



**TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1 OF 2014

AN ORDINANCE OF THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING AND RESTATING CHAPTER A 252: ATHLETIC ASSOCIATION BYLAWS, OF THE SOUTH FAYETTE TOWNSHIP CODE OF ORDINANCES TO PROVIDE FOR AMENDED AND RESTATED BYLAWS APPLICABLE TO THE TOWNSHIP OF SOUTH FAYETTE'S ATHLETIC ASSOCIATION.

WHEREAS, the Township of South Fayette is a First Class Township located in Allegheny County Pennsylvania; and

WHEREAS, the Township of South Fayette has worked with the Athletic Association (hereinafter referred to as "Association") over the past several months to review, amend and improve the Association's Bylaws; and

WHEREAS, on September 18, 2006, the Board of Commissioners of the Township of South Fayette adopted Ordinance No. 17 of 2006 which initially approved the adoption of the Association's Bylaws; and

WHEREAS; Ordinance No. 17 of 2006 has been previously codified as part of the South Fayette Township Code of Ordinances and can be located at Chapter A 252: Athletic Association, §A252-1 to §A252-30; and

WHEREAS, it is the desire of the Township of South Fayette to amend and restate Chapter A 252: Athletic Association, §A252-1 to §A252-30 of the South Fayette Code of Ordinances as set forth herein.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Commissioners of the TOWNSHIP OF SOUTH FAYETTE, and it is HEREBY ORDAINED and ENACTED as follows:

1. Incorporation of By-laws. The Board of Commissioners hereby adopts, amends, restates and codifies, Chapter A 252: Athletic Association, §A252-1 to §A252-30 of the South Fayette Code of Ordinances in accordance with Exhibit "A" which is incorporated herein by reference thereto.

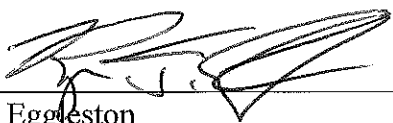
2. Severability. In the event any section, provision or part of this Ordinance or its application to any persons or under any circumstances shall be held unconstitutional, illegal or invalid, the same shall not affect the validity of the Ordinance as a whole or any other section, provision or part thereof, other than the section, provision or part declared to be invalid.

3. Repealer. All ordinances and parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provide, however that such repeals shall be only to the extent of such inconsistency and in all other aspects this ordinance shall be cumulative of the other ordinances regulating and governing the subject matter covered by this Ordinance.

4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication as required.

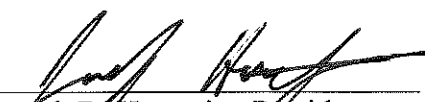
ORDAINED AND ENACTED INTO LAW this 14th day of May, 2014.

ATTEST:



Ryan Eggleston
Township Secretary

TOWNSHIP OF SOUTH FAYETTE:

By: 

Joseph D. Horowitz, President
Board of Commissioners

Chapter A 252: ATHLETIC ASSOCIATION BYLAWS

ARTICLE I: GENERAL PROVISIONS

- §A252- 1. Name – the organization shall be known as the South Fayette Athletic Association
- §A252- 2. Mission – The South Fayette Athletic Association (hereinafter referred to as “SFAA”) is an organization, which operates exclusively for the promotion of athletics and sportsmanship in the Township of South Fayette. The SFAA shall, from time to time, adopt its own policies and procedures to further this mission.
- §A252- 3. Purpose – Generally, the SFAA shall seek to accomplish the following goals:
- a. the promotion and development of athletic programs for the resident of South Fayette Township and for their use of Township facilities.
 - b. developing athletic skills and fostering good sportsmanship for the youth of the Township.
 - c. providing and developing recreational opportunities for adult and youth residents.
 - d. providing the Township with assistance and input in the development of new facilities and the utilization and improvement of existing facilities.
 - e. working collectively to secure funds to benefit the SFAA, and its member organizations, from grant sources, private sources and/or public sources.
 - f. Ensuring compliance with organizational standards relative to insurance and training, and further ensuring that the adults who supervise children have their required safety clearances.
 - g. Ensuring that the members of the SFAA are protected by establishing standards of financial accountability and transparency.
 - h. Providing a manner for dispute resolutions for the SFAA’s member Organizations.
- §A252-4. Rules of Order – The SFAA hereby adopts Robert’s Rules of Order to govern its operations.

ARTICLE II: MEMBERSHIP

- §A252- 5. Membership - Membership in the SFAA shall be open only to South Fayette Township sport associations and leagues (hereinafter referred to as "Organization") who meet the criteria as established by the Executive Board of the SFAA.
- §A252- 6. Application; membership criteria -
- A. The Executive Board of SFAA shall approve an application for membership if the Executive Board determines that the proposed member meets the criteria promulgated by the SFAA.
- B. The following criteria for membership are hereby established:
- a. 50.1% of the proposed organization's members are residents of the Township of South Fayette.
 - b. The proposed organization has adopted these Bylaws, or Bylaws similar in form and substance to these Bylaws, as determined by the Executive Board of the SFAA, and has agreed to abide by the terms contained herein.
 - c. The proposed organization has paid its requisite fee to the SFAA.
 - d. The proposed organization is not duplicative, or does not seek to meet the needs of an existing constituency, whose needs are already being met by an existing Organization.
 - e. The proposed organization agrees to abide by the rules and policies of the SFAA as promulgated from time to time. Compliance with this requirement will be monitored by the Executive Board of the SFAA.
- §A252- 7. Membership requirement - Membership is required of any organization that utilizes or seeks to utilize facilities owned or controlled by South Fayette Township on a regular and repeated basis, and/or requests financial assistance from the Township. Organizations that are not members will be referred to Township Policy 04-2003.
- §A252- 8. Membership revocation or suspension - The Executive Board of the SFAA shall have the power to revoke or suspend membership of any Organization. The Executive Board of the SFAA may revoke this membership by a majority vote of the Executive Board at two consecutive meetings for the following reasons:
- a. Failure to attend three consecutive meetings.
 - b. Repeated violations or significant violations of the SFAA's Bylaws, Regulations, and/or determinations of the Executive Board.

- c. Discontinuance of the athletic organization.
- d. Failure to secure adequate insurance coverage.
- e. Failure to comply with the SFAA's financial policies.
- f. Failure to ensure that any adults who are supervising youth activities have obtained their required clearances.
- g. Failure to otherwise meet or to continue to meet the SFAA's criteria as set by the Executive Board.

ARTICLE III: ELECTION OF OFFICERS

§A252- 9. Officers - The SFAA's Officers' shall consist of a President, First Vice-President, Vice President, Secretary, and Treasurer.

§A252- 10. Election Procedure -

- A. The Officers shall be elected on the second Tuesday of January of each year, after initial election of officers, at a public voting meeting to be held on such date.
- B. Each Organization, who is a member of the SFAA, shall nominate two voting delegates to attend this public voting meeting. Each delegate shall be given the right to vote for up to five different individuals to fill the vacant SFAA Officer positions.
- C. The public voting meeting shall be opened by the current President of the SFAA who shall accept nominations and seconds of such nominations from the voting delegates. Any individual receiving a nomination and a second shall be deemed to be eligible to receive votes in the election. After receiving all nominations, the President shall request a motion to close nominations. Upon passage of such nominations, that President shall call for a vote. Each voting delegate shall have the right to vote for up to five individuals.
- D. The five individuals receiving the most votes shall be deemed to have been elected to the Executive Board. Once these individuals have been elected, these five individuals shall elect, from amongst themselves, individuals to fill the various Officer positions.

§A252- 11. Term; vacancies -

- A. The term of each office shall be one (1) year, and the Officers shall be elected annually in the manner prescribed herein.
- B. In the event of a vacancy in any Officer position which occurs during the term of an Officer, the remaining Officers shall appoint, by a

majority vote, an individual to fill such vacancy. In the event that the remaining Officers are unable to achieve such a majority vote, the position shall remain vacant until the next election. Provided, however, that the First Vice President shall be charged with administering the duties of the vacant position until such time as the vacancy is filled.

§A252- 12. Proxy voting - No proxy voting shall be permitted.

ARTICLE IV: DUTIES OF OFFICERS

§A252- 13. President; Vice President-

- A. The President shall preside at all meetings of the SFAA. The President, First Vice-President, or the Vice-President, as directed by the SFAA President, shall represent SFAA at municipal, school board, and other meetings.
- B. The First Vice-President shall assume the duties of the President in the event of the President's absence. The First Vice-President shall also assume those duties of the President that are delegated to him or her by the President. In the event that the First Vice-President is unwilling or unable to assume these duties, then the Vice-President shall assume said duties.
- C. The Vice-President shall have those duties that are delegated to him or her by the President.

§A252- 14. Secretary - The Secretary shall be charged with monitoring and drafting all correspondence pertinent to SFAA business. The Secretary shall make sure that copies of all correspondence are kept on file and are made available to the member Organizations. The Secretary shall also be responsible for keeping an accurate record of those attending the meetings and advising the President when an Officer or nominee has lost his or her status as an active member. The Secretary shall also be responsible for keeping minutes of all meetings. Immediately after each meeting, the Secretary shall put the minutes in permanent form and shall make them available for inspection when requested. Minutes of meetings shall be approved or disapproved at meeting immediately following the recorded meeting. All approved minutes shall have the President's signature, the Secretary's signature, and date affixed thereto. Copies of the approved minutes shall be sent to the Township Manager and the Director of Parks and Recreation.

§A252- 15. Treasurer - The Treasurer shall be in charge of the financial records and finances of the SFAA. The Treasurer shall keep an accurate accounting of the fund balances of each SFAA account and shall further provide the Officers with a monthly report detailing by line item revenues, expenditures, expenses and other financial matters. The Treasurer shall also be responsible for developing the organization's budget.

ARTICLE V – EXECUTIVE BOARD MEMBERS AND MEETINGS

§A252- 16. Board Membership - The SFAA shall have an Executive Board, which shall be comprised of the SFAA's duly elected Officers, a representative of the Township, and Township's Director of Parks and Recreation. Only the Officers of the SFAA seated on the Executive Board shall have voting rights.

§A252- 17. Meetings of the Executive Board -

- A. The Executive Board shall hold quarterly meetings with at least fifteen (15) days, notice prior to the meeting date being given to the Executive Board members in writing (U.S. Postal Service or E-Mail) by the Secretary. There shall be at least four regular meetings conducted within a calendar year. All meetings shall be advertised on the South Fayette Township website/social media and shall be open to the public.
- B. The President shall preside over the meetings. Each Officer shall have one vote in all matters. No proxy votes shall be permitted.
- C. A quorum is necessary for the Executive Board to conduct SFAA business and will be defined as three Officers present. Majority rule applies to all business except amendments.
- D. The Executive Board members present at a duly organized meeting can continue to do business until adjournment or until the withdrawal of enough Executive Board members to leave less than a quorum.
- E. If a meeting cannot be organized because a quorum of the Executive Board has not attended, those present may adjourn. The President will then schedule a meeting to be held within twenty-one (21) days.
- F. All Executive Board Meetings will be open to the public. Every agenda will allow for input and comments from the general public.

§A252- 18. Minutes ; notice of meetings -

- A. Minutes from each meeting will be posted on the Township's website. Minutes will be available upon request at the Township Department of Parks & Recreation.
- B. The Secretary shall mail minutes to each Executive Board member prior to next meeting for review and acceptance.
- C. The Executive Board shall hold at least one (1) annual meeting of the entire membership of the SFAA. Notice of this annual meeting shall be mailed to each of the Presidents of the respective member Organizations and shall be published on the SFTWP website/social media not less than fifteen (15) days before the meeting.

ARTICLE VI: AMENDMENTS

- §A252- 19. Amending the bylaws - These Bylaws may be amended by a majority vote of the Executive Board after the proposed changes in the Bylaws have been read at two consecutive meetings.

ARTICLE VII: FINANCES AND PROCEDURES

§A252- 20. Membership fees -

- A. Each member Organization will be charged a flat fee to cover the administrative costs of the SFAA. This fee shall be set from time to time by the Executive Board.
- B. Any fees paid by the Organizations are to be paid to the SFAA, in care of the Treasurer, and will be used for general costs of operating the SFAA. Fees are not to be used to pay for salaries or benefits to the members of the Executive Board.

§A252- 21. Records, check authorization; fiscal year -

- A. All financial records, including but not limited to ledgers, journals, statements prepared by the Treasurer, receipts, cancelled checks and vouchers, are and shall remain the property of the SFAA. Within sixty (60) days of the completion of the fiscal year, the Treasurer shall prepare and submit a final statement and shall submit the same to the member Organizations of the SFAA. In the event the Treasurer fails to return the financial records, the Treasurer shall be sent a notice by the

Executive Board requesting that the same be provide within thirty (30) days of the Notice. Should the Treasurer fail to respond and to file the proper financial statements, the Executive Board shall have the right to obtain an auditor and legal counsel to seek the records and the preparation of the required financial statements. If the Executive Board determines that the Treasurer's failure to abide by these regulations has been willful, the Executive Board shall have the right to surcharge the treasurer for any costs which it incurred as a result of the Treasurer's failure to comply with the treasurer's obligations. A copy of the financial report will be submitted to the township's Parks and recreation Department for the Township's permanent records.

- B. All checks authorized by the members shall require two (2) signatures, including the Treasurer, and either the President or vice-President.
- C. The fiscal year shall be a twelve (12) month period commencing January 1st and ending December 31st.

ARTICLE VIII: MEMBERSHIP BENEFITS

§A252- 22. Benefits for member organizations -

- A. Member Organizations will have a link to the Township's website.
- B. Member Organizations will have access to Township owned and/or controlled facilities when available and will be given priority over those who are not member Organizations.
- C. Member Organizations will have a unified voice when addressing the Township board of Commissioners.
- D. Member Organizations will benefit from grant funding obtained through the township Department of Parks & Recreation.
- E. Member Organizations will benefit through fund raising opportunities that will be promoted through the Township.
- F. Member Organizations will be able to utilize Township's publications, on a space available basis, for the purpose of disseminating information to its members.

ARTICLE IX: MEMBER RESPONSIBILITIES

- §A252- 23. Appointment of delegates - Member Organizations must select two voting delegates and one alternate as its liaisons to the Executive Board, and as their voting representatives at the annual meetings.
- §A252- 24. Background clearances of organization members - Member Organizations are responsible for ensuring that all of its individuals who are involved in the coaching, mentoring or interacting with children shall have the appropriate background clearances as required by the commonwealth of Pennsylvania's Department of education for the interaction with minors. Member Organizations shall be required to maintain these clearances for a minimum of three (3) YEARS AFTER THE EXPIRATION OF THE APPLICABLE SEASON. Copies of all clearances shall be delivered to the Executive Board prior to the commencement of their respective seasons.
- §A252- 25. File financial statements - Member Organization will file a detailed year-end financial statement with the SFAA. This detailed financial statement shall list the organization's revenues (including sources of revenues), a detailed breakdown of the organization's expenditures (by line item), and fund balances (including the Bank which retains these funds on the Organization's behalf). The financial statements shall be signed by the President and the Treasurer of the respective Organization and shall also indicate the date on which they were prepared. These financial statements shall be filed with the Township's Parks and Recreation Department quarterly.
- §A252- 26. Must be chartered - Member Organizations must be chartered and have adopted by-laws, similar in form and substance to these bylaws, as further approved by the Township's Parks and Recreation Commission, by no later than _____, 2014. All Organizations which have not followed these requirements shall not be permitted to join or to maintain membership in the SFAA. The Executive Board shall approve the bylaws of all member Organizations who join the SFAA after this date.
- §A252- 27. Adequate Insurance - All member Organizations are required to possess adequate insurance with a minimum of \$1,000,000.00 per occurrence, 2,000,000.00 aggregate and a minimum of \$1,000,000.00 per occurrence combined single limit for bodily injury and property damage. All member organizations shall also name South Fayette Township as an additionally insured and shall complete the required hold harmless agreement. Said Insurance Policy shall also provide that the same may not be cancelled without at least thirty (30) days prior written notice to the Additional

Insured's. These Certificates shall be provided to the Executive Board and the Municipality annually.

ARTICLE X: DISPUTE RESOLUTION

§A252- 28. Jurisdiction - In the event of a dispute between a (1) member of an Organization and another member of the Organization; (2) a member of an Organization and another member of a different Organization; or (3) between Organizations, all Parties agree that the Executive Board of the SFAA shall have jurisdiction to hear and to resolve the matter.

§A252- 29. Notice; complaint form; review by Executive Board -

A. Within fourteen (14) days of a dispute as defined herein, an aggrieved party shall send written notice of the dispute to the President of the Executive board of the SFAA. This Notice shall be made on the approved Complaint Form and shall be signed by the complaining party.

B. Within fourteen (14) days of receiving a Complaint Form, the Executive Board shall send a copy of the complaint to individual or entity about whom the Complaint has been filed. This individual or entity shall have seven (7) days to respond, in writing, to the allegations contained therein.

C. The Executive Board shall review the written record and shall make a determination whether or not it desires to hear the dispute. In the event that the Executive Board declines to hear the dispute, then the aggrieved party shall have no further remedies before the SFAA. If the Executive Board desires to hear the dispute, it shall send written notice to all interested parties that it has chosen to hear the same. The Executive Board shall schedule a hearing for a convenient time and shall hear the facts and circumstances. The Executive Board's decision on the matter shall be made by a public vote and shall be binding upon the Parties regarding their rights within the SFAA.

§A252- 30. Remedial Measures - In the event that the Executive board determines that remedial measures, such as further education, training, and/or discipline are necessary, the Organization or individual shall comply with such measures. Failure to comply may lead to the Executive Board having the right to impose disciplinary measures including, but not limited to, the revocation of membership.

ARTICLE XI: EFFECTIVE DATE

§A252-31 Effective date - These Bylaws have been adopted by the SFAA on this 14th day of May, 2014, and shall be effective immediately. Provided, however, that the Organizations shall be required to adopt the same, as provided herein, by _____ 2014.