



## Proposed Changes to Landscape Ontario By-Law No. 1 Article III-Membership

### ARTICLE III- MEMBERSHIP

#### Section 1

Interpretation Membership shall be considered from:

- Individuals over the age of 18 years. Firms and corporations engaged in the design, installation and maintenance of landscapes, gardens and green-space
- Firms that grow and supply plant material
- Firms that provide garden related services and/or manufacture and/or supply garden related products.
- Specialists and consultants engaged in some aspect of horticultural work that contributes to or derives remuneration from the horticultural industry

#### Section 2

Term The term of a membership in the Corporation shall be from September 1 to August 31, or as may be determined from time to time by the Provincial Board of Directors.

#### Section 3

Admission Applicants of all membership classes shall be admitted by resolution of the Provincial Board of Directors after meeting all qualification requirements.

#### Section 4

Suspension or Termination: The Provincial Board of Directors may suspend or terminate a membership in the Corporation on the following grounds:

- A breach of, or non-compliance with the by-laws, code of conduct, code of ethics, rules or practices adopted by the corporation.
- Any act or conduct committed by a Member, which is contrary to the interests of the Corporation.

Notice - the Provincial Board of Directors shall not vote for the suspension or termination of any membership until due notice and an opportunity for a hearing is given.

#### Section 5

##### Assignment

A Membership in the Corporation may not be assigned or transferred without prior notice given to the Provincial Board of Directors, and that the Provincial Board of Directors approves the continuation of that Membership on the same or revised basis.

#### Section 6

Membership Classes: The Membership shall be divided into ~~seven~~ nine classes: ~~Active, Interim-Active, Associate, Chapter Associate, Honorary Life, Honorary, and Horticultural. Development/Introductory Member, Member, Professional Member, Certified Professional Member, Associate, Chapter Associate, Honorary Life, Honorary, and Horticultural. Members, Professional Members and Certified Professional members may also apply for Sole Proprietor membership status.~~

1.-**Active Members** are businesses that have been actively engaged in the horticultural industry in the Province of Ontario ~~for at least three years,~~ and that ~~have established a reputation for~~ exhibit high integrity in business practices. Actively engaged in the horticulture industry means



carrying on business primarily as a grower, landscape contractor, irrigation contractor, landscape designer, landscape maintenance (including tree service), landscape lighting, irrigation, snow and ice management, lawn-care company, garden centre or any combination of the foregoing. Applicants for **Active** membership must be able to demonstrate accreditation according to the accreditation criteria. ~~In those instances where there is question as to eligibility for membership, proof of assessment by the Workplace and Safety Insurance Board (WSIB) in the appropriate WSIB category shall be taken as Prima Facie proof of eligibility to apply in this membership category after three years in business.~~

Any **Active** Member may:

- Attend and take part in discussions at general meetings.
- ~~Vote on any matter and be appointed to any office in the Corporation with the exception that that they shall not be permitted to be elected as an officer on a Chapter Board of Directors or to any position on the Provincial Board of Directors~~
- Be appointed to ~~and chair~~ committees.
- Receive all services and publications that the Corporation may issue.
- ~~Resign from the Corporation in good standing upon payment of current dues and all arrears.~~

2. **Professional Member** are businesses that have been actively engaged in the horticultural industry in the Province of Ontario for at least two years, and meet all accreditation criteria for Members outlined in By-Law No. 1, Article III, Section 6-1. Applicants for Professional membership must be able to demonstrate proof of professional development.

Any Professional Member may:

- Attend and take part in discussions at general meetings.
- Vote on any matter and be appointed to any office in the Corporation.
- Be appointed to and chair committees.
- Receive all services and publications that the Corporation may issue.

3. **Certified Professional Member** are businesses that are current Active-Professional members of the Corporation, and have been an Active member of the Corporation for at least five consecutive years meeting all accreditation criteria for Active members outlined in By-Law No. 1, Article III, Section 6-1. Applicants for Certified Professional membership must be able to demonstrate proof of professional certification or equivalent and continuing professional development education for a minimum of ten per cent of all staff.

Any Certified Professional Member may:

- Attend and take part in discussions at general meetings.
- Vote on any matter and be appointed to any office in the Corporation.
- Be appointed to and chair committees.
- Receive all services and publications that the Corporation may issue.

4. **Sole Proprietor Status** is a status which Active, Professional and Certified Professional members of the Corporation may apply for. Sole Proprietor members of the Corporation are sole proprietor businesses without employees, that have been actively engaged in the horticultural industry in the Province of Ontario for at least three years, and meet all accreditation criteria for



Active members outlined in By-Law No. 1, Article III, Section 6-1.

Any Sole Proprietor Member may:

- Attend and take part in discussions at general meetings.
- Vote on any matter and be appointed to any office in the Corporation.
- Be appointed to and chair committees.
- Receive all services and publications that the Corporation may issue.

~~5. **Interim-Active Members** are those businesses that otherwise qualify for application in the Active Members category with the exception that they have not yet completed three years in business. All applicants for Interim-Active Membership must, have completed 12 months in business at the time of their membership approval. Interim-Active Members shall have all privileges and obligations of Active Members with the exception that they shall not be permitted to be elected as an officer on a Chapter Board of Directors or to any position on the Provincial Board of Directors. Member companies that have changed ownership shall not be classified as Interim-Active Member unless the company in question was an Interim-Active Member at the time of the changeover. Individuals who have been actively involved in a business for a minimum of one year, which have been or would have qualified as Active Member and who subsequently commences business operations separate from that business may immediately apply for membership for the new business in the Interim-Active category. Any new firms or corporations whose principal shareholders have been actively engaged in the horticultural business for over three years under any other name must apply for Active membership. Interim-Active Members shall not use the logo.~~

6. **Associate Members** are suppliers to the industry and the Corporation. This may include but shall not be limited to manufacturers and distributors of horticultural products, printers, publishers of trade papers, manufacturers of agricultural implements and mechanical equipment, landscape lighting, snow ploughing, excavating, and paving companies that do not install green plants and who do not carry on business in any other category that would qualify them for membership as a an Active Member. Privileges and obligations of the Associate Member shall include:

- Attendance and taking part in discussion at the general meetings.
- Appointments to and Chairpersonship of committees.
- Receipt of all publications issued by the Corporation.
- Voting on all motions presented at the Chapter meetings and Industry Sector Group meetings only.
- Serving as a Director on Chapter Board of Directors, or as an Officer on Industry Sector Group Board of Directors, only to a maximum of 20 per cent of the number of Directors.
- Resignation from membership in the Corporation in good standing upon payment of current dues and all arrears.
- They are entitled to all discounts, including magazine advertising and Congress exhibitor discount.

7. **Chapter Associate Members** are those businesses that otherwise qualify for membership in the Associate Member category with the exception that they are carrying on business in only one Chapter area. The privileges and obligations of the Chapter Associate Member are exactly those of the Associate Member with the exception that they are not entitled to magazine or Congress exhibitor discounts. The Board of Directors of the Corporation will decide on



admittance of the company into the Corporation.

8. **Honorary Life Members** are distinguished individuals of outstanding accomplishment or contribution to the Horticultural Industry or the Corporation. Honorary Life Members may be nominated by any five Active Members of the Corporation when such nomination is made in writing. Nominees for Honorary Life Membership will be reviewed and approved by the Provincial Board of Directors. Honorary Life Members shall have all the obligations and privileges of Active Members with the exception of payment of membership dues, which shall be waived.

9. **Honorary Members** are individuals whose merit the Corporation wishes to recognize. Honorary Members may be nominated in writing by any two Active Members of the Corporation and must be approved by resolution of the Provincial Board of Directors. Honorary Membership shall be one year with no limitation to the number of renewals. Honorary Members shall have all privileges of Active Members with the exception that they shall not have a vote in the affairs of the Corporation, nor shall they pay dues.

10. **A) Horticultural Individual Members** shall be individuals engaged in work allied to the horticultural industry but do not carry on business in a manner that would qualify them to membership in any other category. Horticultural Members may include but shall not be exclusively held for professors and teachers of horticulture, ecologists, conservationists, media specialists in horticultural matters, researchers in horticultural sciences and landscape architects. Other horticultural industry associations may join this category. ~~Newly graduated students of recognized Horticultural-related programs who are not in their first year of business may join this category for a period of one year prior to applying for Interim membership.~~

Privileges and obligations of a **Horticultural Individual** Member shall be:

- attendance and participation in discussions at general meetings
- appointment to and Chairmanship of committees
- reception of all publications issued by the Corporation
- serving as a Director on Chapter Board of Directors, or as an Officer on Industry Sector Group Board of Directors, only to a maximum of 20 per cent of the number of Directors
- ~~resignation from membership in the Corporation in good standing upon payment of current dues and all arrears.~~

10. B) Individual Member: Individual member status will be conferred to all employees of current Active members of the Corporation without a membership fee with the same privileges and obligations outlined in By-Law No. 1 Article III Section 6-10.

11. Development/Introductory Member are those businesses that have been actively engaged in the horticultural industry in the Province of Ontario, have not previously been a member of the Corporation and otherwise qualify for application in the Interim or Active Members. Businesses may join this category for a period of one year prior to applying for Interim or Active membership. These businesses shall be actively engaged in the landscape horticultural industry in the Province of Ontario. Actively engaged in the horticulture industry means carrying on business primarily as a grower, landscape contractor, irrigation contractor, landscape designer, landscape maintenance (including tree service), lawn-care company, garden centre or any combination of the foregoing. Privileges of a Development Member shall be:

- attendance and participation in discussions at general meetings



- reception of all publications issued by the Corporation