



# **Association of Yukon Communities**

## **Constitution and Bylaws**

**Amended and Adopted  
September 13, 2008**

## ***MISSION STATEMENT***

The Association of Yukon Communities will assist our communities in their endeavor to achieve and sustain strong and effective local government, thereby improving the quality of life for all the people of this Territory.

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# ***CONSTITUTION***

## **ARTICLE 1 - Name**

The name of the society shall be the Association of Yukon Communities.

## **ARTICLE 2 - Purposes**

The purposes of the Association are to:

- a) Further the establishment of responsible government at the community level; and
- b) Provide a united approach to community ambitions
- c) Advance the ambitions and goals of its member communities in Yukon by developing a shared common vision of the future
- d) Effectively serve as the spokesperson and to represent members in matters affecting them or the welfare of their communities
- e) Provide programs and services of common interest to the members
- f) Provide a voice to the Federation of Canadian Municipalities

## **ARTICLE 3 - Locale**

The Association shall draw its membership from the Yukon Territory and its operations will primarily be limited to the Yukon Territory, save for the participation by the Association in extra-territorial municipal associations and federations and extra-territorial training programs.

# **BYLAWS**

## **ARTICLE 1 - Membership**

1. Members shall be such Towns, Cities, and Rural Government Structures in the Yukon Territory as defined by the Yukon Municipal Act, as they become members under the provisions of these Bylaws.
2. Associate Members shall be any Hamlet, Local Advisory Council, Unincorporated Community, or Regional Structure situated in the Yukon Territory as defined by the Yukon Municipal Act or any Yukon First Nation. Such Associate Members may attend General, Special and Board Meetings, and may have the privilege of the floor, but shall have no vote, nor shall they be entitled to be elected to any office in the Association.
3. All applications for membership shall be submitted to the President or the Executive Director of the Association. Upon payment of the prescribed fees and meeting the requirements of Sections 1 and 2, the applicant shall receive a copy of the constitution and Bylaws and be enrolled as a Member or Associate Member of the Association.
4. The annual fees for members shall be set at 1% of the Comprehensive Municipal Grant received by each member. The fees for associate members for the following year shall be determined by the members at the Annual General Meeting of the Association.
5. All membership fees shall be paid in full by July 31 of each year. A municipality may choose to pay membership fees at the rate of 50% by January 31, and 50% by July 31<sup>st</sup>.
6. Any Member or Associate Member may withdraw from membership in the Association by submitting to the President or the Executive Director a notice in writing of withdrawal and upon discharging any lawful liabilities upon the books of the Association against such Member or Associate Member at the time of withdrawal. Fees for the current year shall be pro-rated from the beginning of the year to the date of the notice of withdrawal.
7. Any Member or Associate Member whose fees are in arrears at the end of the year, upon receiving written notice from the Association, shall forfeit membership in the Association if they have not eliminated all arrears within 60 days of receipt of written notification.

8. Any community that has withdrawn or forfeited its membership in the Association shall be reinstated upon complying with the provisions of Section 3, and upon payment of current fees and any outstanding liabilities in its name upon the books of the Association.

## **ARTICLE 2 - Board Membership**

1. There shall be a Board of Directors comprised of the elected Officers of AYC and one Director appointed by each Member town or village and two Directors from each city.
2. A Member shall appoint a successor to fill a vacancy on the Board of Directors from the elected officials of their respective community and such appointee shall hold office until the Member notifies AYC of a replacement or until the appointee ceases to hold elected municipal status.
3. The Directors shall have such duties and powers as may from time to time be assigned to them by the members.
4. A member of the Board of Directors of the Association shall cease to hold the position if they publicly announce the intention to run in a territorial or federal election.

## **ARTICLE 3 - Officers**

1. The Officers of the Association shall be the President, the First Vice-President, the Second Vice-President, and the immediate Past President (or a Vice-President at Large). Together, the Officers shall form the Executive Committee of the Association.
2. An immediate Past President shall remain a member of the Executive Committee and the Board of Directors of the Association as long as that person continues to be an elected council member of a member community. If the immediate Past President ceases to hold elected office, a Vice-President at Large shall be elected in accordance with Article 4, Section 2, or appointed under Article 4, Section 5.

## **ARTICLE 4 - Executive Committee**

1. The President, the First Vice-President, the Second Vice-President and the immediate Past President (or a Vice-President at Large) are the Officers and shall be the Executive Committee of the Association.

2. The members of the Executive Committee shall be elected from among all elected officials of member communities, and shall hold office for a period of two years.
3. Notwithstanding Section 2, if a member of the Association's Executive Committee ceases to be an elected municipal official their position on the Board shall be automatically vacated.
4. If any vacancies occur on the Executive Committee, all remaining members of the Executive Committee move up to fill the vacancies if feasible. For example, in the event that the President's position is vacant, the First Vice-President shall assume the duties of the President. In the event that the President and the First Vice-President's positions are vacant, or it is not feasible that the First Vice President assume the duties of President, the Second Vice-president shall assume the duties of President, and all others move up.
5. If at any time the Executive Committee is reduced to less than 3 members, the President, with the Board of Directors, shall appoint a replacement from elected officials of member communities to fill any vacancy, and such appointees shall hold office until the next Annual General Meeting or until they cease to retain elected municipal status.
6. Any officer appointed in accordance with Section 5 shall hold office consistent with the terms of elected officers, but shall be subject to removal by a majority vote of the members at any time.
7. In the event that all members of the Executive Committee fail to retain elected municipal status during an election year, the remaining Directors shall appoint a President and such appointment shall be in effect until the next Annual General Meeting.
8. The President shall be the Chief Executive Officer of the Association and shall, if present, preside over all meetings of the Association. The President shall sign all instruments requiring the signature of the Association and shall perform all duties incidental to the office and shall have such other powers and duties as may from time to time be assigned by the members.
9. The First and Second Vice-President shall perform the duties of the President if the President is absent, disabled or refuses to act, and shall have such powers and duties as may be assigned by the members.

## **ARTICLE 5 - Executive Director**

1. The Executive Committee may appoint an Executive Director who shall hold office at the pleasure of the Executive and who shall, under the direction of the Executive through the President, administer the affairs of the Association, prepare annual estimates of income and expenditures, be accountable for general financial control, attend all meetings of the Association, its Directors and its Executive, and perform such duties and exercise those powers which may be assigned to or vested in the Executive Director by the Executive Committee through the President.
2. The Executive Director position shall be bonded.
3. The Executive Director shall have the care and custody of all funds of the Association, shall deposit the same in such bank or banks as the Board of Directors may direct and shall sign or countersign such instruments as requiring signature.

## **ARTICLE 6 - Meetings**

1. The Annual General Meeting of the Association shall be held in April or May of each year and at such time and place as determined by the Executive Committee.
2. Notice of every meeting of the Association shall be given by the Executive Director by sending a copy of the notice by ordinary mail or electronic mail to the address of each office and member community to be received at least thirty (30) days before the date of such meeting. Notice of a Special General Meeting shall contain, in addition to the time and place of such meeting, notice of the only items of business to be dealt with by the Meeting.
3. A Special General Meeting of the Association may be called at any time by the President or a majority of members of the Executive. In the event that the offices of the President, First Vice-President, and the Second Vice-President are vacant at the same time, a Special General Meeting may be called by the Mayors of any two member communities. A Special General Meeting shall be held at the time and place specified in the notice thereof.
4. The quorum for any Annual or Special General Meeting of the Association shall be seventy (70) percent of the Member communities.

5. All elected officials of member communities shall be entitled to attend all Annual and Special Meetings of the Association and may take part in the discussion and may vote on all matters coming before the Association.
6. Associate members may be represented at all Annual and Special General Meetings of the Association and those representatives may have the privilege of the floor, but shall have no vote.
7. Meetings of the Board of Directors or the Executive Committee may be called by the President or a majority of the members of the Executive as required to carry on the business of the Association.
8. The quorum at any meeting of the Board of Directors or the Executive Committee shall be a majority of members of the Board of Directors or the Executive Committee.
9. Member communities may include appointed officials in their delegations to any meeting of the Association and such officials may participate in the discussion of the business of the Association without voting privileges.
10. At every Annual or Special General Meeting of the Association, every elected official of every member community shall have one vote.
11. At every Annual or Special General Meeting of the Association, the Chair of the meeting shall be entitled to vote.
12. All questions arising at any meeting of the Association shall be decided by a majority of all votes cast. Except in the case of the election of officers, In case of an equality of votes, the motion shall be declared lost, and the Chair of the meeting shall not have a tie-breaking vote. Every question shall be decided in the first instance by a show of hands, but any voting representative may demand that a poll be taken. Such poll shall be taken in such manner as the Chair shall direct, and may be taken by roll call or by a secret ballot.
13. The Chair of an Annual General Meeting, a Special General Meeting or a meeting of the Directors shall cause the minutes to be recorded and a copy of the minutes will be stored at the offices of the Association.

## **ARTICLE 7 - Standing Committees**

### **1. Nominating Committee**

- a) A Nominating Committee consisting of not less than three or more than five representatives of members shall be appointed by the Executive four (4) months prior to the Annual General Meeting each year.
- b) The Nominating Committee shall select and recommend persons for election as officers in accordance with the provisions of Article 3 of these Bylaws, and in all cases, those persons nominated shall have given their written consent and expressed their willingness to serve. The recommendations of the Committee shall be submitted to the members of the Association at the Annual General Meeting; however other nominations may be made from the floor.
- c) At a General Meeting, the Nominating Committee may select and recommend persons for election as the representatives of the Association to such organizations as may be directed by the Executive. At other times, representatives of the Association may be appointed by the Executive.
- d) Representatives of the Association shall actively contribute to the outside organization while representing the interests of the Association and its members.

### **2. Resolutions Committee**

- a) A Resolutions Committee consisting of not less than three nor more than five representatives of members shall be appointed by the Executive during each Annual General Meeting for a period of one year.
- b) Either the Executive or the Resolutions Committee may appoint a subcommittee to deal with specific resolutions.
- c) The Resolutions Committee shall submit recommended resolutions to the members of the Association for adoption at each meeting, but emergency resolutions may be presented from the floor.

## **ARTICLE 8 - Ad Hoc Committees**

Such other committees as the Association may require from time to time may be established by the Executive, the Board or by resolution of the members. The President is an ex officio member of all standing and ad hoc committees excepting the nominating committee.

## **ARTICLE 9 - Execution of Documents**

1. Cheques, drafts or orders for payment of money, notes, acceptances and bills of exchange may be drawn, accepted, endorsed and signed jointly by the President, or one of the Vice-Presidents and the Executive Director.
2. Contracts, documents or any instruments in writing requiring the signature of the Association may be signed by the President or one of the Vice-Presidents and the Executive Director, and all contracts, documents and instruments in writing so signed shall be binding on the Association without any further authorization or formality. The members shall have the power from time to time by resolution to appoint any other officer or officers on behalf of the Association to sign specific contracts, documents or instruments in writing generally.
3. The President may, in writing, delegate signing authority to a member of the Executive or a staff designate for a specific period of time with the approval of the Executive.

## **ARTICLE 10 - Accounts**

1. The fiscal year of the Association shall be from January 1 to December 31 in each year.
2. The Executive Director shall present a financial report to the members of the Association at the Annual General Meeting.
3. Not later than September 30 of any year, the Executive Director shall present a proposed provisional budget for the following year for approval by the Board of Directors.
4. The Executive Director shall present a proposed budget for the following fiscal year to the Board of Directors of the Association for approval at the final board meeting of the year.

5. The Board of Directors shall, in each year, appoint an auditor of the Association who shall be the auditor of the Association until such time as they are replaced or their appointment is otherwise terminated.
6. Notwithstanding Section 5, Should the Association desire to do so, the appointment of an auditor may be dispensed with.
7. All accounts and other books and records of the Association shall be available for inspection by members at the office of the Association during normal business hours.
8. The Executive Committee may, with the approval of a majority of the members at any General Meeting, borrow funds for the current operations of the Association, but the total of such funds shall not at any time exceed one half of the Association's revenues in the preceding fiscal year.
9. The Executive Committee may, with the approval of a majority of the members present at any General Meeting, borrow funds for such capital expenditures as may from time to time be necessary.

#### **ARTICLE 11 - Policy Resolutions**

Members of the Association may from time to time pass policy resolutions to assist in the administration of the affairs of the Association.

#### **ARTICLE 12 - Adding, Repealing and Amending Bylaws**

The Bylaws of the Association may be repealed, varied, added to or amended by a special resolution at any Annual General Meeting of the members of the Association or at any Special Meeting called for that purpose, provided that notice of the meeting and copies of any proposed changes has been given to the members of the Association in accordance with the provisions of Article 6, Section 2. Every special resolution to repeal, vary, add to or otherwise amend these Bylaws shall require a 75% vote of the members present.

#### **ARTICLE 13 - Disposing of Assets**

Should the Association be dissolved, all assets of the Association, including all funds and real or personal property, shall be divided equally between the Government of Yukon and each community holding current membership.

#### **ARTICLE 14 - Dispute Resolution**

Any dispute regarding the interpretation or application of these Bylaws and any other dispute concerning the rights of a member or the powers of a director or officer, shall be submitted to and decided by arbitration under the Arbitration Act of the Yukon.

#### **ARTICLE 15 – Use of a Seal**

The Association shall not have custody or use of a seal.