

# Toledo Sailing Club By-Laws



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# THE TOLEDO SAILING CLUB

## BY-LAWS

### ARTICLE 1 – REGULAR AND SPECIAL MEETINGS

- A. The annual meeting and election of officers shall be held at the regular September meeting.
- B. Regular meetings of the Club shall be held on the third Wednesday of each month at 7:00 P.M. unless that day is a holiday in which case the meeting date will be set at the regular meeting immediately preceding the one in question.
- C. Twenty (20) Active members shall constitute a quorum for the transacting of business.
- D. Special meetings may be called by the Commodore, the Board of Directors, or at the written request of five (5) Active members. All Active members must be notified of special meetings seven (7) days in advance of the meeting.
- E. Vacancies in office caused by death, resignation or suspension may be filled at the second regular meeting following such death, resignation or suspension.
- F. A majority vote shall carry all motions except amendments to the Constitution and By-Laws and expulsion proceedings. All By-Laws should give a parliamentary source (Roberts) to take over where the Constitution and By-Laws end.
- G. The Club shall not take action pertaining to politics or religion.

### ARTICLE 2 – CLUB YEAR

- A. The fiscal year shall be November 1st through October 31st.

### ARTICLE 3 – ELECTION TO MEMBERSHIP

- A. All applicants for active and life memberships shall sign an application blank provided by the Club for that purpose. Applications must be signed by two (2) sponsoring Active members of one (1) year standing and be accompanied by a fee consisting of Five hundred dollars (\$525.00) covering two hundred dollars (\$200.00) initiation fee and one year's Active member dues.

The application shall be read at the regular board meeting following receipt, and referred to the Membership Committee for investigation. The applicant's name along with his/her sponsors'

names shall be posted at the club for the two weeks following the board meeting during which time any Active member may voice his/her objection to said applicant by submitting his/her objection in a signed written statement to the Board of Directors. All new member applicants shall be interviewed in accordance with the Constitution and By-Laws. The Membership Committee shall report its findings at a special Board meeting, which shall be held just before the regular general meeting. If the Board deems further investigation necessary, the application shall be held until said investigation is completed. If Board deems the application acceptable, and subject to any limitation of membership in the Constitution, the application shall be submitted at the next general meeting with the Board's recommendation to the membership for election or rejection to provisional membership. Unless waived by unanimous vote of the general membership present at such meeting (in which case election shall be by voice vote), election to provisional membership shall be by written ballot.

- B. No rejected applicant may reapply for membership during the six (6) month period following rejection.
- C. As to Provisional members, the following shall apply:
  - 1. If a new member applicant is accepted, the person shall be a Provisional member for one (1) year. A Provisional member shall be deemed to be an Active member and, except as otherwise expressly stated in the Constitution or these By-Laws, shall be entitled to all the benefits thereof.
  - 2. Each Provisional member shall be required to work a total of twenty-five (25) hours for the Club during the twelve (12) month period immediately following his election to Provisional membership. Work hours requirement for a Provisional member for the year of his or her election to membership shall be prorated through October 31 of that year at the rate of 2.0 hours per full calendar month. (i.e. A Provisional member voted into Active membership in June, would be required to work 8 hours prior to October 31. A Provisional member voted into Active membership in August, would be required to work 4 hours prior to October 31.)
  - 3. At the end of twelve (12) months following election to provisional membership, the Membership Committee shall, within thirty (30) days, review conduct, work hours, Club involvement (including fulfillment of the work hour requirement) of the Provisional member and shall report to the Board of Directors their findings, who will in turn report to the general membership their recommendation for a final vote for active membership.
  - 4. During the provisional period the member shall have all privileges of the Club and shall abide by all By-Laws, rules and regulations.
  - 5. A Provisional member may bid on a dock on a temporary basis, and if voted into full membership, may retain that dock provided the Provisional member has complied with all applicable dock rules and By-Laws.

6. A Provisional member that is not voted into full membership shall not be eligible to reapply for one (1) year. The person shall surrender all membership and key cards to the Vice Commodore immediately and shall immediately remove their boat from Club property
  7. If a Provisional member is voted into Active membership, they would be subject to dues on a pro-rated basis of one-twelfth (1/12) per month for the remaining months from the date of the vote thru October 31. See Article 5, section 1 for Active member dues.
- D. Any former member who has resigned in good standing may reapply for membership. No initiation fee is required of a reinstated member. Upon election to the Club, a reinstated member shall be declared a full member and, as such, shall not be required to complete provisional membership. The reinstated member shall be deemed to have lost all past seniority upon resignation and, therefore, seniority begins at reinstatement.

#### **ARTICLE 4 – ELECTION OF OFFICERS**

- A. At the regular meeting immediately preceding the annual meeting of the Club, the Nominating Committee shall present to the membership the names of one (1) or more nominees for each elective office. Further nominations may be made from the floor at that meeting or on the night of the annual election. Election shall be by secret ballot, unless only one (1) nomination for an elective office is made, in which case election may be accomplished by acclamation. Officers elected will serve the following November 1st through October 31st.

#### **ARTICLE 5 - DUES AND FEES**

- A. Dues for Active members shall be three hundred twenty-five dollars (\$325.00) payable in advance annually. Statements for dues indicating the due date of October 31, shall be mailed to all Active members by the Financial Secretary no less than thirty (30) days in advance of the due date. Statements for other monetary obligations to the Club will be mailed to the member by the Financial Secretary no less than thirty (30) days prior to the due date.
- B. The fee for Life Membership shall be forty (40) times the current dues.
- C. Dues for Widow or Widower membership shall be ten dollars (\$10.00) payable in advance annually. Statement procedure will be the same as for Active members.
- D. A member for five (5) continuous years, who is sixty-five (65) years of age and fully retired, or totally disabled may annually petition the Board of Directors for one-half (1/2) normal dues. The Board of Directors may grant such petition at its sole discretion.

- E. The Treasurer at his or her sole discretion may propose for capital improvements, or for cause of emergency financial needs exceeding \$10,000, make recommendation to the Board of Directors a proposal of a monetary assessment to the membership. The Board of Directors will review and upon affirmative vote allow the Treasurer to present to the membership for approval with the following procedure:
1. The proposal for assessment must be in writing, in triplicate, and signed by the Treasurer.
  2. The proposal must be read at two (2) successive regular meetings of the general membership unless such reading is waived by an affirmative of two-thirds of the active members present at such meeting.
  3. All members must be notified in advance of the potential second reading.
  4. One copy of the proposal shall be given to the Recording Secretary. A copy of the proposal shall be posted on the bulletin board from the date of proposal until acted upon by the membership and after the first reading. A copy of the proposal, notice of second reading and vote will be mailed to each active member.
  5. The proposal shall be submitted to vote immediately after the second reading and discussion, if any, and shall be declared adopted if a favorable vote of two-thirds of the active members present at a meeting at which a quorum is present is received.

## **ARTICLE 6 – DOCK AND BOAT REGULATIONS**

- A. Members shall be charged an annual fee for docking privileges as follows:
1. Docks shall be charged at an annual rate of four dollars (\$4.00) per foot of dock length, plus \$140.00 per dock
  2. Boats that have optional equipment requiring outside electrical service such as lighting, heater, refrigeration, television, or air conditioning, shall be charged a flat rate of twenty-five dollars (\$50.00) per season.
  3. Dock holders will be charged twenty-five dollars (\$25.00) per season for seawall maintenance.
  4. Emergency or infrequent use of electric service shall not be subject to the flat rate, and determination of emergency or infrequent use shall be made by the Dock Committee.
  5. The above fees shall be paid when dock applications are submitted or on the day preceding dockage, whichever comes first.

6. All boaters docked at TSC will be charged thirty dollars (\$30.00) security fee to help cover the cost of security lights.
  7. All members when paying for dockage for the current year will show proof of liability insurance of a minimum of \$100,000 on the craft. Boats must be owned or leased by the member or spouse or in the case of partnership, other than spouse, all partners must be members of the Club.
  8. All surplus monies from dock fees will be accounted for in Club bookkeeping system for future repairs and upkeep of the Club, including the dock system.
- B. Members shall not transfer the use of their docks.
- C. Boats docked at the Club shall be subject to the following restrictions:
1. Boats may be up to thirty-five feet zero inches (35'0") by Coast Guard measurement or titled thirty-five (35) ft.
  2. Harbor Master will request a measurement on all questionable boats. Any member may request another measurement from the Board of Directors by submitting their request in writing within sixty (60) days from the date of questioned boat's first dockage.
  3. 3/8 inch nylon (or equivalent) dock lines required for mooring eighteen (18) feet in length or less. 1/2 inch nylon (or equivalent) dock lines required for mooring boats over eighteen (18) feet in length.
  4. All dock lines are subject to Dock Committee inspection.
- D. Dockage shall be at owner's risk.
- E. Visiting yachts will be provided with seventy-two (72) hours dockage without charge, provided prior approval has been obtained from the Harbor Master and that the visiting yacht is from an affiliated yacht club (AYC or I-LYA).
- F. The following general regulations shall apply:
1. Members desiring pulleys, bumpers, etc. shall be responsible for the installation, maintenance, and removal of optional equipment.
  2. Boats and optional equipment shall be removed prior to dock removal date as set by the Dock Committee.

3. The following fines shall be levied by the Dockmaster for boats or equipment left after the removal deadline:
  - a. Boats \$10.00 per day
  - b. Other equipment \$5.00 each item per day

#### **ARTICLE 7 – RESIGNATIONS**

- A. Members may resign from the Club by furnishing notice of their intent in writing, provided they are not indebted to the Club.
- B. Any member who seeks reinstatement after resigning in good standing may be reinstated by vote of the membership as per Article 3, Section 4 of these By-Laws.
- C. In the event a member resigns, he or she shall not be entitled to any refund of dues, fees or other monies from the Club.

#### **ARTICLE 8 – DISCIPLINE, SUSPENSION AND EXPULSION**

- A. A suspended or expelled member shall surrender to the Vice Commodore his or her membership and key cards, shall vacate his or her dock immediately, shall be prohibited from participating in Club functions and shall not enter upon Club property. It is the responsibility of all members to report to the Vice Commodore any suspended or expelled member attending any Club functions and or found upon Club property.
- B. Members delinquent in the payment of dues or other monetary obligations to the Club by the stated due date will have their names submitted to the Board of Directors by the Financial Secretary. (Checks sent in the mail must be postmarked no later than the stated due date) The Board of Directors shall take action as follows:
  1. The Board shall assess a Twenty-Five Dollar (\$25.00) fine against the delinquent member and shall send a written notice to the member demanding payment of dues and fine within fifteen (15) days of the notice date, said notice to be mailed by first class mail within 1 day of the notice date, to the last known address of the member. It is the responsibility of all members to provide any change address to the Vice Commodore
  2. The member, if not responding within fifteen (15) days of the date of the written notice, shall be suspended until such time as the delinquencies, including the fine, are paid in full. Under no circumstances shall the suspension remain in effect for more than thirty (30) days.
  3. At the end of said thirty (30) day suspension period, if such delinquencies and fine are not paid in full, a member shall be expelled from the Club, without further action by the Board or



its members, unless the Board elects to extend the suspension for a period not to exceed an additional sixty (60) days. In the event of expulsion pursuant to this Article 8, Section 2, said member may, upon payment of all debts to the Club and subject to limitations on size of membership, reapply to the Club for membership as an Active member pursuant to Article 3, Section 4 hereof.

4. A member delinquent in payment may resign without payment of debts to the Club; provided, however, that such resignation shall not be treated as a resignation in good standing until such time as all debts to the Club are paid in full and provided further that the Club may pursue collection of debts notwithstanding such resignation.
- C. A member may be disciplined by the Club for the intentional or willful violation of its Constitution, its By-Laws or other rules other than the failure to pay dues, fines or other monetary obligations, for willful disregard of posted rules and regulations of the Club, for immorality or indecency and for offenses against the laws of the land. Such discipline shall be instituted in accordance with the following:
1. A complaint as to a member's behavior shall be made in writing and signed by the complaining member and filed with the Board of Directors, which shall investigate the matter to the extent which it, in its sole discretion, deems appropriate.
  2. The Board of Directors shall consider the findings and shall, at the request of the complainant or the accused member, or by its own initiative, hold a closed hearing on the matter. Following that hearing, if the Board of Directors concludes that an intentional or willful violation of the Club's Constitution, By-Laws or other Rules did take place, shall impose such sanction as the Board, by a majority vote of its elected members, deems appropriate (such sanction may include, without limitation, private reprimand, written reprimand, suspension from Active membership for a period of time up to sixty (60) days and suspension with recommendation to the general membership of expulsion), if any, be imposed upon such member. The Board's deliberation as to the sanctions to be imposed shall be based upon all evidence and relevant facts, including the gravity of the alleged offense and the member's record of conduct during the five years immediately preceding the filing of the complaint. Notice of such sanction shall be delivered by certified mail to the member charged with the violation and the complainant.
  3. In the event the Board imposes the sanction of suspension with the recommendation of expulsion, the matter shall be brought to the general membership at the next regular meeting of same held no less than two weeks following the Board's determination of sanction. At that meeting, after discussion by the members of the Club present, and after the Board Chairman, the complainant and the accused member have been given an opportunity to address the membership, a vote for expulsion shall be taken. The affirmative vote of 66-2/3% of members present at such meeting shall be required to expel the member. The vote shall be by secret

ballot. In the event the motion to expel fails, the suspension imposed by the Board shall automatically be converted to a thirty (30) day suspension, retroactive to the date of the Board's hearing on the matter and no further action shall be taken.

4. Members expelled pursuant to this Section shall not be permitted to reapply for membership.

## **ARTICLE 9 – ORDER OF BUSINESS**

- A. Poll of officers' present
- B. Introduction of new members
- C. Reading of the minutes of the previous meeting
- D. Financial Secretary's Report
- E. Treasurer's Report
- F. Communications and Bills
- G. Application for Membership
- H. Board of Directors Report
- I. Committee Reports:
  - a. House
  - b. Grounds
  - c. Bar
  - d. Docks
  - e. Membership
  - f. Entertainment
  - g. Regatta
  - h. Bowling
  - i. A.Y.C.
  - j. Auditing
  - k. Nominating
  - l. I.L.Y.A.
  - m. Constitution
  - n. Work Hours
  - o. Safety Officer
  - p. Planning Committee
  - q. Fleet Captain
- J. Balloting on Applicants for Membership
- K. Unfinished Business
- L. New Business
- M. Good of the Club
- N. Election of Officers
- O. Adjournment

This Order of Business may be changed by the chair if he or she deems it necessary due to special circumstances.

## **ARTICLE 10 – INTERPRETATION**

- A. In case of disputes as to the interpretation of any provision of the Constitution or By-Laws arising at any meeting of the general membership, the disputed provision shall be discussed on the floor at the meeting. At the conclusion of the discussion, the general membership shall, by majority vote of those present, determine the meaning of the provision in question. The provision in question shall be referred to the Constitution Committee for further action, as it shall determine appropriate.

## **ARTICLE 11 – AMENDMENTS TO THE BY-LAWS**

- A. These By-Laws may be amended as follows:
1. The amendment or addition proposed must be in writing, in triplicate, and signed by the member or members making the proposal.
  2. The proposal must be read at two (2) successive regular meetings of the general membership unless such reading is waived by an affirmative vote of two-thirds of the Active members present at each such meeting.
  3. All members must be notified in advance of the potential second reading.
  4. One copy of the proposal shall be given to the Recording Secretary. A copy of the proposal shall be posted on the bulletin board from the date of proposal until acted upon by the membership and after the first reading, if any, be reprinted at least once in the Club newsletter. A copy of the proposal shall be delivered to the Constitution Committee for technical coordination with other affected sections of these By-Laws.
  5. The proposal shall be submitted to vote immediately after the second reading and discussion, if any, and shall be declared adopted if a favorable vote of two-thirds of the Active members present at a meeting at which a quorum is present is received.
  6. There shall be no suspension of any part of these By-Laws unless the same procedure is followed as in the case of amendments to the By-Laws.

## **ARTICLE 12 – PRINTED COPIES**

- A. Copies of the Constitution and these By-Laws shall be printed on a regular basis in a quantity sufficient for distribution to all members.

## **ARTICLE 13 – INTERNAL CLUBS**

- A. Any internal clubs (card, bowling, etc.) using the facilities of the Club must be comprised exclusively of members of the Club or affiliated yacht clubs (AYC, ILYA). Each officer of these clubs or the spouse of such officer must be an Active or Spousal member of the Club.

## **ARTICLE 14 – WORK HOURS**

- A. Except as otherwise stated in the Constitution or these By-Laws, all Active members are required to work twenty (20) hours for the Club per year; provided, work hours performed by a Spousal member shall be credited to the work hour obligation of his or her spouse. Each Active member who fails to fulfill this obligation will be billed at the rate of twenty-five dollars (\$25.00) for each deficient hour. The work hour program will be administered by a Work Hours Chairman appointed by the Commodore.
- B. The work hour requirement may be fulfilled in various ways. This requirement may be met by the following:
1. Serving as an elected official of the Club (Constitution Article 5, Paragraph 1 & Article 7)
  2. Serving as Chairman of a Standing Committee: (as defined by Constitution Article 8)
  3. Serving as the Bar Manager(s)
  4. Serving as chairman of a Special Committee
  5. Working as an appointee of the Board or of the Commodore (Constitution Article VI '1)
  6. Working for the Chairman of a Standing or Special Committee
- C. Members will be responsible for obtaining and filling out their own work hour slips reflecting the committee worked on, the hours worked and the date of the work. The work hour slips shall only be signed by the chairman of the committee the member worked on or an elected official with actual knowledge of the member's participation on a committee. Chairmen of committees shall have their work hour slips signed only by an elected official. Members requesting exchanges of services to the club for work hours shall have their requests presented by an elected official to the Board of Directors for approval. If approved their work hours slip may be signed by any elected official upon completion of the exchange. All work hours, regardless of how fulfilled, shall be substantiated by completion of work hours slip(s), signed, as appropriate, by Board Member, Commodore, or Committee Chairman.
- D. Provisional members may fulfill their work hour obligation only by serving on or working for the chairman of a standing or special committee. The Provisional member will be responsible for seeing that his work hours are recorded and signed by the chairman of that committee.
- E. EXEMPTIONS: The following are exempt from all work hours and dock hours requirements: Spousal members, Affiliated members, Honorary Members, Life Members, Widow members, Widower members, and Active members in good standing for twenty-five (25) years or more. Other members may be exempted by appeal to the Board of Directors, in writing, for a valid reason such as physical condition, temporary absence, or other extenuating circumstances.
- F. Any member, unless otherwise exempt, applying for and being accepted for dockage shall put in six (6) hours of their work hours on the installation of docks and six (6) hours of their work hours on the removal of docks. Installation and removal of the docks will be deemed complete for the current boating season upon the approval of the Board of Directors. Any incomplete dock work hours shall be billed per Article 14, Section 1.

## **ARTICLE 15 – KEY CARDS**

- A. A key card shall be issued to each member (other than an Affiliated member) who shall be responsible for its appropriate use.

## **ARTICLE 16 – SPENDING LIMIT**

- A. Any member requesting approval of an expenditure in the amount of two hundred dollars (\$200.00) or more from the general fund of the Club shall, unless otherwise provided for in the annual budget of the Club, prior to submission of the request to the general membership of the Club, first present such request to the Board of Directors at a regular or special meeting for its recommendation.

**\*\*END OF By-Laws\*\***