



## Section 2.01 FORMING A COMMUNITY TENNIS CLUB

---

### Overview

The Community Tennis Club is typically a volunteer run, not-for-profit club operating on tennis courts provided by the local municipality. The primary objective of most facilities of this type is the delivery of a low cost tennis program to the local community. The emphasis is broad community access to tennis.

Most Community Tennis Clubs are based on courts which were originally constructed by the local municipality as public tennis courts. The advantages of forming a Community Club versus just utilizing the public courts are numerous. To begin with, the formation of a club ensures that locally acceptable standards for conduct and programming can be determined and maintained.

An example of this is booking courts. Most public courts post rules regarding how long any one playing group can stay on the courts. However, experience has shown that these rules are rarely monitored and are often abused. Thus, a group arriving to play when the courts are full is usually faced with an overly long wait and even then, often only get to play after they have forced a confrontation with one of the original groups.

A Community Club, on the other hand, is usually empowered to put more enforceable court booking procedures into place. Often, the proceeds from membership fees are used to pay for a court monitor during prime playing hours. This person can ensure that court booking and court change over from one playing group to another is done in an orderly manner, in accordance with the rules of the club.

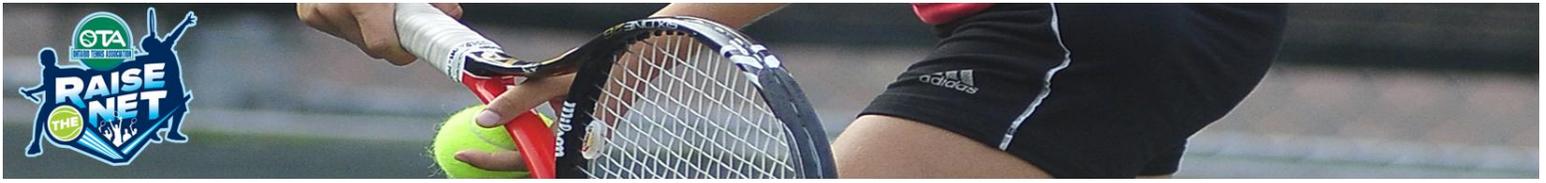
Program delivery is another important feature of an organized Community Tennis Club. As a group, the members of the club can establish the programs which they would like to see offered. These may be adult lessons, junior development programs, social events such as round robins or more competitive programs such as house-leagues, inter-club leagues or club tournaments.

Regardless of the programs which the members would like established, the formation of the club provides an entity to organize these programs. It gives the volunteers who run the programs a structure within which to work and promote them. It can also serve as a means of bringing together the necessary resources and ensures the courts are available for the pre-determined times when the programs are scheduled to run.

Finally, a Community Club provides a focal point for local user groups to inform the municipality of the needs of that group. If an improvement to the facility is required, the club can act as the voice of the users to the local municipality.

In short, the formation of a Community Tennis Club empowers local volunteers and enthusiasts to improve the effectiveness and quality of the local delivery system for tennis. The formation of a club is usually a community based initiative led by local tennis enthusiasts who are looking for a more structured environment in which to enjoy tennis.

While regulations differ from municipality to municipality, it is suggested that the first step the volunteers should take in forming a Community Club is to contact the local



Department of Parks and Recreation. Most of these departments have rules controlling the permitting of municipally owned recreation facilities, such as arenas and baseball diamonds, to local community groups. The local tennis courts would also be covered by these regulations. Most municipalities recognize the benefits of having a local club in operation and will probably be very cooperative.

Many municipalities require that the local community group incorporate as one of the requirements for a not-for-profit tennis club. There are benefits to incorporation which justify the extra effort or expense.

The primary benefit of incorporation is with respect to an individual's liability for the actions of the club. Under the law, a corporation is an entity unto itself. As such, in the event of a problem such as a liability suit or financial shortfall, it is the club, and not the individuals running the club, which should be responsible for paying any outstanding amounts. If your community group was not incorporated, and a problem arose, it is possible the personal assets of the members of the group could be put at risk in the event that any settlement or judgement was beyond the ability of the club to pay. This may be the only real benefit of incorporation for many Community Tennis Clubs. However, given the potential down sides of not being incorporated, it easily justifies becoming incorporated and incurring that one-time cost.

Information on how to become incorporated as a not-for-profit organization, as well as the necessary applications, can be obtained from your local office of the Government of Ontario's Ministry of Consumer and Commercial Affairs. There are filing fees involved with the application. You may also require some legal assistance in completing and filing the application. However, this should not require involved legal work and whatever legal fees are involved should be small and easily determined in advance.

Finally, in creating your Community Tennis Club, you will need to establish some basic by-laws for the organization. Again, a lawyer may be of assistance in doing this and actual by-laws will differ from club to club. Here are a few basic items which you will want to ensure are detailed: the objects of the club; details as to the responsibilities and powers of the officers and other members of the executive; provisions for nominating and electing the officers and members of the executive; provisions for the setting of membership fees; provisions for calling and holding general meetings of the membership; provisions for financial accountability and reporting; and provisions for amending the by-laws.

Two samples of constitutions/by-laws for Community Tennis Clubs are included in the **OTA Resource Centre** online library. One is for incorporated clubs and the other is for unincorporated clubs.