession vendors and finances.

D. First Vice-President

1. Preside at all meetings of the Board in the absence of the President.
2. Publish and make available to the membership all league Rules and By-Laws of West Volusia Youth Baseball.
3. Oversee the Rules Committee regarding any recommendations for revisions and/or amendments to league rules and/or by-laws to bring to the board for vote and approval.
4. Shall maintain a record of the actions and dispositions of all protested games.

E. Second Vice-President

1. Preside at all meetings of the Board in the absence of the President and the First Vice-President.
2. Perform all such other duties usually pertaining to the office of the President or First Vice-President in the absence of both.
3. Serve as the Director In Charge of Sponsorships and fundraisers, maintaining and updating all records of sponsorships and fundraisers for presentation to the Board, and to assure that each Sponsor receives any services or goods listed in the sponsor agreement.
4. Oversee the Fundraising Committee regarding recommendations on league fundraisers to bring to the Board for vote and approval.

F. Purchasing Agent

1. In all Board discussion or consideration involving procurement of goods or services on behalf of the league, make recommendations to the Board involving pricing, vendor selection, and a statement of requirements so that an informed purchasing decision can be made.
2. Ensure that the proper records of ordering and receiving of goods are obtained and retained for all purchases.
3. Serve as the liaison between vendors, the league and the Board.

G. League Commissioner

1. Shall serve as the spokesperson for all players, managers, and coaches to the Board.
2. Serve as a Board liaison to players, managers and coaches on issues of playing rules, conditions, and policies.
3. Will be responsible for overseeing the complaint process which is implemented through each Divisional Commissioners.
4. Shall nominate Division Commissioners for Board approval prior the start of each season. Note The Divisional Commissioners cannot manage or coach a team within the division in which they are appointed.
5. Nominate and oversee the Protest Committee.
6. Will assist Division Commissioners in presiding over and governing the division to which they are appointed.
7. Solicit from each Division Commissioner a recommendation of candidates to the Board for discussion of all All-Star managers and coaches on or prior to May 1st.

H. Chief Umpire

1. Shall be approved by the Board.
2. Serve as the Board liaison to all league umpires on issues of playing rules, conditions and policies.
3. Serve as the spokesperson on behalf of all league umpires to the Board.
4. Manage and direct all umpires within the league.

ARTICLE VIII - COMMITTEES AND ASSIGNMENTS

The President shall appointment all Committees and Assignments.

Section 1 - Nominating Committee

It shall be the responsibility of this committee to prepare and present a slate of candidates for non-titled Board Member positions to the membership at the annual meeting. Nominations will also be accepted from anyone attending the meeting.

Section 2 - Fundraising Committee

This committee shall be overseen by the Second Vice-President in its duties and responsibilities. It shall be the responsibility of this committee to prepare and present various presentations of information pertaining to fundraising ideas for league purposes to the Board for consideration and approval.

Section 3 - Rules Committee

This committee shall be overseen by the First Vice-President in its duties and responsibilities. It shall be the responsibility of this committee to solicit and prepare a presentation of proposed general rule changes, divisional rule changes and changes to the league's/corporation's By-laws, to the Board for consideration and approval.

Section 4 - Discipline Committee

This committee shall be overseen by the League Commissioner in its duties and responsibilities. It shall be the responsibility of this committee to research and gather facts regarding an action for discipline and to prepare a proposal for disciplinary action, if any, to the Board for consideration and approval.

Section 5 - Protest Committee

This committee shall be overseen by the League Commissioner in its duties and responsibilities. It shall be the responsibility of this committee to research and gather facts regarding all protests. This may include involvement of the First Vice-President and/or the Rules Committee.

ARTICLE IX - POLICY

Section 1 - Financial

- A. The Board shall decide on all matters pertaining to the finance of the league and/or corporation and it shall place all income in a common league treasury, directing the expenditures of that income in such a manner as to give no individual or team advantage over any other in matters of equipment or supplies of any nature.

- B. All expenditures of the funds of the league and/or corporation shall be first approved by a majority vote of the Board present at duly and regularly called meetings.
- C. The Treasurer may approve all individual expenses up to the sum of \$500.00.

Section 2 - Fiscal Year

The Fiscal year of the corporation shall be from January 1st through December 31st.

Section 3 - Team Managers and Coaches

- A. Team managers shall be selected each season by a majority vote of the Board. A manager from the previous regular season of play will have seniority over a new manager in the same division, if approved by the board.
- B. No manager or coach shall manage and/or coach two teams simultaneously without Board approval.
- C. The President may coach and/or manage a team during his term. All other Board members may coach and/or manage a team. A division commissioner may coach and/or manage a team in a division other than the division he/she has been appointed as commissioner.
- D. Managers are responsible for the actions of their players, parents, coaches and fans.
- E. All manager and coach applicants for each season must complete an Application, pass a background check and be approved by the Board prior to the draft.
- F. A player, coach, manager, board member, and/or an umpire shall not wear a competing baseball organization's uniform, or any part thereof, or use any equipment that displays a name or logo of a competing baseball organization while on approved West Volusia Youth baseball fields during a game.
- G. If a person is a Manager or becomes a Manager of any age competing baseball organization they are not eligible to manage in the "league".

Section 4 - Suspensions

The Board, by a majority of those Board members present at any meeting where a quorum is present, shall have the authority to suspend any team manager, coach, fan, umpire, or player whose conduct is considered detrimental to the best interest of West Volusia Youth Baseball and its membership.

Section 5 - Game Protest

- A. A Protest Committee, consisting of five (5) members, appointed by the League Commissioner, shall decide all protests. Persons with an interest in that division shall not vote on the protest.
- B. The manager protesting a game shall submit the protest in writing, together with a \$25.00 fee, to the Division Commissioner and League Commissioner no sooner than 24 hours and no later than 72 hours following the time of protest.
- C. The official scorekeeper shall note the score sheet with the time of the intended protest of a game and have the officiating umpire sign the score sheet prior to the protest being filed. Should the decision of the Protest Committee favor the initiating party of the protest, the \$25.00 fee will be returned.

Section 6 - Rules of Order

Robert's Rules of Order shall be the parliamentary authority for all matters of procedure not specified by these laws.

Section 7 -Registration Fee

- A. The Board of Directors shall have the authority to waive the registration fee requirement in any case deemed appropriate by the Board, upon receipt of a written request for said waiver to the Board.
- B. As a general policy, no refunds of fees paid will be made after the tryout date, unless otherwise approved by the Board.

Section 8 - Age Limit

League age is determined by the cut-off date as set forth by the governing Charter/Francis affiliation.

- A. League age for A Division is 5-6
- B. League age for AA Division is 7-8
- C. League age for AAA Division is 9-10
- D. League age for Ozone Division is 11-12
- E. League age for Dixie Boys is 13-14
- F. League age for Pre-Majors/Majors Division is 15-19
- G. League age for Special Needs Division - Up to 18

No child shall play up or down outside his/her division as established by the age cut-off date.

Section 9 - Insurance

The Board, on behalf of the league, shall secure a policy of general liability insurance with a single combined limit of liability no less than Two Million dollars, as well as a policy of accident medical coverage, secondary to a private group health policy, with an insurance company approved by majority vote of the Board.

Section 10 - Property

- A. The Board shall be responsible for authorization of the purchase, utilization, maintenance and disposition of any and all property of West Volusia Youth Baseball.
- B. At the end of each baseball season, all equipment, records, and other property of the league and/or corporation shall be conveyed to the President who shall transfer that property to the succeeding Board of Directors at the annual meeting held in October.

Section 11 - Rules of Play

Rules of play shall be adopted, on a season-to-season basis, based on the best interests of each league age group. The adopted league rules shall become a part of the By-Laws under *Article IX - Policy*.

Any rule not covered under the league's General Rules and Regulations, Division Rules, or Dixie Baseball rules are covered by the rules of Major League Baseball.

ARTICLE X - PLAYER SELECTION

- A. A and AA managers may protect up to 3 players; AAA managers up to 4 players; Ozone managers up to 5 players; and, Dixie Boys managers up to 6 players prior to tryouts.
- B. All remaining unprotected players will be required to attend a tryout prior to the draft.
- C. Players unable to attend a tryout will have their names placed in a hat for draw. The hat will consist of the names of all players being placed in a container then chosen one at a time until all players are chosen.
- D. To determine the order of draft, the manager or coach in the order of league seniority at the time of draft, shall pick a number from a container with the amount of teams per division.
- E. To select the name of each team subsequent to draft, the order of assignment shall be based on seniority.
- F. Any parent requests for a child to play for a certain manager or team will not be considered. Consideration may be had in the event a request involves a relative in the same division and upon approval of all division managers.
- G. One letter per child, per season that he/she not play for a certain manager and/or coach must be turned in one hour prior to tryouts. No letters will be accepted after tryouts have begun.

ARTICLE XI - DRAFT

Defer to General League Rules.

ARTICLE XII - ALL STARS

Defer to General League Rules.

ARTICLE XIII - AMENDMENTS

The Board, with a minimum of twelve (12) members present, and by a 75 percentile vote, shall have the authority to amend, revise, add to, repeal, or rescind these laws and adopt new By-Laws.

ARTICLE XIV - GENERAL RULES

These By-Laws, the General Rules and Regulations along with the Divisional Rules, the Code of Conduct, the Parental Form and Media Release, dictate the operations of West Volusia Youth Baseball. The Board has the right to amend any and all of these rules as deemed necessary.