

MASSABESIC YACHT CLUB BY-LAWS

Revised through July 2016

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ARTICLE 1 – QUORUM

Section 1 - Twenty (20) members shall constitute a quorum at all regular and special meetings of the Massabesic Yacht Club (M.Y.C. or club).

Section 2- Five (5) members of the Board of Trustees (Board) shall constitute a quorum at all meetings of the Board.

ARTICLE 2 - DUTIES OF OFFICERS

Section 1 - COMMODORE:

It shall be the duty of the Commodore to:

- A. Enforce the laws and regulations of the club and preside at all meetings of the M.Y.C.;
- B. Be an ex-officio member of all committees except the Race Committee;
- C. In the event of a temporary or prolonged absence of the Secretary, Treasurer, Harbormaster, or Grounds Master, to appoint a member to serve temporarily or until the next regular election.
- D. Appoint a Sailing Program Chair and Co-chair from the membership each year. The Sailing Program consists of all education programs consistent with the object of the M.Y.C. made available to both M.Y.C. members and the general public. The Sailing Program Chair and Co-chair will act as the liaison between M.Y.C. membership and the Sailing Program to:
 1. Provide guidance on all Sailing Program activities and functions concerning M.Y.C. interests.
 2. Ensure the Sailing Program has financial accountability and enforcement of M.Y.C. rules and regulations.
 3. Appoint adult supervision for all sailing program activities events and functions where children under 18 are present.
 4. Promote and represent the sailing program within the M.Y.C. membership and Board of Trustees.
 5. Recommend a qualified sailing program instructor to the Board of Trustees to ensure the program remains active and maintains a high standard of sailing and seamanship training.
 6. The Sailing Program Chairman and the out-going Commodore will make recommendations to the newly elected Commodore for Sailing Program Chairman and Co-chairman appointments by the February general membership meeting of each year.

- E. Establish a schedule for Watch Duty schedule and to take appropriate measures to insure faithful performance by the membership. He may at his discretion appoint a member to the position of Master-at-Arms to assume this responsibility;
- F. Recommend a qualified Webmaster and Assistant Webmaster to the Board of Trustees. The Webmaster shall be responsible for:
 - 1. Technical management and maintenance of the club websites;
 - 2. Ensuring M.Y.C. ownership of domain registration "mycsailing.com/net" remains current;
 - 3. Preserving and maintaining the ownership, integrity, design, backup, and content of the website;
 - 4. Recommending moderators and administrators to aid in the maintenance of sections of the website as needed;
 - 5. With the Commodore and moderators to grant or remove members or registered users from secure areas based on member status and or misuse of agreed upon privileges;
 - 6. With the Secretary, to maintain the club membership email list to assure inclusion of only current M.Y.C. members.
- G. Appoint a Membership Chair. It shall be the responsibility of the Membership Chair to:
 - 1. Maintain and publish the membership waiting list;
 - 2. Present applicants for membership to the Board of Trustees for review, and to the M.Y.C. membership for approval.
- H. Conduct as needed, New Member Orientation.. He may at his discretion appoint another M.Y.C. member to assume this responsibility.

Section 2 - VICE-COMMODORE:

It shall be the duty of the Vice-Commodore to:

- A. Assist the Commodore in the discharge of his duties and in his absence officiate in his stead
- B. Oversee the program portion of the regular monthly meetings;
- C. Oversee and chair the Events Committee.

Section 3 - REAR COMMODORE:

It shall be the duty of the Rear Commodore to:

- A. Assist the Commodore and Vice Commodore in the discharge of their duties and in their absence to officiate in their stead;
- B. For proper publicity concerning the M.Y.C. and all of its activities;
- C. Publish a periodic club news bulletin (The **Rhumblings**) at least monthly prior to the General Membership Meeting via email and other means to all members of the M.Y.C.

Section 4 - SECRETARY:

It shall be the duty of the Secretary to:

- A. Keep a record of the members and of all club meetings, in books or electronic files belonging to the club and to make such returns as he be required to make;
- B. Notify members of their election;
- C. Issue notices of all regular and special meetings of the club;
- D. Take charge of and preserve all records and data of interest to the club;
- E. Take attendance at each regular monthly meeting;
- F. Conduct all correspondence pertaining to his office and keep records of same;
- G. Publish rules and regulations and distribute to all members and new subsequent members as they join;
- H. ~~Publish officers, trustees, and members in booklet form.~~

Section 5 - TREASURER:

It shall be the duty of the Treasurer to:

- A. Keep a record of the member's dues in books of the club and to make such returns as he is required to make;
- B. Receive all admission fees and upon election of this member, turn the amount into the club treasury;
- C. Take charge of all funds belonging to the club and pay all budgeted expenses after approval of the Board of Trustees;

- D. Keep a correct amount of his receipts and disbursements in books belonging to the club and provided for the purpose;
- E. Keep his books and vouchers at all times open to the inspection of the Board of Trustees;
- F. Make up and submit to the Secretary as required a complete membership list of names, addresses and telephone numbers of all paid members;
- G. Ensure all M.Y.C. owned boats and trailers are properly registered and insured;

Section 6 - HARBORMASTER:

It shall be the duty of the Harbormaster to:

- A. Take full charge of the harbor property and to enforce the preservation of order and obedience to the harbor rules. The harbor property consists of all M.Y.C. property from the shoreline out including the docks, mooring field, and ramps;
- B. Prescribe such rules and regulations necessary for the proper operation of the harbor including anchoring and traffic;
- C. Post the Harbor Rules and Regulations on the club bulletin board and distributed to all members;
- D. Advise the Commodore to call for assistance from membership for aid in maintaining and improving the Harbor property;
- E. Maintaining, storing, launching and mooring all club-owned boats and boat motors;
- F. Work in conjunction and in cooperation with the Race Committee in its requirements;
- G. Take attendance at Harbor Property special work details of the club;
- H. Coordinating all off-shore activities during dock-in and dock-out including, but not limited to, preparation, launching and retrieval of docks and club boats, set up and shut down of the mooring field, and collaboration with the Grounds Master to assure proper storage of all docks, boats, motors, trailers and other club equipment.

Section 7 – GROUNDS MASTER:

It shall be the duty of the Grounds Master to:

- A. Take full charge of the grounds property and to enforce the preservation of order and obedience to the grounds rules. The grounds property consists of all M.Y.C. property from the shoreline inland including the clubhouse, outbuildings, bathrooms, dumpster, dry sail area, driveway, and parking areas;

- B. Prescribe such rules and regulations necessary for the proper operation of the grounds;
- C. Post Grounds Rules and Regulations on the club bulletin board and distributed to all members.
- D. Advise the Commodore to call for assistance from membership for aid in maintaining and improving the grounds property;
- E. Take attendance at dock-in, dock-out, and any other special grounds work details of the club.
- F. Coordinating all on-shore activities during dock-in and dock-out and collaboration with the Harbormaster to assure proper storage of all docks, boats, motors, trailers and other club equipment.

Section 8 - RACE COMMITTEE CHAIRMAN:

It shall be the duty of the Race Committee Chairman to:

- A. Apply in writing each February to the Public Utilities Commission and any other necessary authorities for approval of racing dates for the upcoming racing season;
- B. Provide the racing schedule, racing rules (including Sailing Instructions) and weekly Race Committee roster;
- C. Maintain and store all Racing Committee equipment. This includes all committee boat equipment related to it and operator's safety of operation for all sanctioned racing and rescue use;
- D. Maintain, store, place and replace course markers as required;
- E. Maintain records of all race results and protests and cause same to be posted on the club bulletin board and web site;
- F. Keep a record of weekly Race Committee attendance;
- G. Keep a record of Racing Member participation at M.Y.C Series Races.

ARTICLE 3 - DUTIES OF STANDING COMMITTEES

Section 1 - BOARD OF TRUSTEES:

It shall be the duty of the Board of Trustees (Board) to:

- A. Have full charge of the general business management of the club;

- B. Make and authorize all necessary contracts, procure necessary insurance and enter into leases, but shall have no power to make the club liable for any debt beyond the amount of money which at the time shall be in the treasury and not needed for the discharge of prior debts or liabilities. Management of the business affairs of the Club shall be within the limits of an annual budget. The annual budget shall be announced or published for the membership not later than the January regular meeting. Approval of the annual budget shall be by membership vote at any regular meeting provided notice of the proposed budget was given at the preceding meeting;
- C. Make such regulations and rules for the government of the club as they may deem necessary for the proper management of its affairs, but any rules or regulations established by them may be rescinded by two-thirds vote of the members present at a regular meeting of the club.
- D. Hold their meetings every third Monday of each month. Additional meetings may be held at the call of the Commodore or upon the request of the majority of the members the Board. The Commodore or in his absence, the Vice Commodore or the Rear Commodore may conduct a vote of the Board of Trustees in the event circumstances dictate consideration and action is required on an issue prior to a meeting of the Board of Trustees or regular meeting. No less than a quorum of the Board shall vote to make the action valid and binding.
- E. Consider and act on all projects affecting grounds, buildings, docks, ramp and the environment. No project changing the structural configuration of the buildings, docks or ramp; excavating, filling or otherwise changing the nature of the grounds or environment shall begin until the following conditions are met:
 - a. A quorum of the Board consults with members of the Manchester Water Works, the Town of Auburn NH, and any other required government authorities and receives necessary clearances and approvals;
 - b. Such project shall be posted in the Rhumblings and acted upon at a subsequent regular meeting or special meeting called by the Commodore;
 - c. Proposed projects having an aggregate cost of \$500.00 or more shall be posted in the Rhumblings and acted upon by the membership at a regular meeting or special meeting called by the Commodore
- F. Consider and act upon the purchase of any equipment that does not directly conform to the object of M.Y.C.;
- G. Consider and act on the purchase of equipment or supplies having an aggregate cost of \$50.00 or more;
- H. Propose assessments, fines, budget reallocations or purchases of unbudgeted equipment to the membership. These shall be posted in the Rhumblings and acted upon by the membership at a subsequent regular meeting or a special meeting called by the Commodore;

- I. Consider and act upon donations of money, equipment, supplies or consumable materials;
- J. Consider and act upon presentation of any member's request to suspend M.Y.C. rules, by-laws or practices;
- K. Any member may act to prevent injury or a loss of property.

Section 2 - WEEKLY RACE COMMITTEE:

It shall be the duty of the Weekly Race Committee to:

- A. Take charge of and conduct races as scheduled by the club;
- B. Insure all club races are conducted in accordance with current ISAF Rules (The Racing Rules of Sailing), published Racing Rules and Racing Instructions established by the Race Committee Chairman.

Section 3 - EVENT COMMITTEE:

The Event Committee, under the direction of the Vice-Commodore, as Event Chairman, shall provide suitable programs for regular meetings of the club and arrange special events according to their judgment.

ARTICLE 4 - MEMBERSHIP

Section 1 - QUALIFICATIONS:

To qualify for membership, a person must currently own a yacht suitable for the M.Y.C, have an active interest in sailing and be sponsored by an active regular or racing member of the M.Y.C.

Section 2 - APPLICATIONS:

- A. Applications for membership shall be in writing, on a form provided, and shall be signed by the applicant, co-signed by the sponsoring member and, together with a non-refundable processing fee, be given to the Treasurer for presentation to the Membership Chairman for inclusion on the waiting list in the order of date received.

- B. The Membership Chairman shall post from time to time the current Waiting List on the club bulletin board.
- C. The Membership Chairman shall present the applications to the Board of Trustees for review when the requested membership slot is available. The application and recommendations of the Board of Trustees shall be presented at the next regular meeting for action by the membership.

Section 3 - ELECTION:

- A. An applicant may be present at the regular meeting at which his application will be introduced and voted upon. The applicant shall be required to leave during discussion and voting.
- B. To be accepted for membership, applicant must receive two-thirds of the votes cast.
- C. A rejected applicant may be again proposed after six (6) months.
- D. The name of an applicant and the class of yacht he owns shall be presented to the membership prior to the voting at which the applicant will be considered for membership.

Section 4 - LIMITATIONS:

- A. No member shall join or use their membership for profitable gain or pecuniary benefits.
- B. There shall be no more than 100 regular members and 20 racing members
- C. There shall be no more than 100 regular member moorings. This excludes club moorings and guest moorings.
- D. The overall length (LOA) of a yacht on a mooring shall not exceed twenty six (26) feet.
- E. The LOA of a yacht on a dry-sail location shall not exceed twenty (20) feet.

Section 5 - CLASS OF MEMBERSHIP:

- A. **Regular membership** will consist of elected members and their spouses or domestic partner.
 - a. It entitles children of the member's family to the use of club facilities and participation in club activities.

- b. In the case where elected member and spouse or domestic partner hold joint membership as above, only one vote per family shall be allowed.
 - c. Furthermore, when any child included in family membership reaches the age of 21 years, he must make application for regular membership if he wishes to continue participation in club activities. The Board may place a child member making application for regular membership at the head of the waiting list, if the Board determines the child member has been active in Club activities.
 - d. For the first twelve (12) months of regular membership, a member shall be in probationary state and shall therefore be subject to such rules and regulations as have been established regarding such status.
 - e. Regular members are required to own a yacht suitable for M.Y.C. to maintain their membership.
- B. Honorary Membership** will extend to any member or person who is recommended by the Board and who is elected by a unanimous vote at two successive meetings of regular members. Such membership is given in recognition of outstanding service to the club. Honorary Members:
- a. Are not liable for dues nor can they hold office, and have no voting rights;
 - b. do not have ramp, dry-sail or mooring privileges;
 - c. notwithstanding the above, have all other privileges granted to regular members.
- C. Racing Membership** consists of members with the same responsibilities and privileges of Regular members. Furthermore, Racing Members:
- a. Shall participate by starting in at least twelve (12) of the M.Y.C. Series Races. This number may be prorated if they join mid-season to 1/3 of the M.Y.C Series Races after they join;
 - b. May, in lieu of racing their own yacht, crew for another M.Y.C. member in an M.Y.C. Series Race and receive credit for those races. This is only valid in their first season at M.Y.C. In subsequent seasons, they must race in their own yacht to receive credit for those races;
 - c. May, in lieu of racing their own yacht, do one additional Weekly Race Committee duty beyond their commitment. They will receive credit for two races and it is only valid in their first season at M.Y.C.
 - d. Shall be placed on the Regular Membership Waiting List as of their application date. When a Regular Membership slot is open and it is their turn, the Racing Member will be converted to a Regular Member. They are encouraged to continue to but are no longer obligated to participate in M.Y.C. Series Races.
 - e. If a Racing Member does not meet their racing commitment:

- i. They shall remain on the Regular Membership Waiting List with a new application date of one year later than their current application date.
- ii. Additionally, they shall sit out the following calendar year before they can be considered for re-entry into M.Y.C. as a Racing Member.
- iii. The suspended Racing Member will lose all additional membership privileges and seniority accrued over the term of their Racing Membership.
- iv. They shall be liable to pay any fees assessed to the M.Y.C. membership during their suspension, but shall not be obligated to pay any other application or initiation fee should they rejoin M.Y.C.

D. **Associate Membership** is provided for regular members desiring to voluntarily relinquish active sailing privileges without forfeiture of membership.

- a. This membership does not include ramp, dry-sail and mooring privileges but shall include all other privileges granted to regular members.
- b. An Associate Member shall not be required to share in Duty, Race Committee, or Dock-In/Dock-Out.
- c. In order to be considered for Associate Membership, the applicant must be a Regular Member in good standing.
- d. Members converting to Associate Membership after June 1987 will have no voting privileges.
- e. A regular member who wishes to apply for Associate Membership shall do so in writing to the Board. Associate Membership shall be granted or denied at the discretion of the Board.
- f. An Associate Member who wishes to return as a Regular or Racing Member may do so by requesting such in writing to the Board of Trustees. They will be placed at the top of the waiting list for reinstatement once a slot is available.
- g. Associate Members are not required to own a yacht.

E. A Member shall be at least 18 years of age.

Section 6 - FEES AND DUES:

- A. Dues shall be in such amounts as have been approved by the membership in the annual budget, for each class of membership. Dues must be in the hands of the Treasurer no later than the first regular meeting in March or membership shall be forfeited, unless arrangements have been made with the Commodore.
- B. A member late in paying his dues may make a written appeal to the Board no later than the March Board meeting. Acceptance or rejection of the appeal is at the discretion of the Board. If the appeal is accepted by the Board, the member shall remit their past due dues immediately to the Treasurer at the March Board meeting, in addition to a \$100 late fee.

- C. A member joining after January 1 and before August 1 shall pay the full amount of membership dues (dues) and any fees have been approved by the membership.
- D. A member joining after August 1 and before October 31 shall pay 50% of dues and 100% of fees.
- E. A member joining after October 31 and before December 31 shall pay 100% of fees and 0% of dues.
- F. For less than full year members, other duties such as race committee, watches, and racing obligations for racing members shall be as determined by the Commodore.

Section 7 - DUTIES OF MEMBERS:

- A. Members must abide by and uphold all rules and regulations of the club.
- B. [Item deleted December 2002.]
- C. Members using club property (i.e. club dinghies, oars, committee boat, motors, racing equipment etc.) shall be responsible for any loss, damage, theft, or maintenance of this equipment while in their personal charge and usage. Any such loss, damage, theft, etc. shall be immediately reported to a Board member.
- D. In using club facilities, members and their guests shall at all times observe the rules and regulations of the Manchester Water Works, particularly those relative to wading, bathing, pollution, fires and rubbish disposal.
- E. Members shall be present for Dock-In or Dock-Out, or perform an alternate task which has been approved by the Commodore.
- F. Members shall serve on the Weekly Race Committee duty as assigned by the Race Committee Chairman or an alternate task approved by the Commodore.
- G. Members shall serve duty as assigned, or an alternate task approved by the Commodore.
- H. Members, guests and visitors shall not smoke within the A-Frame. All rooms and spaces within the A-Frame shall be smoke free. The entryway, outside of the A-Frame, is not considered within the A-Frame and need not be smoke free.

Section 8 - MISDEMEANORS, PENALTIES AND REINSTATEMENTS:

- A. Any member may present to the Board written charges against another member for conduct unbecoming a gentleman or likely to endanger the welfare or good order of the club; or for violation of the requirements of the By-Laws. The member so charged shall be notified and given an opportunity to be heard in answer to such charges. If found guilty, the Board may fine him in accordance with the provisions of paragraph B, or the Board may suspend him from all rights and privileges of membership and may declare his membership forfeited. But any member shall have the right within one month thereafter to appeal to the club at the regular meeting and the club, by two-thirds vote of the members present, may reverse the action of the Board and restore the applicant to any rights or privileges of membership.
 - B. The Board, as an alternate to dismissal from the club may impose a fine on members found in violation of the club By-Laws under paragraph A.
 - C. Failure to attend dock-in or dock-out or an alternate task, \$50 fine.
 - D. Failure to serve race committee or an alternate task, \$100 fine.
 - E. Failure to serve watch duty or alternate task, \$50 fine
- (Any alternate task must be approved in advance in writing by the Commodore.)**
- F. Failure to replace temporary float with mooring ball, and placing drop line, carabineer and mooring tag on the numbered hook in the oar house by June 15 shall result in a \$50 fine.
 - G. Failure to properly prepare mooring for dock-out by the end of the day Wednesday before dock-out, \$50 fine. Regarding said mooring, the mooring crew will attempt, as best they can, to properly prepare the mooring for dock-out. Neither the mooring crew nor M.Y.C. assumes any liability for said mooring.

Section 9 - RESIGNATIONS:

- A. Any member in good standing on written application to the club shall receive an honorable discharge from the club provided at the time of such application there are no charges against him on account of the club.
- B. Resigned members in good standing may be reinstated by requesting such in writing to the Board. They will be placed at the top of the waiting list for reinstatement once a slot is available.

ARTICLE 5- ELECTION OF OFFICERS AND TRUSTEES

Section 1 - NOMINATING COMMITTEE:

- A. The Commodore shall appoint a committee of three members at the October meeting.
- B. It shall be the duty of the Nomination Committee to prepare a list of candidates for the elective offices having attempted to secure the names of all interested and qualified members and publish same at the November meeting.
- C. They shall prepare and mail to members at least five days prior to the December meeting ballots showing their candidates for office together with such additional nominations as are made and accepted at the November meeting. Notwithstanding the above, if there is no more than one nominee for each office, no ballot will be mailed to the members. Rather, the Secretary, at the December meeting, shall cast one vote to elect the slate of nominees.
- D. In preparing the list of candidates for elective office, the Nominating Committee shall give due consideration to the tradition of nominating the incumbent Commodore to the position of Trustee, if he is willing to accept such a nomination.
- E. No member of the nominating committee shall serve in consecutive years.

Section 2 - ELECTION OF OFFICERS AND TRUSTEES:

The election of Officers and Trustees shall take place at the December regular meeting and shall be by count of all ballots received either via regular mail or at the beginning of the December meeting, except as provided in Article 5, Section 1, paragraph C above, in which case the Secretary shall cast one vote to elect the slate of nominees.

Section 3 - INSTALLATION OF OFFICERS AND TRUSTEES:

- A. Officers and Trustees shall be installed at the January regular meeting and shall hold office for one year and until successors are elected and qualified. All appointments and committees standing or otherwise shall terminate upon the expiration of the term of office of the incumbent officers.
- B. Vacancies may be filled at any regular meeting or special meeting, notice of such election having been sent at least five days prior to such meeting.

ARTICLE 6 - IMPEACHMENT OF OFFICERS

An officer may be impeached by the unanimous vote of the other members of the Board of Trustees, and may be removed from office by a two-thirds vote of the enrolled members after he has been accorded a hearing upon the impeachment charges.

ARTICLE 7 - BURGEE AND EMBLEM

Section 1 - CLUB BURGEE:

The club burgee or pennant shall be three-sided and shall be twice as long as the hoist edge. The colors are red, white and blue. A red stripe at the top one quarter of the width of the hoist, shall extend at equal width to the point and until it meets the similar blue stripe along to the bottom edge of the pennant and the center line. The interior triangle field shall be white.

Section 2 - CLUB EMBLEM:

The emblem of the club shall be as follows: a blue circle one-third the radius in width surrounding a white inner round field. From left to right a flying pennant of the club design surmounts the entire emblem. The word "Massabesic" is engraved in the top part of the blue circle and words "Yacht Club" are engraved in the lower part of the circle under the pennant.

ARTICLE 8 - HARBOR RULES

Section 1 - HARBOR RULES:

- A. Members shall be responsible for the proper mooring of their yachts and neither the club nor its officers, trustees or employees shall be responsible for any damage which may occur from the slipping, breaking away from, or dragging their anchor.
- B. Each member with a mooring shall inspect or cause to have inspected, their own mooring no less than every third year and each subsequent year until the mooring

chain, lines and shackles are replaced as needed. Once replaced, the mooring will be again inspected no less than every third year and every subsequent year until replacement is done by the individual member. The Harbormaster is responsible for the inspection and replacement of club moorings in the manner prescribed to members.

- C. Moorings must be removed from the mooring field and club grounds within two weeks after a member's resignation, termination, forfeiture or conversion to associate member. If the member leaves during the off-season, the mooring must be removed within two weeks after dock-in. Any mooring left in the mooring field or on club grounds longer than the aforementioned timeframe will be disposed of in a manner determined by the Harbormaster.

Section 2 - POWERBOATS:

No powerboats except the M.Y.C. committee and workboats shall be permanently moored in the harbor area. Exceptions to this rule may be made by majority vote of the Board of Trustees.

ARTICLE 9 - ORDER OF BUSINESS

At meetings, the order of business shall be as follows:

1. Call to order
2. Roll call
3. Minutes of previous meeting.
4. Reports of Officers
5. Reports of Appointed Committees
6. Elections.
7. Old Business.
8. New Business.
9. Suggestions for the good of the club.

ARTICLE 10 – AMENDING THE BY-LAWS

The M.Y.C. By-laws may be amended by a two-thirds vote at any regular meeting provided that notice of the proposed amendment or amendments has been given at the preceding meeting and shall be valid only when adopted at the next regular meeting.