

**CONSTITUTION AND BYLAWS**  
The New Mexico Toy Group Club, Inc.

**CONSTITUTION**

**SECTION 1.** The name of the club shall be The New Mexico Toy Group Club, Inc. (Club)

**SECTION 2.**

- a) To further the advancement of:  
All Toy breeds.
- b) To do all in its power to protect and advance the interests of:  
dog shows;  
obedience trials  
and to encourage sportsmanlike competition at such events; and
- c) To conduct  
sanctioned matches  
dog shows  
obedience trials  
under the rules and regulations of The American Kennel Club.

**SECTION 3.**

The Club shall not be conducted or operated for profit and no part of any profits or remainder or residue from dues or donations to the Club shall inure to the benefit of any member or individual.

**SECTION 4.**

The members of the Club shall adopt and may from time to time revise such bylaws as may be required to carry out these objects.

**BYLAWS**

**ARTICLE I**  
**Membership**

**SECTION 1. Eligibility.** There shall be one type of membership open to all persons 18 years of age and older who are in good standing with The American Kennel Club and who subscribe to the purposes of this Club. Junior membership shall be open to all persons 10 through 17 years of age who otherwise meet the above requirements. A junior member may not vote nor hold office nor do they pay dues.

While membership is to be unrestricted as to residence, the Club's primary purpose is to be representative of the breeders and exhibitors in its immediate area.

**SECTION 2. Dues.** Dues shall be determined by the Board of Directors with prior notice and 2/3 concurrence of the membership and shall be due and payable on or before the 1<sup>st</sup> day of January of each year. During the month of November, the Treasurer shall send to each member a statement of dues payable for the coming year. No member may vote whose dues are not paid for the current year.

**SECTION 3. Election to Membership.** Each applicant for membership shall apply on a form approved by the Board of Directors and which shall provide that the applicant agrees to abide by these constitution and bylaws and the rules of The American Kennel Club. The application shall state the name, address and occupation of the applicant and it shall carry the endorsement of two members in good standing. Accompanying the application, the prospective member shall submit dues payment for the current year.

All applications are to be filed with the Secretary and each application is to be read at the first meeting of the Club following its receipt. At the next meeting the application will be voted upon and affirmative votes of 2/3 of the members present and voting, by secret ballot, at the meeting shall be required to elect the applicant.

Applicants for membership who have been rejected by the Club may not reapply for at least one (1) year after such rejection.

SECTION 4. *Termination of Membership.* Membership may be terminated.

- a) *by resignation.* Any member in good standing who is not in debt to the club may resign from the Club upon written notice to the Secretary.
- b) *by lapsing.* A membership will be considered as lapsed and automatically terminated if such member's dues remain unpaid sixty (60) days after the first day of the fiscal year; however, the board may grant an additional thirty (30) days of grace to such delinquent members in meritorious cases. In no case may a person be entitled to vote at any Club meeting whose dues are unpaid as of the date of that meeting.
- c) *by expulsion.* A membership may be terminated by expulsion as provided in Article VI of these bylaws.

## ARTICLE II Meetings and Voting

SECTION 1. *Club Meetings.* Meetings of the Club shall be held monthly in the greater Albuquerque, New Mexico, area at such hour and place as may be designated by the Board of Directors.

Written notice of each such meeting shall be mailed by the Secretary not less than five (5) days nor more than fifteen (15) days prior to the date of the meeting. The quorum for such meetings shall be 20% of the members in good standing.

SECTION 2. *Special Club Meetings.* Special Club meetings may be called by the President, or by the Board of Directors and shall be called by the Secretary upon receipt of a petition signed by six (6) members of the Club who are in good standing. Such special meetings shall be held in or within the greater Albuquerque, New Mexico area at such place, date and hour as may be designated by the person or persons authorized herein to call such meetings. Such notice shall be mailed by the Secretary at least five (5) days and not more than fifteen (15) days prior to the date of the meeting, and said notice shall state the purpose of the meeting, and no other Club business may be transacted thereat. The quorum for such meeting shall be 20% of the members in good standing, and must include at least four (4) of the petitioners.

SECTION 3. *Board Meetings.* Regular meeting of the Board of Directors shall be held monthly in or within the greater Albuquerque, New Mexico area at such hour and place as may be designated by the Board of Directors. Written notice of each such meeting shall be mailed by the Secretary at least five (5) days prior to the date of the meeting. The quorum for such a meeting shall be a majority of the Board.

SECTION 4. *Special Board Meetings.* Special Club meetings may be called by the President, or by the Board of Directors and shall be called by the Secretary upon receipt of a written request signed by at least three (3) members of the Board. Such special meetings shall be held in or within the greater Albuquerque, New Mexico area at such place, date, and hour as may be designated by the person authorized herein to call such meeting. Such notice shall be mailed by the Secretary at least five (5) days and not more than fifteen (15) days prior to the date of the meeting, and said notice shall state the purpose of the meeting, and no other business may be transacted thereat. The quorum for such meeting shall be a majority of the Board.

**SECTION 5. *voting.*** Each member in good standing whose dues are paid for the current year shall be entitled to one vote at any meeting of the Club at which he is present. Proxy voting will not be permitted at any Club meeting or election.

### **ARTICLE III Directors and Officers**

**SECTION 1. *Board of Directors.*** The Board shall be comprised of the Officers and five (5) other persons all of whom shall be members in good standing and all of whom shall be elected for one-year terms at the Club's annual meeting as provided in Article IV and shall serve until their successors are elected. General Management of the Club's affairs shall be entrusted to the Board of Directors.

**SECTION 2. *Officers.*** The Club's officers, consisting of the President, Vice-President, Secretary and Treasurer shall serve in their respective capacities both with regard to the Club and its meetings and the Board and its meetings.

- a) The President shall preside at all meetings of the Club and of the Board, and shall have the duties and powers normally appurtenant to the office of President in addition to those particularly specified in these bylaws.
- b) The Vice-President shall have the duties and exercise the powers of the President in case of the President' death, absence or incapacity.
- c) The Secretary shall keep a record of all meetings of the Club and of the Board and of all matters of which a record shall be ordered by the Club. He or she shall have charge of the correspondence, notify members of meeting, notify new members of their election to membership, notify officers and directors of their election to office, keep a roll of the members of the Club with their addresses and carry out other such duties as are prescribed in these bylaws.
- d) The Treasurer shall collect and receive all moneys due or belonging to the Club. Moneys shall be deposited in a bank designated by the Board, in the name of the Club. The books shall at all times be open to inspection by the Board and a report shall be given at every meeting on the condition of the Club's finances and every item of receipt or payment not before reported; and, at the annual meeting, an accounting shall be rendered of all moneys received and expended during the previous fiscal year. The Treasurer may be bonded in such amount as the Board of Directors shall determine.
- e) The offices of Secretary and Treasurer may be held by the same person, in which case the board shall be reduced by one person.

**SECTION 3. *vacancies.*** Any vacancies occurring on the Board or among the offices during the year shall be filled until the next annual election by a majority vote of all the then members of the Board at its first regular meeting following the creation of such vacancy, or at a special board meeting called for that purpose; except that a vacancy in the office of President shall be filled automatically by the Vice-President and the resulting vacancy in the office of Vice-President shall be filled by the Board.

### **ARTICLE IV The Club Year, Annual Meetings, Elections**

**SECTION 1. *Club Year.*** The Club's official year shall begin immediately at the conclusion of the election at the annual meeting and shall continue through the election at the next annual meeting

**SECTION 2. *Annual Meeting.*** The annual meeting shall be held in the month of February, at which time officers and directors for the ensuing year shall be elected by secret ballot from among those nominated in

accordance with Section 4 of this Article. They shall take office immediately upon the conclusion of the election and each retiring officer shall turn over to the successor in office all properties and records relating to that office within thirty (30) days after the election.

**SECTION 3. Elections.** The nominated candidate receiving the greatest number of votes for each office shall be declared elected. The five (5) nominated candidates for other positions on the Board who receive the greatest number of votes for such positions shall be declared elected.

**SECTION 4. Nominations.** No person may be a candidate in a Club election who has not been nominated. During the month of October the Board of Directors shall select a nominating committee consisting of three (3) members and two (2) alternates, not more than one of whom may be a member of the Board of Directors. The Secretary shall immediately notify each committee member and alternate of their selection. The Board of Directors shall designate one member of the committee to act as Chairman and it shall be such person's duty to call a meeting of the committee which shall be held on or before the 1<sup>st</sup> day of December.

- a) The committee shall nominate one candidate for each office and five candidates for other positions on the Board of Directors. After securing the consent of each person so nominated, the committee shall immediately report their nominations to the Secretary in writing.
- b) Upon receipt of the Nominating Committee's report, the Secretary shall (before December 15<sup>th</sup>) notify each member in writing of the candidates so nominated.
- c) Additional nominations may be made at the January meeting of the Club by any member in attendance, provided that the person nominated does not decline when his name is proposed, and provided further that if the proposed candidate is not in attendance at the meeting, his proposer shall present to the Secretary a written statement from the proposed candidate signifying his willingness to be a candidate.

No person may be a candidate for more than one position (except per Article III (e) Secretary and Treasurer may be combined), and the additional nominations which are provided for herein may be made only from among those members who have not accepted a nomination of the Nominating Committee.

- d) Nominations cannot be made at the annual meeting or in a manner other than as provided in this Section.

#### ARTICLE V Committees

**SECTION 1.** The Board may, each year, appoint standing committees to advance the work of the Club. Such committees shall always be subject to the final authority of the Board. Special committees may also be appointed by the Board to aid it on particular projects.

**SECTION 2.** Any committee appointment may be terminated by a majority vote of the full membership of the Board upon written notice to the appointee; and the Board may appoint successors to those persons whose services have been terminated.

#### ARTICLE VI Discipline

**SECTION 1. American Kennel Club Suspension.** Any member who is suspended from the privileges of The American Kennel Club automatically shall be suspended from the privileges of this Club for a like period.

**SECTION 2. Charges.** Any member may prefer charges against a member for alleged misconduct prejudicial to the best interests of the Club or the Toy Breeds. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$10 which shall be forfeited if such charges are not sustained by the Board following a hearing. The Secretary shall promptly send a copy of the charges to each member of the Board or present them at a Board Meeting, and the Board shall first consider whether the actions alleged in the charges, if proven, might constitute conduct prejudicial to the best interests of the Club or the Toy Breeds. If the Board considers that the charges do not allege conduct which would be prejudicial to the best interests of the Club, it may refuse to entertain jurisdiction. If the Board entertains jurisdiction of the charges it shall fix a date of a hearing by the Board not less than three (3) weeks nor more than six (6) weeks thereafter. The Secretary shall promptly send one copy of the charges to the accused member by registered mail together with a notice of the hearing and an assurance that the defendant may personally appear in his own defense and bring witnesses if he or she wishes.

**SECTION 3. Board Hearing.** The Board shall have complete authority to decide whether counsel may attend the hearing, but both complainant and defendant shall be treated uniformly in that regard. Should the charges be sustained, after hearing all the evidence and testimony presented by complainant and defendant, the Board may, by a majority vote of those present, reprimand or suspend the defendant from all privileges of the Club for not more than six (6) months from the date of the hearing. And, if it deems that punishment insufficient, it may also recommend to the membership that the penalty be expulsion. In such case, the suspension shall not restrict the defendant's right to appear before his or her fellow-members at the ensuing Club meeting which considers the Board's recommendation. Immediately after the Board has reached a decision, its findings shall be put in written form and filed with the Secretary. The Secretary, in turn, shall notify each of the parties of the Board's decision and penalty if any.

**SECTION 4. Expulsion.** Expulsion of a member from the Club may be accomplished only at a meeting of the Club following a Board hearing and upon the Board's recommendation as provided in Section 3 of this Article. Such proceedings may occur at a regular or special meeting of the Club to be held within sixty (60) days but not earlier than thirty (30) days after the date of the Board's recommendation. The defendant shall have the privilege of appearing in his or her own behalf, though no evidence shall be taken at this meeting. The President shall read the charges and the Board's findings and recommendations, and shall invite the defendant, if present, to speak in his or her own behalf if he or she wishes. The Meeting shall then vote by secret written ballot on the proposed expulsion. A 2/3 vote of those present and voting at the meeting shall be necessary for expulsion. If expulsion is not so voted, the Board's suspension shall stand.

#### ARTICLE VII Amendments

**SECTION 1.** Amendments to the constitution and bylaws may be proposed by the Board of Directors or by written petition addressed to the Secretary signed by twenty percent (20%) of the membership in good standing. Amendments proposed by such petition shall be promptly considered by the Board of Directors and must be submitted to the members with recommendations of the Board by the Secretary for a vote within three (3) months of the date when the petition was received by the Secretary.

**SECTION 2.** The constitution and bylaws may be amended by a 2/3 vote of the members present and voting at any regular or special meeting called for the purpose, provided the proposed amendments have been included in the notice of the meeting and mailed to each member at least two weeks prior to the date of the meeting.

#### ARTICLE VIII Dissolution

**SECTION 1. Dissolution.** The Club may be dissolved at any time by the written consent of not less than 2/3 of the members. In the event of the dissolution of the Club other than for purposes of reorganization,