

To the extent these bylaws conflict with applicable law, applicable law prevails .

PACIFIC SWIMMING BYLAWS

ARTICLE 14

CONVENTIONS AND DEFINITIONS

14.1 CONVENTIONS -

- .1 TERMS GENERALLY - Whenever the context may require, any pronoun or official title shall include the corresponding masculine, feminine and neuter forms. The words “include”, “includes” and “including” shall be deemed to be followed by the phrase “without limitation”. The singular shall include the plural and the plural shall include the singular as the context may require. Where the context permits, the term “or” shall be interpreted as though it were “and/or”. Captions have been used for convenience only and shall not be used in interpreting the Bylaws.
- .2 CAPITALIZED TITLES - Capitalized titles, such as Secretary or Treasurer, when appearing alone shall refer to Pacific Swimming positions and not to USA Swimming or another organization.
- .3 NOTICE DEEMED GIVEN; LAST KNOWN ADDRESS -
 - A. Notice by Mail - Notice given and other writings delivered by first class mail, postage prepaid, and addressed to the last known address shall be deemed given or delivered upon the postmark date for all purposes under these Bylaws.
 - B. Notice by Email - Notice given and writings delivered by electronic mail to the last known email address shall be deemed given or delivered for all purposes under these Bylaws.
 - C. Last Known Mail or Email Address - For all purposes under these Bylaws, the last known mail or email address of a member of Pacific Swimming shall be the mail or email address on file with Pacific Swimming or in SWIMS.
- .4 TIME PERIOD CONVENTION - In computing time periods established by these Bylaws, the initial time period (days or hours) shall not be included but the last period shall be included.
- .5 WAIVER OF NOTICE CONVENTION - Untimely or insufficient notice for any meeting held under the authority of these Bylaws shall be considered to have been waived if a member attends or participates in the meeting to which such notice referred or to which notice was lacking without, at the earliest opportunity, raising an objection of untimely or insufficient notice having been given for such meeting. If the member is a Group Member Representative, then the relevant Group Member shall be treated as having waived the untimely or insufficient notice to the same extent.

14.2 DEFINITIONS - When used in these Bylaws, the following terms shall have the meanings indicated in this Section, and the definitions of such terms are equally applicable both to the singular and plural forms.

- .1 ARTICLE - a principal subdivision of these Bylaws.
- .2 ARTICLES OF INCORPORATION - the document filed with Secretary of State of the State of California pursuant to which Pacific Swimming was formed.
- .3 ATHLETE BOARD REPRESENTATIVE - an Athlete Member elected to represent athletes in the House of Delegates and on the Board of Directors.
- .4 ATHLETE REPRESENTATIVE - shall be (a) an athlete member in good standing; (b) currently competing, or have competed within the two (2) immediately preceding years, in a USA Swimming sanctioned event conducted by Pacific Swimming or another LSC, and (c) have their place of permanent residence in the Territory and expect to reside therein throughout at least the first half of the term (other than periods of enrollment in an institution of higher education).
- .5 BOARD MEMBER - a member of the Board of Directors, including the At-Large Board Members.
- .6 BOARD OF DIRECTORS - the Board of Directors of Pacific Swimming.
- .7 BYLAWS - these bylaws as adopted and amended from time to time by, and in effect for, Pacific Swimming.
- .8 COACH REPRESENTATIVE - a Coach Member elected to represent the coaches in the House of Delegates and on the Board of Directors. .9 GROUP MEMBER REPRESENTATIVE - an individual appointed to represent a Group Member in the House of Delegates.
- .10 HOUSE OF DELEGATES - the House of Delegates of Pacific Swimming as established by Article 4 of these Bylaws.
- .11 IMMEDIATE PAST GENERAL CHAIR - the individual who is the immediate past General Chair of Pacific Swimming.
- .12 IRS CODE - the current United States Internal Revenue Code.
- .13 LOCAL SWIMMING COMMITTEE / LSC - Pacific Swimming as defined by the USA Swimming Corporate Bylaws.
- .14 MEMBER - a Group Member or an Individual Member.
- .15 NATIONAL BOARD OF REVIEW - the National Board of Review of USA Swimming established in accordance with the National Board of Review procedures, pursuant to Policy 26.0 of the USA Swimming Operating Policy Manual. Where the context requires, a reference to the National Board of Review shall include a reference to the USA Swimming Board of Directors when that body is acting upon an appeal from the National Board of Review.

- .16 PACIFIC SWIMMING - the California not-for-profit corporation to which these Bylaws pertain.
- .17 POLICIES AND PROCEDURES - the principles, rules, and guidelines of Pacific Swimming, as amended and adopted by the Board of Directors or the House of Delegates.
- .18 SECTION - a subdivision of the Articles of these Bylaws.
- .19 TERRITORY - the geographic territory over which Pacific Swimming has jurisdiction as a Local Swimming Committee.
- .20 USA SWIMMING - USA Swimming, Inc., a Colorado nonprofit corporation which is the national governing body for the United States for the sport of swimming.
- .21 WORLD AQUATICS - the international governing body for the sport of swimming.