

# **MASSABESIC YACHT CLUB BY-LAWS**

*Revised through February 2013*

## **ARTICLE 1**

### **QUORUM**

- Section 1. Twenty (20) members shall constitute a quorum at all regular and special meetings of the club.*
- Section 2. Five (5) members of the Board of Trustees shall constitute a quorum at all meetings of the Board of Trustees.*

## **ARTICLE 2**

### **DUTIES OF OFFICERS**

*Section 1. COMMODORE:*

*A. It shall be the duty of the commodore to enforce the laws and regulations of the club and preside at all meetings of the club.*

*B. He shall be ex-officio member of all committees except the Race Committee.*

*C. In the event of a temporary or prolonged absence of either Secretary, Treasurer, or Harbormaster the commodore may appoint a member to serve temporarily or until the next regular election.*

*D. It will be the duty of the commodore to appoint a Sailing Program Chairperson and Co-chairperson from the membership each year. The Sailing Chairperson and Co-chairperson 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.*

*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. The Sailing Membership and the out-going Commodore will make recommendations to the newly elected Commodore for Sailing Program Chairperson and Co-chairperson appointments by January 1, of each year.*

*E. It shall be the duty of the Commodore to establish a schedule for Duty and to take appropriate measures to insure faithful performance by the members. He may at his discretion appoint a member to the Position of Master-at-Arms to perform this duty.*

*F. It shall also be the duty of the Commodore to recommend a qualified Webmaster to the Board of Trustees.*

*The Webmaster will be the technical person responsible for web site maintenance with an appointed alternate contact to:*

*1. Ensure MYC ownership of domain registration "mysailing.com/net" remain current.*

*2. Preserve and maintain the ownership, integrity, design, backup, and content of the website. The Webmaster shall recommend moderators and administrators to aid in the maintenance of sections of the website as needed.*

*3. It shall be the responsibility of the webmaster, along 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.*

*Section 2. VICE-COMMODORE:*

*A. It shall be the duty of the Vice-Commodore to assist the Commodore in the discharge of his duties and in his absence to officiate in his stead.*

*B. It shall be his further duty to oversee the program portion of the regular monthly meetings.*

Section 3. REAR-COMMODORE:

A. *It shall be the duty of the Rear-Commodore to assist the Commodore and Vice-Commodore in the discharge of their duties and in their absence to officiate in their stead.*

B. *It shall be his further duty to assume responsibility for proper publicity concerning the club and all of its activities and to publish a periodic club news bulletin to be sent to all regular members.*

Section 4. SECRETARY:

A. *It shall be the duty of the Secretary to keep a record of the members and of all meetings of the club, in books belonging to the club and to make such returns as he be required to make; to notify members of their election; to issue notices of all regular and special meetings of the club; to take charge of and preserve all records and data of interest to the club; to take attendance at each regular monthly meeting.*

B. *He shall conduct all correspondence pertaining to his office and keep records of same, publish rules and regulations and distribute to all members and new subsequent members as they join. Also publish officers, trustees, and members in booklet form.*

Section 5. TREASURER:

A. *It shall be the duty of the Treasurer to 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. *He shall receive all admission fees and upon election of this member, turn the amount into the club treasury.*

C. *He shall take charge of all funds belonging to the club and pay all budgeted expenses after approval of the Board of Trustees.*

D. *He shall keep a correct amount of his receipts and disbursements in books belonging to the club and provided for the purpose.*

E. *He shall keep his books and vouchers at all times open to the inspection of the board of Trustees.*

F. *He shall make up and submit to the Secretary once a year on or about May 1 a complete membership list of names, addresses and telephone numbers of all paid members as of that date.*

**Section 6. HARBORMASTER:**

A. *It shall be the duty of the Harbormaster to take full charge of the harbor property and to enforce the preservation of order and obedience to the harbor rules.*

B. *He shall have the power to prescribe such rules and regulations necessary for the proper operation of the harbor including anchoring and traffic.*

C. *He shall cause the Harbor Rules and Regulations to be posted on the club Bulletin board and distributed to all members.*

D. *When he deems necessary he shall advise the Commodore to call for assistance from membership for aid in maintaining and improving property.*

E. *He shall have the responsibility for maintenance storage launching and mooring club-owned boats, including committee boat, dinghies and motor(s). The Harbormaster will work in conjunction and in cooperation with the Race Committee in its requirements.*

F. *He shall take attendance at Dock-In Dock-Out and other special work details of the club.*

**Section 7. RACE COMMITTEE CHAIRMAN:**

A. *It shall be the duty of the Race Committee to apply in writing each February to the Public Utilities Commission for approval of racing dates for the Year.*

B. *He shall provide schedule, rules and roster of Weekly Race Committee.*

C. *He shall have responsibility for Racing Committee equipment maintenance and storage. This includes all committee boat equipment related to it and operator's safety of operation for all sanctioned racing and rescue use.*

D. *He shall have responsibility for maintenance, placement and replacement of course markers and storage.*

E. *He shall maintain records of all race results protests, etc., and cause same to be posted on the Club Bulletin Board for the information of the members.*

F. *He shall keep a record of weekly Race Committee attendance.*

**ARTICLE 3**

**DUTIES OF STANDING COMMITTEES**

**Section 1. BOARD OF TRUSTEES:**

A. *It shall be the duty of the Board of Trustees to have full charge of the general business management of the club. They shall make or 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.*

B. *They shall have power to 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.*

C. *They shall 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.*

D. *Additional Duties and Considerations*

i. *The Board of Trustees shall consider and act on all projects affecting grounds, buildings, docks, ramp and the environment.*

ii. *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 of Trustees consults with members of the Manchester Water Works and receives necessary clearances.*
- b. *Such project shall be posted in the Rumbings and acted upon at a subsequent regular meeting or special meeting called by the Commodore under the Massabesic Yacht Club Constitution, Article 6, Section 3.*

iii. *Proposed projects having an aggregate cost of \$500.00 or more shall be posted in the Rumbings and acted upon by the membership at a regular meeting or special meeting called by the Commodore under the Massabesic Yacht Club Constitution, Article 6, Section 3.*

iv. *The Board of Trustees shall consider and act upon the purchase of any equipment that does not directly "promote the sport of sailing or the art of seamanship".*

v. *The Board of Trustees shall consider and act on the purchase of equipment or supplies having an aggregate cost of \$50.00 or more.*

vi. *Proposed assessments, fines, budget reallocations or purchases of unbudgeted equipment, shall be posted in the Rumbings and acted*

*upon by the membership at a subsequent regular meeting or a special meeting called by the Commodore under the Massabesic Yacht Club Constitution, Article 6, Section 3.*

*vii. Donations of money, equipment supplies or consumable material shall be considered and acted upon by the Board of Trustees.*

*viii. Any member wishing to suspend Massabesic Yacht Club rules, by-laws or practices shall present such request to the Board of Trustees for consideration and action.*

*ix. The Commodore or in his/her absence, the Vice Commodore or the Rear Commodore may conduct a poll and vote of individual members of the Board of Trustees in the event that circumstances dictate that consideration and action should be taken on a particular issue prior to a meeting of the Board of Trustees or regular meeting. No less than a quorum of the Board shall vote in order to make the action valid and binding.*

*x. Any member may act to prevent injury or a loss of property.*

**Section 2. WEEKLY RACE COMMITTEE:**

*A. It shall be the duty of the Weekly Race Committee to take charge of and conduct races as scheduled by the club.*

*B. It shall insure that all club races are conducted in accordance with current ISAF Rules (The Racing Rules of Sailing).*

**Section 3. PROGRAM COMMITTEE:**

*A. The Program Committee, under the direction of the Vice-Commodore, as Program 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 have an active interest in sailing and be sponsored by an active regular member of the club.*

**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 \$10.00 processing fee, be given to the Treasurer for presentation at the next regular meeting.*

*B. Applications shall be reviewed by the Board of Trustees or a membership committee composed of three or more members appointed by the Commodore. The application and recommendations of the reviewing committee 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 will 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 will 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 for profitable gain or pecuniary benefits.*

*B. There shall be no more than 100 regular members and 20 racing members per Section 5(C).*

*C. There shall be no more than 100 regular member moorings. This excludes club moorings and guest moorings.*

*D. The LOA of a boat on a permanent mooring shall not exceed twenty six (26) feet.*

**Section 5. CLASS OF MEMBERSHIP:**

*A. Regular membership will consist of elected members and spouses. Regular membership will entitle children of the member's family to the use of club facilities and participation in club activities. In the case where elected member and spouse hold joint membership as above, only one vote per family will be allowed. 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 with the club. The Board of Trustees may place a child member making application for regular membership at the head of the waiting list, if the Board determines that the child member has been active in Club activities. 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.*

*B. Honorary Membership will extend to any member or person who is recommended by the board of Trustees 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 are not liable for dues nor can they vote or hold office.*

*C. Racing Member, one who has submitted a sponsored membership application, and has been approved by the Board and by the membership by a two thirds (2/3rds) vote. The Racing Member shall participate by starting in at least one-third (1/3rd) of the total M.Y.C. Series Races. Each Racing Member is entitled to the same privileges and responsibilities as those of Regular Members. They will be able to moor their boat in the M.Y.C. Mooring Field as space is available or keep their boat in the dry sail area if space is available and the boat is less than twenty (20) feet. Racing Members in the mooring field will be required to fulfill all their race duties until granted Regular Membership. The total number of Racing Members shall not exceed twenty (20).*

*D. Associate Membership is provided for regular members desiring to voluntarily relinquish active sailing privileges without forfeiture of membership. This membership does not include ramp and mooring privileges but shall include all other privileges granted to regular members. An Associate Member shall not be required to share in Duty, Race Committee, or Dock-In/Dock-Out. In order to be considered for Associate Membership, the applicant must be a Regular Member in good standing. Members converting to Associate Membership after June 1987 will have no voting privileges. A regular member who wishes to apply for Associate Membership shall do so in writing to the Board of Trustees. Associate Membership shall be granted or denied at the discretion of the Board of Trustees.*

*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 will be forfeited.*

*B. A member late in paying his dues may make a written appeal to the Board of Trustees no later than the March Board meeting. Acceptance or rejection of the appeal is at the discretion of the Board.*

*C. A member joining after January 1 and before August 1 shall pay the full amount of membership dues (dues) and any fees that have been approved by the membership. A member joining after August 1 and before October 31 shall pay 50% of dues and 100% of fees. A member joining after October 31 and before December 31*

*shall pay 100% of fees and 0% of dues. 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. if it occurs, shall be immediately reported to the Harbormaster, Race Committee Chairman or other officer of the Massabesic Yacht Club.*

*D. In using club facilities at the anchorage, 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 race committee duty as assigned by the Race Committee Chairman or an alternate task approved by the Commodore.*

*E. Members shall serve duty as assigned, or an alternate task approved by the Commodore.*

*F. 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 of the club may present to the Board of Trustees 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 of Trustees, 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. Failure to serve race committee or an alternate task, \$100. Failure to serve watch duty or alternate task, \$50. (Any alternate task must be approved in advance in writing by the Commodore.)*

*D. Failure to replace temporary float with mooring ball, and placing drop line, carabiner and mooring tag on the numbered hook in the oar house by June 15 shall result in a \$50 fine. Failure to properly prepare mooring for dock-out by the end of the day Wednesday before dock-out, \$50. 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 MYC 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 that at the time of such application there are no charges against him on account of the club.*

*B. Resigned members may be reinstated by the Board of Trustees.*

**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, and no more than two nominees for trustees, 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 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 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 employees shall be responsible for any damage which may occur from the slipping, breaking away from, or dragging their anchor, but in case of accident, reasonable effort shall be made to protect the property of members.*
- B. Each member with a mooring shall inspect or cause to have inspected, his/her 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 again done by the individual member. The Harbormaster is responsible for the inspection and replacement of club moorings in the manner prescribed to members.*

#### **Section 2. POWER BOATS:**

*No power boats except the M.Y.C. Committee boats 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:*

- i. Call to order.*
- ii. Roll call.*
- iii. Minutes of previous meeting.*
- iv. Reports of Secretary and Treasurer.*
- v. Reports of Race Membership and Special Committees*
- vi. Elections.*
- vii. Unfinished Business.*
- viii. New Business.*
- ix. Suggestions for the good of the Club.*

- x. *Adjournment.*
- xi. *Program.*

## **ARTICLE 10**

### **PARLIAMENTARY AUTHORITY**

*Robert's Rules of Order shall be the club's final authority on all questions or procedure and Parliamentary Law not covered by the Constitution and By-Laws.*

## **ARTICLE 11**

### **AMENDING THE BY-LAWS**

*These By-Laws may be amended by a majority vote at any meeting, a quorum being present, provided notice of the proposed amendment was given at the preceding meeting.*

