



**CONSTITUTION
AND
BYLAWS
FOR THE
Avon Trail Hiking
Association**

Revised November 2016

CONSTITUTION AND BYLAWS FOR THE AVON TRAIL

ARTICLE 1: TITLE

The name of this organization shall be “The Avon Trail” as established by Letters Patent, November 25, 1976.

ARTICLE 2: OBJECTIVES

- A. The objectives of the association shall be:
 - i) to stimulate interest in hiking
 - ii) to establish and maintain trails for hiking
 - iii) to encourage awareness of the natural environment
 - iv) to promote the conservation of this environment

- B. The association shall be run without the purpose of gain for its members, and any profits or accretions of the association shall be used in promoting its objectives.

ARTICLE 3: FINANCES

- A. The fiscal year shall run from November 1 to October 31.

- B. In the event of the dissolution of the association, all its remaining assets will be distributed to one or more charitable organizations whose objectives are similar to those of the association.

- C. The signing authorities will be the President, the Vice-President, the Treasurer or other person designated by the Board.

ARTICLE 4: MEMBERSHIP

- A. Membership shall be open to all persons, families and organizations who subscribe to the Objectives of the association and upon payment of the membership fee.

- B. Membership fees shall be due November 1st of each year; fees paid after July 1st shall cover the entire following fiscal year.

- C. Landowner Courtesy Memberships shall be extended to those who allow the trail to pass across their land for as long as the agreement is honoured.

ARTICLE 5: GENERAL MEETING

- A. The number of general meetings and their location shall be determined by the Executive with due notice to the membership.
- B. A quorum of the (10) club members shall be necessary to conduct business at a meeting; motions shall be passed by a simple majority.
- C. The Annual General meeting shall be held in November at which time a new Executive will be elected, other positions named as necessary, and the annual reports of the Executive and any committees given.

ARTICLE 6: BOARD OF DIRECTORS

- A. There shall be nine (9) directors of the association as follows:
 - i) the current Executive (4)
 - ii) the immediate Past President (1)
 - iii) four (4) other association members in good standing to be appointed at the Annual General Meeting by the Nominating Committee for a two year term. When possible, the positions shall change in alternate years.
- B. Vacancies on the Board of Directors shall be filled as needed by appointment by the remaining Board members.
- C. The Board shall meet at least twice a year with a quorum of 51 % required to conduct business.
- D. The duties of the Directors shall be:
 - i) to advise on and direct the general policy and conduct of the association according to the association's stated objectives.
 - ii) to act as resource and/or executive members of special committees as requested by the club President.

ARTICLE 7: EXECUTIVE DIRECTORS

- A. The Executive Officers shall be: i) President
ii) Vice-President iii) Secretary iv) Treasurer

- B. Election of the Executive:

A nominating committee, consisting of the outgoing Executive, shall publish a list of accepted nominations in the newsletter announcing the Annual General Meeting. The new Executive shall be elected and installed into office at the Annual General Meeting.

- C. The general duties of the Executive shall be:

- i) to be members of the Board of Directors
- ii) to form the nominating committee for incoming executive and to appoint directors or other special positions when required
- iii) to appoint special committees when required
- iv) to conduct the general business of the club
- v) to compose an annual report for landowners

D. Specific duties of the Executive Officers shall be:

- i) The PRESIDENT shall preside at all meeting of the Directors and club in general; co-ordinate all club activities; be a Director with Hike Ontario; give an annual report of the year's activities at the Annual General meeting.
- ii) The VICE-PRESIDENT shall carry out any duties designated by the President and perform all the President's duties in the absence of the President.
In addition, the Vice President is to be the association's contact with the Landowners.
- iii) The SECRETARY shall record the minutes of all general and director meetings; handle club correspondence as requested by the President; be custodian of all papers and documents of the club.
- iv) The TREASURER shall keep full accounts of receipts and disbursements of the club; give an annual financial report; arrange and report on a yearly audit if requested by the Executive.

ARTICLE 8: OTHER POSITIONS

The Executive shall appoint club members to the following positions to assist in the club's function. An annual report by each shall be given to the Executive.

- i) A Hike Ontario representative (in addition to the President) to represent the club in the Provincial association.
- ii) Trail Maintenance Co-ordinator whose purpose is to co-ordinate the maintenance of the trail, assign work parties for this maintenance, and to keep records of the maintenance as it is completed. This co-ordinator is to summarize these reports and present this report at the AGM. This report is to include such things as changes to the trail location, improvements to the trail, number of work parties, number of volunteer hours, and number of stiles, etc.
- iii) Trail Monitors to develop and maintain the trail in their section. The Trail Monitors are to follow the *Guide for Avon trail Workers* in all work on the trail and submit a Trail Monitor Report after each work party. The Trail Monitors are to use the Trail Co-ordinator as a resource.
- iv) Publicity Co-ordinator to organize local news media coverage of club announcements and activities.

- v) A Newsletter Editor to record club activities and announcements and articles of hiking interest in a newsletter to be sent regularly to club members, other hiking associations and local public organizations.
- vi) Activities Co-ordinator to arrange hikes, outings, and general meeting programs.
- vii) Avon Trail Conservancy committee to further meet with the stated objectives of the Avon Trail that we are to encourage other environmental and conservation activities, such as tree planting, workplace wellness or trail development / re routes in areas adjacent to the Avon Trail.
This Conservancy Committee can be approached by any Landowner or member of another like minded organization, with specific requests.
- viii) Webmaster whose position is to develop and maintain a web site that reflects the current events of the Avon Trail, such as listing hikes, events, and closed sections of the trail. All web material is to receive approval of the Board.

ARTICLE 9: COMMUNICATION AND RISK MANAGEMENT

The purpose of the Avon Trail's Insurance and Risk Management Communication Plan is two-fold:

1. What information on the corporation's insurance and risk management strategy should be provided to Avon Trail stakeholders, including landowners, members, hikers, municipal bodies, sponsors, public and media;
2. How/where the information is to be provided.

A. Insurance

- i. A summary of Avon Trail's insurance coverage and hiker's Waiver of Liability will be made available to all stakeholders and will be published on the website and in the newsletter
- ii. On request, a copy of the Avon Trail's insurance coverage policy can be provided to landowners. Other stakeholders may also receive a copy on request and notification to the Board of Directors (Board)
- iii. In the case of an incident/accident, an Incident Form is to be filled out. This Form can be found on the Avon Trail website, as required by its insurance policy. Instructions on next steps should be set out on the form.
- iv. For questions, claims and liaison regarding insurance, the President and Vice-President are the primary contacts unless otherwise delegated.
- v. Questions regarding a landowner's liability on his/her land should be referred back to his/her own insurer

- vi. This communication policy will be reviewed on the renewal of the Avon Trail's insurance coverage policy. The review results will be reported to the Board.

B. Risk Mitigation Strategy

- i. Avon Trail will have in-place a Risk Management Plan which sets out the steps to be taken to reduce the risk and severity of loss or injury on the trail. The Avon Trail's Risk Management Plan will include:
 - The hikers' waiver of liability and acceptance of risk form
 - Trail building and maintenance standards, including monitoring and repairing promptly, hazards marked, trails rerouted or closed
 - Training hike leaders and trail workers
 - Accident and incident reports
 - Land use agreements with owners
 - Insurance
 - Trail audit process
- ii. Avon Trail as a member of Hike Ontario agreed to institute risk management standards developed to reduce risk and loss. This plan had been in place since January 2012 upon receiving approval from Hike Ontario.
- iii. The Avon Trail will develop a Guide for Avon Trail Workers
- iv. The Guide of Avon Trail Workers and Risk Management Plan will be posted on the website.
- v. The Occupiers' Liability Act , RSO 1990, sub 4 (3) & (4) notes that persons entering on 'recreational trails' for recreational purposes and without paying a fee are deemed to have willingly taken a risk and are subject to a reduced duty set out in sub 4(1).
- vi. However sub 3 (1) notes that "the occupier owes a duty to the person not to create a danger with the deliberate intent to cause harm or damage And to not act with reckless regard."

ARTICLE 10: CONSTITUTIONAL AMENDMENTS

Amendments to this constitution shall be made, once they have been circulated to club members, by a simple majority vote at the Annual General Meeting. Any changes must be announced at the previous general meeting, usually held in September.

Revised, November 15, 2016
President: Bernard Goward
Vice-President: Jane Foster