

BY-LAWS OF THE ENCHANTED POODLE CLUB, INC.

ARTICLE I

Name and Purpose

Section I: NAME

The name of the Club shall be *The Enchanted Poodle Club, Inc.*

Section 2: PURPOSE

The Club is organized exclusively for charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code.

- a) To educate the Public about the care and breeding of Poodles to bring their natural qualities to perfection according to the Standard for the breed as set forth by the American Kennel Club and the Poodle Club of America.
- b) To provide rescue for Poodles in need and to coordinate foster care arrangements for Poodles in need.
- c) To maintain a separate fund and accounting for rescue.
- d) To generate funds for operation of the Club through dues, American Kennel Club/Poodle Club of America approved events, and donations.
- e) To generate funds for operation of the Club's Rescue through special donations and money as needed from the General Fund of the Club.
- f) To abide by the Code of Ethics as set forth by the Poodle Club of America and its Foundations. See Appendix A.
- g) To provide networking resources for Poodle owners and potential owners.

Section 3: OPERATION

No part of the net earnings of the Club shall inure to the benefit of or be distributable to its members, trustees, officers, or other private persons, except that the Club shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the Club shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Club shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Notwithstanding any other provision of this document, the Club shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code or corresponding section of any future federal tax code.

Section 4: RULES OF ORDER

The Board of Directors of this Club shall establish and may from time to time revise such Standing rules of Order as may be required to carry out these objects.

Section 5: DISSOLUTION

The Club may be dissolved at any time by the written consent or not less than 2/3 of the members in good standing. In the event of the dissolution of the Club whether voluntary or involuntary or by operation of law, none of the property of the Club nor any proceeds thereof nor any assets of the Club shall be distributed to any members of The Club but after payment of the debts of the Club, its property and assets shall be distributed to one or more exempt purposes for the benefit of dogs within the meaning of section 501(c) (3) of the Internal Revenue Code or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not disposed of shall be disposed of by the Court Of Common Pleas of the county in which the principal office of the Club is then located exclusively for such purposes or to such organization or organizations as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE II Membership

Section 1: ELIGIBILITY

Regular membership shall be open to all persons eighteen years of age or 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.

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 31st day of January of each year. During the month of November the Treasurer shall send to members a statement of their dues 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 require the applicant to abide by these Bylaws and the rules of the American Kennel Club. The application shall state the name, address, telephone number, e-mail address, and skills and talents of the applicant that might be of help to the Club and it shall carry the endorsement of two members. Accompanying the application, the prospective member shall submit dues 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. The application will be voted upon. Affirmative votes of 3/4 of the members present and voting at that 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 by:

Resignation. Any member in good standing may resign from the Club upon written notice to the Secretary.

Lapsing. A member will be considered lapsed and automatically terminated if such member's dues remain unpaid after the 31st of January of any year. The Board can vote to reinstate a member upon request.

Expulsion. A membership may be terminated by expulsion as provided in Article VII of these Bylaws.

ARTICLE III

Meetings and Voting

Section 1: CLUB MEETINGS

Meetings of the Club shall be held at least 4 times per year in the Albuquerque, New Mexico area at such an hour and place that will be designated by The Board of Directors. Written notice of each meeting shall be mailed or electronically sent by e-mail by the Secretary not less than five (5) days and no more than (15) days prior to the date of the meeting.

The quorum for the meetings shall be 20% of the members in good standing who live in the Albuquerque area.

Section 2: SPECIAL CLUB MEETINGS

Special Club meetings may be called by the President, or by The Board of Directors, or 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 Albuquerque, New Mexico area at such a place, date, and hour as may be designated by the person or persons authorized herein to call such meetings.

Notice for the special meeting shall be mailed or e-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 of such meeting shall be 20% of the members in good standing who live in the Albuquerque area and must include at least four (4) of the petitioners.

Section 3: BOARD MEETINGS

Regular meetings of The Board of Directors shall be held no fewer than 4 times per year in or within the greater Albuquerque, New Mexico area at such an hour and place as may be designated by The Board of Directors. Written notice of each meeting shall be mailed or e-mailed by the Secretary at least five (5) days and not more than fifteen (15) 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 (Non-Emergency) Board meetings may be called by the President, or by The Board of Directors, or 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 or e-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.

Emergency Board Meetings, requiring immediate action by the Board of Directors, may be called by the President or by the Board of Directors and will also be held in or within the greater Albuquerque, New Mexico area, at such a place, date, and hour as may be designated by the person authorized herein to call such a meeting. All Board Members will be immediately notified of the need for the emergency meeting by the person calling the meeting and date, time, and place will be designated by 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 or she is present. Proxy voting will not be permitted at any Club meeting or election.

ARTICLE IV

Directors and Officers

Section 1: BOARD OF DIRECTORS

The Board shall be comprised of the President, Vice-President, Secretary, Treasurer, and three (3) to seven (7) other persons all of whom shall be elected for a 1-year term at The Club's annual meeting as provided in Article V 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.

President. The President shall preside at all meetings of The Club and The Board of Directors and shall have the duties and powers normally appurtenant to the office of President in addition to those particularly specified in these Bylaws.

Vice-President. The Vice-President shall have the duties and exercise the powers of the President in case of the President's death, absence, or incapacity.

Secretary. 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 meetings, 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.

Treasurer. The Treasurer shall collect and receive all monies due or belonging to the Club. He or she shall deposit the same in a bank designated by The Board in the name of The Club. His or her books shall be at all times open to inspection of The Board and he or she shall report to them at every meeting the condition of The Club's finances and every item of receipt of payment not before reported and at the annual meeting he or she shall render an account of all monies received and expended during the previous fiscal year. The Treasurer shall be bonded in such amount as The Board of Directors shall determine.

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 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.

The Board has the discretion to allow two (2) officer positions to be held by one Board Officer until the next scheduled elections.

ARTICLE V

The Club Year, Annual Meetings and Elections

Section 1: CLUB YEAR

The Club's fiscal year shall begin on the 1st day of January and end the 31st day of December.

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 MEETINGS

The regular Club meeting in January shall be known as the annual meeting and shall be for the purpose of electing officers and Board of Directors, receiving reports of officers and committees, and for any other business that may arise.

Section 3: ELECTIONS

The nominated candidate receiving the greatest number of votes for each office shall be declared elected. The 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 shall select a nominating committee. The Board shall name a Chairman for the committee and it shall be his duty to call a committee meeting which shall be held on or before November 15th.

- a. The committee shall prepare a slate of officers and a list of nominees for members of the Board of Directors to present to the Board of Directors for approval at the annual meeting.
- b. The committee shall immediately notify the nominees in writing of their nomination. The committee shall also forthwith notify the membership at the November meeting.
- c. Any person so nominated who refuses to be a candidate for the position to which they have been nominated shall notify the committee within 10 days of the date of notification by the committee.
- d. No person may be a candidate for more than one office.
- e. With the prior consent of the person so being nominated, any Board member in good standing of the club may make additional nominations for such offices from the floor at any such annual meeting. Nominations may also be offered to the committee by mail or email prior to the annual meeting, having had the prior consent of the nominee.

ARTICLE VI

Committees

Section 1: STANDING COMMITTEES

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.

Any Committee appointment may be terminated by a majority vote of the full membership of The Board upon written notice to the appointee.

The Board may appoint successors to those persons whose services have been terminated.

ARTICLE VII

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 Breed. Written charges with specifications must be filed in duplicate with the Secretary together with a deposit of \$10.00, which shall be forfeited if The Board, following a hearing, does not sustain such charges. 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 Breed.

If The Board entertains jurisdiction of the charges it shall fix a date of a hearing by The Board not less than three weeks nor more than 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 or her own defense and bring witnesses if he or she wishes.

Section 3: BOARD HEARINGS

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, suspend the defendant from all privileges of The Club for not more than six (6) months from the date of the hearing. 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.

Each proceeding may occur at a regular or special meeting of the Club to be held within 60 days but no earlier than 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 VIII

Amendments

Section 1: AMENDMENTS TO THE BYLAWS

Amendments to the Bylaws may be proposed by The Board of Directors or by written petition addressed to the Secretary signed by 20% of the membership in good standing.

Amendments proposed by such petition shall be promptly considered by The Board 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 Secretary received the petition.

Section 2: THE BYLAWS

The 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 or emailed to each member at least two (2) weeks prior to the date of the meeting.

ARTICLE IX

Adoption

Section 1: ADOPTION OF BYLAWS

These Bylaws shall become effective when adopted in accordance with Article VIII of these Bylaws of The Enchanted Poodle Club,

Section 2: PREVIOUS BYLAWS

All previous Bylaws of The Enchanted Poodle Club, Inc. by whatever name known and whether written or implied, are hereby repealed.

ARTICLE X

Rules of Order

Section 1: RULES

The rules contained in the current edition of Roberts Rules of Order, Newly Revised, shall govern The Club in all cases to which they are applicable and in which they are not inconsistent with the Articles of Incorporation or the Bylaws.

I hereby certify that the foregoing Bylaws were duly adopted by The Enchanted Poodle Club, Inc. on the ____ day of ____ year of ____

Secretary

The Enchanted Poodle Club, Inc.
Bylaws Amended September 2019
EIN 80-0311584

President

Appendix A

September 7, 2019

The CODES OF ETHICS of the Poodle Club of America

As a member of the Poodle Club of America, I

- Acknowledge that I am a representative of PCA and my actions are a reflection of PCA
- Do not flaunt my membership, or use my membership to indicate that I am superior to PCA non-members
- Demonstrate in my actions concern for the best interests of the breed
- Participate in PCA by volunteering to work on committees and activities where possible
- Support both the parent and affiliate clubs
- Encourage eligible individuals to become a member of PCA
- Maintain the best possible standard of care for my dogs
- Bring to the attention of the Board any issues as to unacceptable behavior on the part of another PCA member as stated in the PCA constitution and By Laws

As an exhibitor, I

- Am committed to being a positive mentor to inexperienced individuals interested in the breed
- Display good sportsmanship, win generously and lose graciously
- Offer assistance and encouragement to all participants
- Demonstrate respect for judges, show, trial and test officials and other competitors
- Refrain from loud, outrageous displays which negatively reflect on PCA in the ring, at ringside, in the gallery or on the show/trial/test grounds

As a Breeder, I

- Develop my breeding program based upon the breed standard
- Plan each breeding selectively toward the goal on improvement of the Poodle, not purely for financial gain
- Keep accurate records as per AKC rules and regulations
- Test all breeding stock , as appropriate, for each variety's genetic and acquired disorders
- Remain abreast of new genetic testing available and readily participates in current genetic studies
- Never intentionally allow a Poodle to be bred to any other breed
- Screen prospective buyers or individuals with whom a dog is placed
- Provide a written contract for all interactions involving the breeding, selling, co-owning, placing and rehoming of my stock

- Sell puppies with individual records to include
 - A Bill of Sale stating the conditions (terms) on which the sale was made
 - A Pedigree of at least 3 generations
 - An up-to-date health record
 - Proof of genetic/acquired condition testing
 - A reasonable time frame for a return
 - Never release a puppy before 8 weeks
 - Sell non-breeding quality puppies with limited registration
 - Require all non-breeding quality puppies sold to be neutered/spayed
- Assume responsibility for the well-being of all dogs sold including taking back adults in emergency situations and finding homes for rescues that have been identified from my breeding when possible

As part of my selection as a member of PCA, I acknowledge the responsibilities inherent in that membership and pledge to follow the Code of Ethics of the Poodle Club of America. In addition, if I find I am no longer willing to abide by this document, I agree to submit my resignation from PCA.

Poodle Club of America and Affiliate club members are expected to adhere to the following rules.

1. All Poodle Club of America members and affiliate clubs shall be dedicated to the preservation and welfare of the Poodle Breed.
2. All PCA members and affiliate clubs must ensure that their actions are in the best interest of the breed.
3. Members will at all times, whether at home, traveling, at shows or at motels, display good sportsmanship and conduct themselves in such a manner as to reflect credit upon the breed and the club.
4. Novices are encouraged to seek the advice and assistance of more experienced breeders and owners, and those sought out will graciously provide assistance and share the benefits of their knowledge.
5. Each member of PCA who is a breeder will keep accurate records of breeding as per American Kennel Club Rules and Regulations, pedigrees and registrations. They will also maintain the best possible standard of care for their dogs with regard to proper nutrition, housing, cleanliness and veterinary care.
6. Breeding programs should exist for the betterment of the breed. Each member will plan their breeding program to maintain and intensify the virtues of type, quality, temperament, and eliminate faults. All breeding shall be done selectively towards this goal and not purely for financial gain. Breeders may not intentionally allow a poodle to be bred to any other breed of dog.
7. All poodles under consideration for breeding will be tested for hereditary defects common to the breed. Proof of this testing must be made available to puppy

buyers. Depending upon the variety of the breed the common tests are as follows:

- Eyes – PRA & Cataracts
 - (Yearly Ophthalmologist Exam)
 - C.E.R.F.
 - PRCD
 - Hips – Penn.Hip/ O.F.A. (X-Rays of the hips- Permanent after 2 years)
 - X-ray- Stifles and or elbows.
 - Von Willebrands (Bleeding disorder)
 - Skin – S.A.- Sebaceous Adenitis
 - Thyroid
8. Buyers will be carefully screened for puppies and/or older dogs that are sold or placed.
9. Puppies will be sold with individual records. To be included:
- Bill of Sale. Stating the conditions (Terms) on which this sale was made.
 - Pedigree of the puppy (at least 3 generation)
 - Written instructions about care & feeding.
 - All health records up to Date i.e. worming, shots and kennel cough.
 - The breeder will state in writing that the purchaser has (a time specified by the breeder) hours to have the puppy checked out by a veterinarian and will be urged to do so.
 - If the puppy is unsuitable due to a pre-existing medical condition or genetic fault based upon veterinary findings, it may be returned during the time period stated in the contract for either a replacement or refund of purchase price.
 - Proof of genetic testing will be provided to puppy buyers.
 - “Pet Puppies” will be sold with ”Limited registration” Unless the puppy is sold as a show prospect, you will require them to spay or neuter the puppy.
 - Above all NO PUPPY WILL BE RELEASED BEFORE 8 (EIGHT) WEEKS OF AGE.
10. The Breeder is responsible for any and all poodles that he/she has bred for the life of each poodle. If at any time the owner cannot keep the poodle, the breeder will take the dog back and decide what is best for the poodle in question, including placing or euthanizing the dog. It is the breeder’s place to take this responsibility. This helps take the burden off rescue groups for the breed.
11. A breeder of a rescued Poodle, who is a member of PCA will, upon notification, provide for the Poodle’s care.
12. In all questions of ethics, covered or not covered by this Code, the individual member shall act solely in the best interests of the breed, and the membership as a whole. He/she shall also willingly aid any fellow member in upholding these interests.

13. Members shall bear in mind that a Code of Ethics is more than a set of rules; it is a commitment to a high standard of practice in owning and breeding and that adherence to the spirit of the Code is as important as adherence to its law.
14. Any violations of the code of ethics will be brought to the Board's attention and dealt with as stated in the constitution and by-laws of the club.