

## **BY-LAWS OF THE APALACHEE BAY YACHT CLUB**

### **SECTION 1 - Purpose**

The purpose of this Club is to form an association of persons who are interested in boating, in the racing of sailboats, in the exchange of ideas about boating, in the development of better boating techniques and seamanship, and in the development of camaraderie. Further, the Club shall promote activities that will perpetuate the ideals and traditions of boating. The Club shall be a non-profit corporation governed by a constitution and these By-Laws.

*History: Above amended 12/02/01, 06/05/10*

### **SECTION 2 - Membership**

#### ***Types***

**Regular:** A regular member shall be a person or a family. A regular member is entitled to a total of one (1) vote per paid membership.

**Associate:** An associate member shall be a person or family who wishes to be affiliated with the Club with a non-renewable one year membership. An associate member shall have no voting privileges. At the end of the first year as an associate member, an associate member must become a regular member.

**Student/Professional:** A student or professional between age 21 and 30 with no voting privileges.

**Non-resident:** A non-resident member is a former regular member who wishes to maintain affiliation with the Club but who has moved to a permanent residence outside the participating area and who is not active in Club functions, or is a member in good standing of another yacht club or sailing club who is visiting the Shell Point area and wishes to utilize Club facilities during their visit. A non-resident member shall have no voting privileges.

**Honorary:** An honorary member is a person or family who shall neither have voting privileges nor pay any dues.

*History: Above amended 12/03/86, 10/04/89, 12/04/91, 12/1/93, 12/02/01, 09/11/04, 12/05/07, 06/05/10, 11/20/10, 10/03/15*

#### **Definition**

For the purpose of this section, a family is one or two adults living at the same domicile. If any children are to be members by virtue of the familial relationship, the children must be under 21 years of age.

#### **Qualifications**

Any regular or associate member may submit to the Membership Committee the name of a person proposed for membership. A copy of the application from the proposed member shall be posted in the ABYC clubhouse for thirty days from the date of receipt by the Membership Committee. The name of the proposed member shall be published in the ABYC newsletter edition next following the first publication deadline after the date the application is received by the Membership Committee. At the conclusion of the thirty day period, the Membership Committee shall make a recommendation to the Board of Directors regarding the proposed membership. If the Membership Committee recommends the applicant, and the Board of Directors votes affirmatively on the application, then the applicant will be accepted into membership conditional upon payment of the required monies to the Purser.

In order for a person to become a permanent Honorary Member, five (5) voting members of the Club must propose that person's name to the Board of Directors; then the Board of Directors

must make a recommendation to the membership at large. Acceptance must be by an affirmative majority secret vote at the next general meeting.

A person may become a Temporary Non-resident Member upon presentation and acceptance of membership in good standing in a recognized yacht or sailing club. Temporary Non-resident membership shall be for a period not to exceed seven (7) days and shall be logged in a permanent record book maintained for that purpose at the Clubhouse. The Board of Directors may authorize the issuance of a temporary membership card to a Temporary non-resident Member.

*History: Above amended 10/04/89, 09/11/04*

## **Expulsion**

The expulsion of any Club member begins with the Board of Directors requiring the Scribe to send the member written notice thirty (30) days prior to a hearing to be held before the Board of Directors concerning the expulsion of the member. The member to be expelled has the right to attend the hearing before the Board of Directors and to present any evidence or to call any other member on his/her behalf to discuss the matter. Immediately after the hearing, the Board of Directors, by secret ballot, shall make a recommendation to the membership. A majority vote, by secret ballot, of the voting membership is required in order to expel a member. If the membership votes for expulsion, then the Scribe shall be directed by the Board of Directors to notify the member in writing within five (5) days from the date of the vote of the member's expulsion. An expelled member shall not be entitled to any reimbursement of any dues or fees paid to the Club except that an expelled member not indebted to the Club shall be entitled to request redemption of any or all Class A equity units. This section shall not apply to members dropped from membership in the Club for non-payment of either annual dues or periodic fees and charges.

## **SECTION 3 - Dues and Fees**

All prospective members, except Honorary Members, must pay an initiation fee. All prospective Regular and Associate members shall pay an initiation fee of One-Hundred Dollars ((\$100) and all prospective Student/Professional members shall pay an initiation fee of Fifty Dollars (\$50.00), and all members, except Honorary Members, must pay dues in the amount listed for their respective membership. Whether paid at the beginning of the year or at the beginning of each quarter, the dues are for the fiscal year. Regular members joining during a fiscal year will be charged pro-rata dues for the remainder of that year.

			If Paid Quarterly
Regular	\$600.00	\$165.00	\$660.00
Associate	\$300.00	\$ 82.50	\$330.00
Student/Professional	\$150.00	N/A	N/A
Non-Resident	\$ 50.00	N/A	N/A

The annual Regular member dues and the annual Associate member dues, at the members option, can be paid on a quarterly basis. In addition, periodic fees or charges for items purchased from or charges incurred through the Club are billed monthly by the Purser. Any member who is 61 days in arrears on the payment of dues or such periodic fees/charges shall be notified by the Purser in writing and shall neither vote nor enjoy the privileges of the Club. A member who is 91 days in arrears on payment of dues or periodic fees/charges shall be notified by the Purser in writing and shall be automatically dropped from membership in the Club, provided arrangements have not been made with the Board of Directors. Any monies received by the Purser shall be applied first to any outstanding balance owed by the member for periodic fees/charges then to the payment of dues.

*History: Above amended 12/02/87, 12/04/91, 12/02/01, 12/05/07, 06/05/2010, 11/20/10*

## **SECTION 4 - Officers and Directors**

### **Term of Office**

They shall serve for no more than two (2) consecutive one-year terms, except the Junior and Senior Board Members who shall each serve a two (2) year staggered term. The Purser may serve until replaced. The Junior and Senior Board members shall not serve more than one (1) two year term in their respective positions. The Commodore shall, in the year following his tenure as Commodore, assume the office of Past Commodore. If the Past Commodore's position becomes vacant, it shall not be filled for the rest of that term. However, should a scheduled election by the membership be delayed for legitimate causes, a board member(s) may continue to serve pending future elections

*History: Added 06/05/10 Amended 11/20/10*

### **Duties**

The Commodore shall be the chief executive officer of the club and shall preside at all meetings of the members and the Directors. The Commodore shall be an ex-officio member of all committees and shall be responsible for the general management of the business of the Club and shall see that all orders and decisions of the Board of Directors are carried into effect. The Commodore shall appoint the Chairmen of all permanent and temporary committees with the approval of the Board of Directors except as established otherwise by these By-Laws.

The Vice Commodore shall act in the capacity of the Commodore when the Commodore is absent and shall accede to that office if it should become vacant. The Vice Commodore shall be the Chairman of the Fleet Committee.

The Scribe shall have custody of all Club records except Financial Records and shall handle correspondence, including responsibility for the monthly newsletter, keep a record of the minutes of all meetings of the membership and the Board of Directors, and shall transcribe these minutes into permanent record books.

The Purser shall have custody of all financial records, shall be responsible for the collection of all initiation fees and dues, shall maintain complete and accurate records of all owners of equity units and of the proceeds from the sale of said units, and shall handle all matters pertaining to the financial operation of the Club. The Purser shall also be responsible for opening and maintaining any and all bank accounts, and for the payment of bills. Every Club financial account shall permit withdrawals only on the signature of two of the following officers: Commodore, Vice Commodore, Purser, or Scribe except a checking account that requires only one of the above signatures. Transfers to this account from other ABYC accounts may be made quarterly or more frequently at the Board's discretion.

The Rear Commodore shall be the Chairman of the Clubhouse and Grounds Committee and shall be responsible for the acquisition, inventory, and maintenance of Club property.

The Past Commodore shall be the Chairman of the Membership Committee.

The Senior Board Member shall be the Chairman of the Program and Activity Committee.

The Junior Board Member shall be the Chairman of the Social Committee.

*History: Above amended 04/04/90, 12/04/91, 12/02/97, 06/05/10*

### **Removal**

In order for any member of the Board of Directors to be removed from office during their term of office, a majority of the voting membership of the Club, by written petition, shall direct the Commodore to call a meeting in order to discuss and vote upon the removal of said member. Any member may discuss the removal of said member, and the member may appear at the meeting to defend him/herself. At the conclusion of discussion, the voting membership by secret

ballot, shall vote to determine whether the member shall be removed. A two-thirds (2/3rds) vote of the regular membership in favor of removal shall be required to effect removal. In the event that the membership votes to remove said member, the member shall be notified within five (5) days in writing by the Scribe of the decision of the membership. The member shall turn over all Club property and records which were entrusted to him/her during his/her term of office.

### **Vacant Position**

In the event that a Board position other than the Commodore becomes vacant, the Commodore, with the approval of the remaining members of the Board, shall appoint a member at large to fill the vacant position for the remainder of the term.

## **SECTION 5 - Committees**

The following committees shall consist of a chairman and an appropriate number of members to accomplish the respective tasks of each committee. Ad hoc committees may be appointed by the Commodore as needed. No ad hoc committees shall extend beyond the term of the Commodore who appointed it. Unless otherwise stated, members of each committee shall be appointed by the committee's respective chairman.

### **Membership Committee**

The members are the Past Commodore, chairman, and three or more members at large. The primary function is to review applications submitted by the members and to recommend acceptance or denial to the membership. This committee will also serve as a telephone committee to keep the membership informed of coming activities and to provide a membership package to all new members.

### **Clubhouse and Grounds Committee**

The members are the Rear Commodore, chairman, and three or more members at large. The primary responsibility shall be the acquisition and maintenance of all Club property.

### **Regatta Committee**

The members are a chairman, appointed by the Commodore, and a sufficient number of members to carry out its functions. The purpose of this committee is to organize an annual regatta sponsored by the Club.

### **Protest Committee**

The members are a chairman, appointed by the Commodore, and two members knowledgeable in USYRU Racing Rules. Additional members may be called by the chairman as necessary. The purpose of this committee is to hear and rule on all protests resulting from ABYC sponsored races in which the protests are not settled by the individual fleets.

### **Nominations Committee**

This committee shall exist as provided for in ARTICLE V of the *Constitution of the Apalachee Bay Yacht Club*.

### **Fleet Committee**

The members are the Vice Commodore, chairman, and representatives of each active fleet. The primary function of this committee is to coordinate the activities of the various fleets.

### **Program and Activity Committee**

The members are the Senior Board Member, chairman, and a sufficient number of members to carry out its functions.

### **Social Committee**

The members are the Junior Board Member, chairman, and a sufficient number of members to carry out its functions.

*History: Above amended 12/04/91, 06/05/10*

## **SECTION 6 - Parliamentary Procedure**

*Robert's Rules of Order*, Revised shall be the authority governing all matters of procedure not

otherwise specified in the *Constitution* or these *By-Laws*. A Parliamentarian shall be appointed by the Commodore.

#### **SECTION 7 - Meetings**

There shall be a general meeting of the membership-at-large each month. The time and place of each meeting will be determined by the Board, announced at the prior meeting, and published in the monthly newsletter thirty (30) days prior to that meeting.

*History: Above amended 12/01/82, 12/03/86, 12/02/87.*

#### **SECTION 8 - Dock Reserve Fund**

Ten percent (10%) of all revenues from the Club's docks shall be allocated to a separate reserve fund to be used solely for the maintenance, replacement, or improvements of or additions to the docks.

*History: Created 12/07/88*

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