

SWAMPSCOTT YACHT CLUB—BYLAWS.

SWAMPSCOTT YACHT CLUB
BY-LAWS--EFFECTIVE 1999
AND AS LAST AMENDED OCTOBER 15, 2011.

FOREWORD:

THE SWAMPSCOTT YACHT CLUB welcomes you as a member and hopes that your stay aboard will be a pleasant one.

The following By-Laws are designed for the mutual benefit of all members. They are not expected to cover all cases that may arise, as the Board of Governors realizes that the harmony and welfare of the Club depends not only upon obedience to rules but also upon natural consideration and good will.

It is the earnest wish of the Officers of the Swampscott Yacht Club that each member become familiar with the following By-Laws.

PURPOSE:

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PURPOSE.

The Principal purpose of this Club is to encourage yachting in the locality of Swampscott.

Persons other than members are allowed privileges as “Visitors” and as “Guests,” for specified times and under specified conditions which will be found under those headings in the By-Laws.

Section 1. BOARD OF GOVERNORS.

THE BOARD OF GOVERNORS shall consist of the Officers and the Governors. The officers of the Club shall be a Commodore, a Vice Commodore, a Rear Commodore, a Secretary, and a Treasurer. The balance of the Board of Governors shall consist of five (5) additional members, one (1) of which will be the immediate Past Commodore.

THE BOARD OF GOVERNORS shall have the general management control and direction of the affairs of the Club and are hereby invested with all the powers of the Club compatible with the provisions of these By-Laws and the Laws of the Commonwealth.

THE BOARD OF GOVERNORS shall be elected by a majority of the members present at the Annual Meeting.

THE BOARD OF GOVERNORS shall hold office from the date of election or appointment until their successors shall be chosen and qualified in their stead.

THE BOARD OF GOVERNORS shall keep posted a list of all rules and regulations voted on at their meetings.

In the case of any of the Club officers’ death, resignation or incapacity to perform their duties, the Board of Governors shall fill such vacancy at their regular meeting or a Special Meeting called by the Board of Governors for that purpose.

Section 2. DUTIES OF OFFICERS.

THE COMMODORE shall command the squadron and preside at all the meetings of the Club and of the Board of Governors, and shall perform all other duties required of him by law and these By-Laws.

THE COMMODORE shall have the authority to approve expenditures for nominal repairs to any Club equipment or fixtures and to provide emergency repairs to prevent extended damage to Club property.

THE COMMODORE shall be ex-officio a member of all committees.

THE VICE COMMODORE shall assist the Commodore in the discharge of his duties and, in case of the absence or the Commodore or a vacancy in that office, shall act as Commodore until the vacancy is filled by the Board of Governors.

THE REAR COMMODORE shall assist the Commodore in the discharge of his duties and, in the case of the absence of both the Commodore and Vice Commodore, shall act as Commodore until the return of either the Commodore or the Vice Commodore, or until the vacancy is filled by the Board of Governors.

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THE SECRETARY shall give notice of the meetings of the members and of the Board of Governors, and shall call a Special meeting of the Board of Governors when requested to do so by the Commodore or three (3) members of the Board of Governors. A special notice, stating in general terms the purpose of any special meeting of the Club, shall be addressed to each member and sent to him by mail, at least seven (7) days before such meeting.

THE SECRETARY shall attend all meetings of the members and of the Board of Governors, and keep a true record of their proceedings, perform all other duties especially required of such officer by law and these By-Laws, and as the Board of Governors may from time to time prescribe. In the absence of the Commodore, Vice Commodore and Rear Commodore at any legal meeting of either the members, or the Board of Governors, they shall call the meeting to order and preside until a chairman pro tempore is chosen.

THE SECRETARY shall have jurisdiction over and be responsible for the collection of all fees and dues.

THE TREASURER shall sign on behalf of the Club, in regular course, all notes, contracts, leases, releases, deeds, bills of sale, and all other papers requiring the official seal of the Club, unless another officer or officers of the Club are authorized and directed to do so by the Board of Governors.

THE TREASURER shall have custody of the cash funds, notes, bonds, agreements and evidences of property belonging to the Club, and all other business papers.

THE TREASURER may endorse, in the regular and proper course of business of the Club, for discount and collection, notes, drafts, or checks payable to the order of the Club.

THE TREASURER shall keep, or cause to be kept, a regular set of books containing the accounts of the Club showing all moneys received and disbursed. The Treasurer shall keep a separate account, as Treasurer of the Club, in such bank or banks as the Board of Governors shall designate, and shall deposit, in the name of the Club, in such banks or bank, all money of the Club, which shall not be drawn out except for the use of the said Club. Said books and account shall be open at all times to the inspection of the Board of Governors.

THE TREASURER shall prepare an annual account to be laid before the Club at its annual meeting, and at other times, when requested to do so by the Board of Governors, shall submit a detailed statement of the financial condition of the Club.

THE TREASURER shall prepare all returns and certificates required by law, and perform all other duties pertaining to the office of Treasurer.

THE TREASURER shall sign the checks of the Club. All checks which exceed five hundred (\$500.00) dollars shall be signed by the Treasurer and countersigned by the Commodore.

Section 3. ANNUAL MEETING.

The Annual Meeting of the Club shall be held on the Third Saturday in October each year, at the Swampscott Yacht Club in Swampscott, MA.

The first order of business at the Annual Meeting will be the election of the new Officers and Governors. In the event that any position on the Board of Governors is contested, a ballot will be required.

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Section 4. MEETINGS OF THE BOARD OF GOVERNORS.

The Board of Governors shall meet on the first Monday of every month at 7:30 pm, unless a holiday occurs, at which time the meeting will be held on the following Monday at 7:30 pm. This meeting shall be open to all members.

A majority of Governors shall constitute a quorum for the transaction of business.

The Governors shall meet at such time and at such place as they may vote, or as may be designated by the Commodore or Secretary.

Section 5. ALTERATION OF BY-LAWS.

No by-law shall be repealed or amended or changed except at the Annual Meeting or at a meeting of the members duly called for the purpose.

Section 6. ELECTION OF MEMBERS.

Every candidate for membership in the Club shall be proposed by two (2) members over their signature on forms provided for that purpose. The Secretary shall immediately cause the application to be posted on the bulletin board in the Clubhouse for at least seven (7) days prior to the meeting of the Membership Committee at which action on the application is to be taken.

In order to encourage the more active participation of new members in the activities of the Club, and so that new members will be able to make immediate contributions to the Club:

Newly elected members of the Club, during their associate, or first year of membership, shall be required to attend any four of the monthly meetings of the Board of Governors.

Associate members shall be required to join a Club committee and to contribute ten hours to that committee.

The status of those members who fail to attend the required meetings or to contribute the required hours will be reviewed by the Board of Governors who may then revoke that person's membership status in the Club.

These provisions will apply to associate members elected after January 1, 1999. (*Adopted 1998.*)

All applicants elected to membership shall be associate members for a period of one (1) year.

Associate members shall have all privileges of the Club except the right to vote and hold office. Associate members may not sponsor any prospective members.

Associate members may be elected to full membership by the Membership Committee after a minimum of one (1) year as an associate member.

Any member's spouse may become a Spousal Member with all the privileges of membership with the exception of holding office or voting provided they are nominated by their spouse and pay the spousal dues.

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Section 7. SPECIAL MEMBERSHIPS.

HONORARY.

Any person may become an Honorary Member of the Club who shall have been so designated by a unanimous^{1/} vote of the members present at a meeting of the Board of Governors, upon the recommendation of the Membership Committee. Honorary Members shall have all the privileges of the Club except voting and holding office.

LIFE.

Any member may be elected to Life Membership by the Board of Governors if when they reach the age of 65 years or greater they apply for Life Membership and have been a member for at least the last 20 consecutive years. Dues will be waived in the years following the year elected as a life member.

JUNIOR.

Any member in good standing may nominate his or her son or daughter for Junior Membership. In order to be considered for Junior Membership, nominees must be at least 16 years of age and under the age of 21. Junior Members will only have access to the prams. Junior Members may purchase launch service. Junior Members will not be eligible to vote or hold office. Upon reaching the age of 21, Junior Members will be required to apply for full membership if they desire to remain members. (*Adopted 1997.*) If the Junior Member has maintained junior membership for the three consecutive years prior to reaching age 21 and the Junior Member wishes to apply for full membership, the membership application fee will be waived. (*Adopted 2003.*)

Section 8. AUDITING OF ACCOUNTS.

The Financial Records of the Club and the accounts of the Treasurer and Bar Manager shall be examined and audited once each year by one or more competent persons appointed by the Board of Governors.

Section 9. DUES.

All applications, dues and fees shall be forwarded to the Secretary.

The Initiation Fee, to be paid with the application, shall be twenty (\$20.00) dollars unless otherwise changed by the Board of Governors. The fee will be returned to the applicant, if they are not elected to membership. Dues for the current year shall be paid on notification of acceptance to membership.

The Annual Dues of the members of the Club shall be established annually by the Board of Governors at its annual budget meeting. Dues are due und payable by March 1 of each year. A late fee, not to exceed 15% of the annual dues, to be determined yearly by the Board of Governors, will be added to dues paid between March 1 and April 1. Any member who has not paid their annual dues by April sixteenth (16th) will be dropped from the rolls, lose all membership privileges and would be required to reapply for membership. (*Amended 1995, 2011.*)

^{1/}A "unanimous" vote is 100% of members present voting in favor (or against). Thus if the vote at a Board or Annual meeting is not "unanimous," the Secretary must provide documentation that the vote was passed by casting one vote (e.g., for the entire slate at the Annual Meeting). *Robert's Rules of Order*, current ed.

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Any member joining after October 1 of any calendar year, including Spousal and Junior membership, shall be assessed dues not to exceed 25% of the annual dues for the remainder of the year, to be determined yearly by the Board of Governors. (*Amended 2011.*)

Resignation of members must be submitted by the individual resigning and acted upon by the Board of Governors. All resignations should be tendered in writing.

Section 10. MEMBERSHIP COMMITTEE.

The Membership Committee shall consist of five (5) members of the Board of Governors. The Membership Committee shall be appointed by the Board of Governors.

A quorum shall consist of a majority of the committee.

It shall be the duty of the Membership Committee to consider and determine the qualifications and fitness of all Club applicants for membership and to elect to membership in the Club such applicants as the committee shall deem fit. A unanimous vote of the committee or quorum shall be required to elect an individual to membership in the Club.

Section 11. RACE COMMITTEE.

The Race Committee shall consist of five qualified members all of whom shall be appointed by the Commodore.

It shall be the duty of the Race Committee to make arrangements for, and to take charge of, and appoint judges for, all races held by or under the direction or authority of the Club; to decide in conformity with the Racing Rules of the North American Yacht Racing Union, with such exceptions as they shall see fit, all questions that arise respecting such races; to disqualify a contestant that shall have violated any of the above-named rules; to postpone any race or order it to be recontested; to appoint in the absence of one or more members of their committee a member or members of the Club to act in his or their place to record in a book provided for the purpose all protests filed with them together with their decision upon the same; and to place on file with the Secretary a copy of the annual report of the committee.

Section 12. HOUSE COMMITTEE.

The House Committee shall consist of three (3) or more members. The House Committee shall be appointed by the Commodore.

The House Committee shall have general supervision of the Club House, and shall have control of all Club premises and property, and all ordinary exterior and interior repairs to the Club House. It shall also purchase all needed supplies and all necessary articles for use in the House, not within the jurisdiction of any officer or other committee. It shall consider complaints, engage, discharge and have general supervision of all servants employed in the Club House. It shall make such House Rules and Regulations as it may deem advisable and to post the same on the bulletin board in the Club House, subject to the approval of the Board of Governors.

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Section 13. LOCKERS.

All lockers shall be under the jurisdiction of the Secretary, and, in case they deem it necessary, to decide the number of members assigned to each locker. Rental fees for the lockers shall be set by the Board of Governors. Fees for lockers are ten (\$10.00) dollars for the smaller and twenty (\$20.00) dollars for the larger, per year, and are payable at the same time as membership dues.

Section 14. NOMINATING COMMITTEE.

The Nominating Committee shall be appointed by the Commodore and shall consist of two (2) members of the Board of Governors and three (3) members.

It shall be the duty of the Nominating Committee to nominate a Commodore, Vice Commodore, Rear Commodore, a Secretary, a Treasurer, and five (5) members of the Board of Governors, one of which will be the immediate Past Commodore, and to keep the names of all such nominees posted on the Bulletin Board in the Club House at least two weeks before the Annual Meeting of the Club, at which time appropriate action shall be taken thereon.

There shall be no specific eligibility requirements but the nominating committee's primary objective will be to achieve a balance between continuity and fresh ideas by establishing a progression from Rear Commodore to Vice Commodore to Commodore and establishing a limit of four (4) consecutive years for a Governor. These requirements may be suspended if there are insufficient volunteers to fill vacancies.

The above provisions shall not exclude the nomination of any other candidate; but no member shall be eligible for election to any office unless his name shall have been posted as a candidate, over the signature of six (6) members, on the bulletin board in the Club House at least four (4) full calendar days before the election.

Section 15. FINANCE COMMITTEE.

The Finance Committee shall consist of the Board of Governors of the Club.

They shall have the supervision of all Club funds and shall audit all expenditures, and perform such other duties as may be required of them.

Section 16. GUESTS.

Members may introduce guests to the Club and shall be responsible for their conduct and for any debts incurred by them.

The privileges of guests may be withdrawn at any time by any member of the Board of Governors for unruly behavior.

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Section 17. VISITORS.

The Commodore, Vice Commodore, or Rear Commodore may extend to visitors from Mass Bay or other yacht clubs any of the privileges of the Club, upon such terms and conditions and for such defined periods as they may deem advisable, to any organization or persons whose position, attainments and character, or whose intended use of such privileges, will, in their opinion, justify such action.

Section 18. BAR MANAGER.

The Bar Manager will be appointed by a vote of a majority of the Board of Governors.

The Bar Manager shall establish the rules and regulations for the operation of the bar. Those rules and regulations will be presented to the Board of Governors for review and approval.

The Bar Manager shall keep a regular set of books containing the bank account for the operation of the bar. Said books and account shall be open at all times to the inspection of the Board of Governors.

The Bar Manager shall prepare an annual account to be laid before the Club at its annual meeting, and at other times, when requested to do so by the Board of Governors, shall submit a detailed statement of the financial condition of the bar.

Section 19. DISCIPLINE.

Any member wishing to register a complaint of a violation of any provision of the By-Laws or Rules shall address that complaint in writing to the Board of Governors.

The Board of Governors shall present a copy of the complaint to the member being charged.

The Board shall schedule a hearing, no less than five (5) days nor more than fifteen (15) days from the date of such presentation and notify both the member making the charge and the member being charged.

The Board of Governors shall make the necessary rules respecting its hearing. At the time and place specified in the notice, the Board of Governors shall hear and consider the evidence offered by either party. If the Board shall be satisfied of the charge, they may censure or expel such member and their decision shall be final.

[End of By-Laws.]

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RULES AND REGULATIONS.

In order that all members will be able to equally utilize the SYC's facilities, these basic rules must be observed by all members.

CLUBHOUSE.

1. Use of the Clubhouse is restricted to members with the exception of guest (includes member's family) when the member accompanies the guest.
2. Members are responsible for the upkeep of the Clubhouse. Please turn off lights and make certain entrance doors are locked and windows closed. If there is any abnormality, contact the Commodore.

FLOAT.

1. Tie-up at the SYC float is limited to 15 minutes and is for use only by SYC and visiting yacht club members.
2. In order to reduce the chance of an accident and damage to SYC property, members should discourage children from swimming, playing and fishing from the SYC float.

PRAMS.

1. Use of the prams is limited to 15 minutes.
2. Use of the prams is limited to SYC members or member's family while under the direct supervision of the member.
3. After use, the prams must be locked using both the chain and lock attached to the SYC float.
4. Children are not to play in the prams nor pleasure-row.
5. One pram, which is designated and marked Work Pram, is kept on the beach. Members should use this work pram when they would not be able to return a pram within 15 minutes or when working on the mooring hardware.

KEYS.

1. All members are provided with a numbered key, and this key will allow only members access to both the Clubhouse and prams.
2. Keys are not to be loaned to another person under any circumstances.
3. SYC Keys can not be duplicated except by the manufacturer. This special locking system will only work if the Clubhouse door and unused prams are left locked up.

[[E N D.]]

[This is a scanned, editable, exact version of the most recent Bylaws booklet dated and printed in 1999, to which have been added the 2003 amendment as to Junior memberships in Section 7 and the Dues amendments in Section 9 approved at the 2011 Annual Meeting.]