

**CONSTITUTION AND BY-LAWS
OF THE
BUCCANEER YACHT CLUB
OF MOBILE, ALABAMA INC.**

March 9, 2016

**** CONSTITUTION ****

ARTICLE I

NAME OF THE CLUB

The name of this organization is **Buccaneer Yacht Club, of Mobile Alabama Inc.**, a Corporation, and is hereinafter referred to as **“The Club”**.

ARTICLE II

OBJECTIVES OF THE CLUB

The objectives of this club are to **promote sportsmanship and good fellowship** and to encourage and to enjoy the use of **sail boats or other pleasure craft**. The club shall be maintained as a **non-profit organization**, thereby meaning that no person or group of persons shall derive any material benefit from its operations except for services rendered.

ARTICLE III

Section 1 OFFICERS

The Officers of the Club shall of a **President** with the title of Commodore, a **First Vice President** with the title of Vice Commodore, a **Second Vice President** with the title of Rear Commodore, a Fleet Captain, a Secretary of Treasurer or Secretary and Treasurer, Recording Secretary and a Board of Governors consisting of seven (7) members.

Section 2 The Commodore Duties

The Commodore shall perform the duties usually pertaining to such office. The Commodore shall be **Ex-officio a member of the Board** of Governors and all committees but shall not have the right to vote. The Commodore is empowered to engage all employees and determine their compensation, subject to the approval and confirmation of the Board of Governors.

The Commodore shall propose to the membership at the January business meeting each year a **proposed budget**. The proposed budget shall include expected income and expenses from all sources during the year and, in effect, will be a financial plan for the Club. The proposed budget will be presented by the Commodore to the Board for approval not later than the February Board Meeting.

Section 3 Vice Commodore Duties

The Vice-Commodore **shall assist the Commodore** in the discharge of the Commodore's duties in such a manner as the Commodore may direct. In the absence of the Commodore, the Vice-Commodore shall preside at Club meetings. In the event of a **vacancy** in the office of Commodore, the Vice Commodore shall act as Commodore, with **full authority** as such, until a new Commodore shall be elected and qualified.

Section 4 Rear Commodore Duties

It shall be the duty of the Rear Commodore to **assist the Commodore and Vice- Commodore** in the discharge of their duties in such a manner as they may direct and in their absence, shall preside at meetings.

Section 5 Fleet Captain Duties

It shall be the duty of the Fleet Captain to set up and to **enforce the rules and regulations governing the operation and maintenance of all boats owned by the Club.** The Club boats may be used for pleasure sailing only in accordance with these rules. The Fleet Captain's judgment shall be final regarding the question of safe sailing during races. **The Fleet Captain shall be Ex-officio a member of both the Racing Committee and the Boat Maintenance Committee.** During any race period and in the absence of the Fleet Captain, this authority shall be vested in the Chairman of the Racing Committee.

Section 6

The Secretary shall:

- (A) In general, perform such duties as usually **pertain to the office of Secretary.**
- (B) **Keep an up-to-date roster** of the Club membership.
- (C) Collect all dues and initiation fees, and dockage or dry storage fees, and deposit same within ten (10) days in bank account approved by the Board of Governors, or as otherwise authorized by the Board. The bank account shall be in the name of the Club. Advise Treasurer of deposits.
- (D) **Co-sign all written contracts, conveyances and obligations** of the Club in conjunction with the Chairman of the Board.
- (E) **Attend to all Club correspondence.** Correspondence pertaining solely to the activities to committees shall be handled by these committees.
- (F) Be responsible for the safe keeping of the Club trophies and **the record of the trophies.**
- (G) Post the **names of delinquent** members in accordance with the by-laws. (H) Notify the **members of their suspension or the termination** of their membership in accordance with the By-laws.
- (I) Maintain at least three **(3) copies of the Constitution and By-laws** which shall be up-to-date at all times.
- (J) Be the Custodian of all records and correspondence of the Club which is **not specifically delegated to the Board of Governors.**

Section 7

The Treasure Shall

- (A) In general, perform the **duties usually pertaining to the office of** Treasure.
- (B) Submit a **report of receipts, disbursements and balances to the regular business meeting of the Club in the first week of January, April, July and October** and at such other times as the Board of Governors may direct.
- (C) **Give Bond** in an amount to be set by the Board of Governors for the **faithful performance of duties.**
- (D) **Pay all the obligations of the Club** out of the Club bank account, upon the evidence of indebtedness presented him by the Chairman of the Board of Governors with written approval for payment thereon.
- (E) The Treasurer may be authorized to maintain a **petty cash** account not to exceed twenty-five dollars (\$25.00).

Section 8 Recording Secretary Duties

The **Recording Secretary shall keep the record of all meetings** in books provided for the purpose and when minutes are approved shall attest same by signature.

Section 9 Board of Governors

- (A) There shall be a Board of Governors (hereinafter called **the Board**) consisting of seven (7) active members to be elected at the Annual Meeting in accordance with the following schedule. Members of the Board shall be elected in groups of three (3) in the **odd** years and of four (4) in the **even** years. Each Board Member shall serve for a two (2) year term. In the event of a vacancy in the Board Membership, such vacancy shall be filled by election and the member so elected shall hold office for the unexpired term only. Four (4) members shall constitute a quorum for the transaction of business.
- (B) The Board of Governors shall:
 - 1. **Elect** its own Chairman and Vice-Chairman.
 - 2. Meet at least **once a month** at a regular time to be fixed by the Chairman.
 - 3. **Keep minutes** of its meeting. Such minutes shall not be read at the regular Club meetings.
 - 4. Have a **general charge** of the business of the Club.
 - 5. Assemble in special session at the call of either the Chairman or the Commodore, when such action is prompted by urgent business.
 - 6. **Approve all appointments** made by the Commodore. The Board shall have the power to remove any appointee for cause.
 - 7. The Board shall **amend the proposed budget** as the Board sees fit. The Board Chairman shall report the approved budget, as

amended, at the first business meeting after the budget is approved, but not later than the March business meeting each year.

8. Shall **appoint a Treasure – Secretary or a Secretary and Treasure**, and a Secretary. The Board shall reprove these appointments yearly; the Board shall monitor their performance and if needed replace these appointments.
- (C) Any individual member of the Club shall have the right to appear before the Board of Governors at any regular meeting to make **complaints or recommendations**. The Board shall constitute a court for the purpose of deciding all questions or complaints or differences among members, officers, or committees, and its decisions shall be final; except, however, any such decision may be appealed to the Club membership by the complainant, supported by a written petition of five (5) active members in good standing. The appeal shall be made within two (2) weeks from the rendition of the decision by the Board and shall be made by written notice which shall be posted on the bulletin Board for two (2) weeks before action at a regular meeting and must be upheld or rejected by a vote of two-thirds (2/3) of the members in good standing present and voting at the meeting.
- (D) In **exercising the powers delegated** to them, the Board of Governors shall bear in mind their duties to the Club membership and any action taken by the Board which is repugnant to the Club members may be rescinded at a regular meeting of the Club by a vote of two-thirds (2/3) of the members present and voting, in good standing. Formal notice of such action must be posted on the bulletin board for two (2) weeks prior to the presentation on the floor.
- (E) The off-going Board members shall comprise a **Nominating Committee** to gather and offer to the membership a slate of candidates for the coming year. The Nominating Committee shall meet no later than October 15 to set a slate. The committee shall entertain suggestions from the general membership. On election night, other candidates may be offered from the floor by the general membership.
- (F) The Chairman of the Board shall set a time for a **special meeting** of officers and Committee Chairman after the election of officers for the coming year at the Annual Meeting. The special meeting will include all incumbents and officers elect to insure an **orderly transfer** of office and records.

Section 10

A **Parliamentarian** may be appointed by the Commodore and will serve at the Commodore's discretion. Duties of the parliamentarian will include **assisting the Commodore in Club projects and advising** the Commodore in matters of procedure and rules of order upon request.

Section 11

All elected Officers of this Club have a **duty to read, implement, enforce and defend** this Constitution and its By-laws. Any Officer finding the he or she can not execute their office in this manner shall resign their office. No member shall hold more than one Officer position as defined in Article III, section 1 at the same time.

ARTICLE IV**COMMITTEES**

The **Commodore shall appoint**, prior to the first regular meeting in February, the standing committees listed below and shall designate the Chairman of each committee. The number of members appointed to any Committee may be increased at the discretion of the Commodore; the members listed being the minimum for each committee.

- (A) **House Rules** Committee
- (B) **Auditing** Committee
- (C) **Membership** Committee shall be a secret committee of which the Chairman only shall be known to the Commodore.
- (D) **Entertainment** Committee
- (E) **House and Grounds** Maintenance Committee
- (F) **Boat Maintenance** Committee
- (G) **Racing** Committee
- (H) **Flying Scot** Committee / GYA Coordinator
- (I) **Bar** Committee
- (J) **Harbor** Committee
- (K) **Special Committee** at the discretion of the Commodore. (L) **Youth Committee**

ARTICLE V**DUTIES OF THE COMMITTEES****Section 1 – House Rules Committee**

The House Rules Committee, with the approval of the Board, **shall prescribe such rules** and regulations as may be deemed necessary for the government of the Club house and grounds. The House Rules shall be posted on the bulletin board. The Committee may recommend disciplinary action to the Board.

Section 2 – Auditing Committee

The Auditing Committee shall audit accounts and Committees **at the direction of the Board**; and make a report of their finding in writing. The

books of the **Secretary and Treasure shall be audited annually** but may be audited at any time at the direction of the Board.

Section 3 – Membership Committee

The Membership Committee shall **investigate the qualifications** of any prospective member in manner as may be directed by the Board and in accordance with Article Eight (VIII) of this Constitution and shall make a report in writing to the Commodore. This report shall be attached to the preliminary application and kept in the permanent files of the Club.

Section 4 - Entertainment Committee

The Entertainment Committee shall **coordinate all of the entertainment** of the Club.

Section 5 - House Maintenance Committee

This committee shall purchase, upon authorization of the Board, all labor and material necessary for the maintenance of the Clubhouse and shall have **general charge of all repairs**.

Section 6 - Racing Committee

The Racing Committee shall have the responsibility to **conduct all races** held by the Club. The Club races shall be held under the United States Yacht Racing Official Rules. However, with the approval of the Board of Governors, they may set up local for conducting intra-club races. These rules shall conform as nearly as possible to the United States Yacht Racing Rules as local conditions will permit. They shall enforce all rules, giving proper credit to participants and imposing penalty for the violation of any rule. They shall keep adequate records of races and the ratings of participants.

Section 7 – Boat Maintenance Committee

This Committee shall keep the **Club boats and boat equipment in good condition** and shall strive to keep the boats as evenly matched (in their class) as possible.

Section 8 – Flying Scot Committee / G.Y.A Coordinator

This Committee shall act **as a Board of Appeals** from decisions of the Racing Committee on questions concerning racing rules. The Chairman of this Committee shall be automatically the Club representative at meetings of the Gulf Yachting Association or committees thereof.

Section 9 – Bar Committee

It shall be the duty of this Committee **to supervise the operation of the bar**, the sale of food, snacks, etcí , at the bar and to make the necessary

purchases for the replenishment of stocks. It shall **have charge of all employees connected** with the aforementioned operations.

Section 10 – Harbor Committee

This Committee shall allot stalls in harbors to member owning their own boat desiring space and inform such members of any rules covering use of such harbors and/ or stalls. This Committee shall also **keep the Secretary regularly advised of the names of members occupying stalls, date of beginning of such occupancy, and changes** in and out, etc., To enable the Secretary to render appropriate bills to cover the use of this facility. Shall also have responsibility for the maintenance of the wharves, slips and hoist. This Committee shall maintain a slip seniority and waiting list.

Section 11 – Special Committees

The Commodore is authorized to appoint special committees when the need shall arise. Such committees shall act only on the **special purpose** for which they were appointed.

Section 12 – Ground Maintenance Committee

This Committee shall purchase, upon authorization of the Board, all labor and material necessary for the **maintenance of the grounds** and shall have general charge of all repairs.

Section 13 – Regatta Committee

The Regatta Committee shall have the **responsibility for arrangements of all regattas** in conjunction with the race meeting. These arrangements are to consist of acquiring trophies, providing information to prospective participants and coordinate with other appropriate committees.

Section 14 – Youth Committee

The Youth Committee shall organize sailing programs to **promote sailing** instructions and competition for all eligible age groups.

ARTICLE VI

MEETINGS

Section 1

The **Annual Meeting and the election of officers** shall be held at the Club house on the third meeting night in November. The newly elected officers shall take office at the first regular meeting in December.

Section 2

*** 03/09/2016 - The regular meetings of the Club house on **Thursday night of each week**. The meetings shall be called to order at 8:00 p.m. during Central Standard Time and 8:30 during Central Daylight Time. Special meetings may be called by the Commodore or upon written request of five (5) active members addressed to the Commodore. The entire membership must be notified by mail of any special meeting at least three (3) days in advance. All meetings must be held in the Club house. The Thursday following the Board meeting shall be designated a business meeting except special Board meetings. No visitors will be allowed at business meetings and a notice shall be posted at the Club house entrance to prevent visitors from being brought in through oversight. ***

ARTICLE VII**QUORUM AND VOTING**

Twenty (20) active members in good standing shall constitute a quorum at any regular or special meeting but no meetings may be held unless the Commodore, the Vice-Commodore or Rear Commodore is present to preside. However, if none of these officers is present and a quorum be present, then they may elect a presiding officer Protem providing this person holds an elected office. A majority vote of all members present and voting shall decide all questions at regular or special meetings except where otherwise provided for in the Constitution and By-laws. Associate members in good standing may cast one-half (1/2) vote, but do not have the right to hold office. **House Members in good standing may be counted as part of a Quorum**, but do not have the right to vote.

ARTICLE VIII**Process of Membership Acceptance**

Any member may propose for membership any qualified person, furnishing such information as may be **required in a form** prescribed by the Club. Proposed member must have attended at least two (2) regular meetings at the Clubhouse. The form, properly filled out and signed by the proposing member, bearing endorsements of at least two (2) Club members as references, shall be presented to the Commodore in a sealed envelope. This envelope will be passed to the Chairman of the Membership Committee. The Membership Committee will make the necessary investigation and make a written report to the Commodore who will pass it on to the Chairman of the Board.

The Board will either **approve or disapprove the application**. If approved by the Board, the application and the report will be returned to the Commodore who will read both at the next business meeting. After the reading the members will vote on the application. Voting will be by the black-ball system. Three (3) or more black balls in the voting box will delay acceptance until the next meeting. The second vote will be accomplished by a two-thirds (2/3) ó majority raised hand vote. Failure to meet a minimum

two-thirds majority vote will require the prospective member to be resubmitted no sooner than one year after the failed vote.

At the end of voting the voting box shall be taken to the Commodore who shall open it in the presence of either the Vice or Rear Commodore. In the absence of both, an active member shall be designated by the Commodore for this duty. **The Commodore shall then declare whether or not the applicant has been elected. The voting box shall be offered to the membership for inspection.**

Immediately upon election each person shall be sent **an invitation to join the Club**, which **invitation must be accepted by him within thirty (30) days**, together with a check for the portion of dues and initiation fee which may be due. In order to avoid embarrassment, members should not approach anyone whom they may be proposing for membership until after such person has been accepted by the Club and sent a formal invitation.

ARTICLE IX ELECTION OF OFFICERS

Section 1

- (A) The Commodore, Vice Commodore, Rear Commodore, Board of Governors, Fleet Captain and Recording Secretary shall be elected by a **majority of all members present** and voting.
- (B) The offices of Secretary and or Treasure shall be filled by **appointment of the Board**. Both offices may be held by one (1) person.

Section 2 Terms of Office

No **elected officer** shall hold the same office **for more than two (2) successive years** and the members of the **Board of Governors shall not be re-elected for a successive term**.

Section 3 Vacancies

Should a vacancy occur in any of the elective offices an election must be **held within four (4) weeks** after such vacancy occurs. All active members in good standing must be notified by mail prior to the date set for the election.

Section 4 Absent from Duties

Any member of the Board of Governors absent from **three (3) or more meetings** of the Board without being excused by the Chairman, shall on a vote by the Board shall be removed and the Club Membership advised. **Any elected officers of the Club absent for three (3) or more successive** regular meetings of the Club without being excused by the Commodore or other presiding officer, may be removed from office by a two-thirds (2/3) vote of the members present and voting at a regular meeting of the Club.

ARTICLE X

MEMBERSHIPS

There shall be the following classes of memberships:

- (A) Active Memberships (includes life memberships) (B) Associate Memberships
- (C) Life Membership
- (D) Spousal Memberships
- (E) Junior Memberships
- (F) Unattached Junior Memberships
- (G) Non-Resident Memberships
- (H) Honorary Membership
- (I) Military
- (J) Junior Cadet
- (K) House Member
- (L) Student, Collegiate Memberships
- (M) Buccanette (an auxiliary) (N) Sea Scout

ARTICLE XI

BUCCANETTES

The Club recognizes the Buccanettes as an **auxiliary** and grant to their members the following:

- (A) The right to use the facilities of the Club including the use of the Clubhouse for planned meetings of their group monthly and special activities when approved by the Buccaneer Board.
- (B) The right to use Club owned boats on the same basis as their spouses and to represent the Club in local and **G. Y. A.** sponsored regattas on an equal basis with Club members provided the established rules or the use of the boats are complied with.

ARTICLE XII

BY-LAWS

The Club may adopt **By-laws** for the execution of the provisions of this constitution and to **regulate its proceedings.**

ARTICLE XIII

PROHIBITING INTOXICATING LIQUORS AND GAMES

This organization shall not engage in the business of selling or keeping for sale, or otherwise disposing of any liquors, liquids, or beverages that are prohibited by the laws of the state of Alabama to be

manufactured, sold or otherwise disposed of in this State; nor will the Club permit its members to keep or store such prohibited liquors or beverages at or near the premises for use of or consumption by its members or others, or for distribution or division among its members or guests: **nor will it maintain any unlawful drinking or liquor nuisance contrary to the laws of the state of Alabama.** The Club also will not permit gaming for wages or other pecuniary profit on its property.

ARTICLE XIV

AMENDMENTS

Section 1

This Constitution and By-laws may be amended by a **vote of two-thirds (2/3)** of the vote count of the eligible members present and voting at any regular business meeting, provided that the changes are **clearly proposed** during a prior business meeting. Proposed changes shall be clearly printed or typed, and **signed by at least three (3) active members** in good standing. The proposal shall be **presented only in its final form, containing the correct article and section number to which it refers**, and be complete in that revised or established form. One copy of the proposal will be **presented to the Recording Secretary**, and one copy will be presented and **read to the general membership and posted on the Club bulletin board**. The proposal shall remain on the bulletin board until the vote is held. The Commodore shall assign the proposal a vote within 90 days of its posting. The posting of the proposal shall be written into the minutes and noted at each subsequent meeting until the vote is held or the proposal is withdrawn. Changes in wording may be made at the time of adoption provided these changes do not alter the general intent of the amendment as originally proposed. The **sponsor of the proposal has the right to reject an offered revision**. No unwritten and or unaccepted words, statements, views, or intentions; not recorded in the document shall be considered as rule nor consent of the Club.

Section 2

This Constitution and By-laws shall be **certified by a document's date in the top right-hand side of each page**. If an article has been added or amended since the total rewrite, it will be preceded by three (3) asterisks, the date of that action and will be followed by three (3) asterisks (i.e., *****01/01/0001 - text of the change/article*****). This flagging shall continue until the total document is rewritten and accepted by the membership.

Section 3

QUORUM AND VOTING

Twenty (20) active members in good standing shall constitute a quorum at any regular or special meeting but no meetings may be held unless the Commodore, the Vice-Commodore or Rear Commodore are present to

preside. However, if none of these officers be present and a quorum be present, then they may elect a presiding officer Protem providing this person holds an elected office. A majority vote of all members present and voting shall decide all questions at regular or special meetings except where otherwise provided for in the Constitution and Bylaws. **Associate & House Members in good standing may be counted as part of Quorum**, but do not have the right to hold office.

BYLAWS

Article I

Meetings of the club shall be called to order by the Commodore or in accordance with Article VII of the Constitution, and the Recording Secretary shall ascertain if a quorum is present. If no quorum shall be present than no official business may be transacted.

Article II

Memberships. Dues. and Assessments

Section I

There shall be no assessment levied against members. The only financial obligations of a member shall be dues, membership certificate if required and other obligations voluntarily incurred.

Section II

Annual Dues for Membership shall be: (accepted by
the membership effective 1-1-08)

Active Membership	\$600
Associate Membership	\$420
Spousal Membership	\$50
Junior Membership	\$50
Unattached Junior Members hip	\$120
Non Resident Membership	\$100
Honorary Membership	Exempt
Bar Chairman	Exempt
Commodore	Exempt
Secretary	Exempt
Treasurer	Exempt
Cadet Membership	\$12
Life Membership	Exempt
Military Service Membership	Exempt
Collegiate Membership	\$120
House Member	\$360
Sea Scout Member	\$120

Section 3

Any person nineteen (19) years of age and over shall be eligible for **active membership**.

Section 4

Any Active or Associate Member may be eligible for **Non-Resident Membership**, provided they do not reside within seventy-five (75) miles of the city of Mobile.

Section 5

Any person sixty (60) years of age or over, or any Active member in good standing with a combined age and years of active membership status of sixty (60) years, shall be eligible for **Associate Membership**. However, no new Associate Members will be accepted after there are thirty-five (35) members on the Associate roster, except active members in good standing with a combined age and years of active membership status of sixty (60) years, may transfer to Associate Membership regardless of the number of Associate Members on the roster and also former members requesting reinstatement who are accepted in accordance with the provisions in the Constitution and By-laws, are eligible for Associate membership. In other words, the limitation of thirty-five (35) Associate Members is not applicable in such cases.

Any members holding Associate status, regardless of age, prior to March 12, 1981, will be allowed to retain their Associate status.

Section 6

- (A) **The Spouse** of an active member will be eligible for a spousal membership. The spousal member **will be entitled to use of club boats and facilities as governed by the rules** of the applicable committees but will not be entitled to a vote. Spousal members will assist members and committees in the tasks of maintaining boats, equipment, house, and grounds.
- (B) Any young man or woman, whose parent is an Active Member and who has reached his or her twelfth (12) birthday, but who has not reached his or her nineteenth (19) birthday, shall be eligible for **Junior membership** and to continue as a Junior member for the calendar year in which he or she reaches their nineteenth (19) birthday.

The Junior member upon reaching the age of nineteen (19) years or marrying shall terminate their Junior membership. However, they may then **become an Active member** and pay dues as an Active Member, plus the payment of any initiation fee required of an active member at the time when the Junior member was first accepted into membership in the Club, however, all dues paid to the Club by the transferring member, while a Junior member shall be credited to the initiation fee.

- (C) Any **Junior member** who is not willing to accept the provisions of next above paragraph, may resign from the Club without prejudice.
- (D) Any **Junior member** who reaches his or her nineteenth (19) birthday,

while attending college full-time shall retain their Junior status until graduation or withdrawal.

- (E) **Unattached Junior Membership:** It is understood that this class of membership is applicable to Junior members whose parent is not a member of the Club. The general provisions for Junior membership will be applicable to unattached Juniors, and that they be an active sailing member. Their status for continuation of such membership is to be **reviewed at the end of the year in which they first joined the Club.** Transfer to Active Membership upon reaching age nineteen (19) will be the same as for Junior membership. Further, in the event an unattached Junior's parent should become a member of the Club, their dues will revert to that of a regular Junior Membership, otherwise their dues shall be eighty dollars (\$120.00) per annum.

An **unattached Junior will be subject to a "black-ball"** vote by the general membership before he or she is accepted for unattached Junior membership. This class of membership is contingent upon a letter from the legal parent or guardian accepting the authority of the club and releasing the club of any and all liabilities of this membership.

- (F) **Junior Cadet Membership:** Any son or daughter of member ages six (6) through eleven (11) is eligible for Junior Cadet membership. Junior Cadets may become Junior members at age twelve (12) subject to approval of the Board of Governors.
- (G) **A student shall be eligible** for Student membership provided proof of full time enrollment is supplied. Provisions of membership shall be same as unattached member except: **maximum age is twenty-six (26)** years of age.
- (H) **Collegiate member** is one who is eighteen (18) years old or older and is a college student and a member of a **collegiate sailing team** or club that has been accepted by the Buccaneer Yacht Club to sponsor. Said Collegiate members shall be considered in the same manner as Unattached Juniors; however they shall be accepted by or rejected by the Board of the Buccaneer Yacht Club. The candidates shall be submitted by the school or team and considered individually per each application. The school and the individual must agree to it students being subjected to the Clubs rules, regulations, directives, and disciplines. There must be a signed statement containing a hold harmless agreements of the member or their legal guardian.
- (I) **House Membership:** Any person accepted by the Board (only), **shall have no vote or use of the boats or harbor.** The House Members will assist the regular members and committees in the tasks of maintaining boats, equipment, house, grounds and fully participate in social activities. They may server on committees but may not chair those committees. Their Membership shall be reviewed by the Board after their second calendar year and accepted or dropped. **To become a active Member they must be accepted by a vote of the Membership.**

- (J) **A Sea Scout** member is 14 to 19 years of age and a member of any Sea Scout Ship. Sea Scout members shall be considered in the same manner as Unattached Juniors, with the exception **that they shall be accepted or rejected by the Board** of the Buccaneer Yacht Club. The candidates shall be presented by Two (2) member sponsors and considered individually. The Sea Scout Ship must agree to its members being subjected to the Club Rules, regulation, directives and disciplines. There must be a signed statement containing a **hold harmless agreement from the individual's parent or guardian**. A Club representative will be appointed by the Board as liaison between The Club members and the Scouts. The annual dues for the class will be \$80.00 per year.

Section 7 Dues

- (A) *** 03/09/2016 One twelfth (1/12) of dues must be paid on or before January 15 of each year, and the remaining balances shall be paid in eleven equal installments on or before the 15th of each of the following months. Failure of the Club or the Secretary to send a monthly statement does not absolve this debt or the deadline for payment as indicated above. ***
- (B) **Dues for newly accepted** members shall be the regular initiation fee plus a prorated amount of the annual dues based on **the quarter in which they accept membership**. (Quarters beginning January, April, July, October.)
- (C) *** 12/04/2003 **The Club Budget for any fiscal year** shall include a line item that is equal or greater to **\$120.00 per member**, for the **specific purpose of paying that year's installment of any loan** for a clubhouse addition or renovation occurring after the year 2003. The amount in excess of the debt service for that year may be paid as additional principal on the debt, or rolled into an escrow account for payment of future year's debt service on the same debts until retired. **Once the escrow amount becomes equal or greater to one year's debt service**, in addition to the present year's debt service, any additional surplus may be spent, for the good of the Club, as the Board sees fit. ***

Section 8 Debts (amended 8-9-2012)

- (A) All debts to the club, including dues, incurred by a member shall be paid on or before the last day of the month following the month in which such charges were incurred. If said debts are not paid, as provided for above, then the member shall be delinquent.
- (B) Any member, who has been delinquent for the non-payment of debts for thirty (30) days from the date of delinquency, is automatically

suspended and denied the privileges of the club. All voluntary incurring charges, such as bar, entertainment and other yacht club charges shall immediately cease. The name of the member shall be posted on the club bulletin board and the board notified by the secretary.

A member who has been suspended has thirty (30) days to pay such debts, and then apply to the board in writing for reinstatement and such application may be granted by the board or rejected for cause.

- (C) Any member that remains suspended for more than thirty (30) days or should the application for reinstatement be denied by the board, then membership in the club shall terminate forthwith. The secretary shall notify the member of the termination.

Section 9

Persons admitted to membership and having paid their dues shall not be entitled to a refund of any portion of dues on account of **resignation, expulsion or termination** of membership as provided for in Section 9 above, except that any member moving **their bona-fide residence** within the jurisdiction of another yacht club, may be refunded dues applicable to all full months of the balance, should they so request. Their membership card in the Club cannot be used as entry to such yacht club and the Secretary will notify said club to that effect.

Section 10

An **initiation fee** of one hundred and **fifty dollars (\$ 150.00)** shall be paid to the Club by all applicants accepted by the Club for all classes of membership, other than Junior, Junior Cadet or Unattached Junior Memberships. An Associate Member who joined the Club prior to September 26, 1968, shall, if they apply for and are accepted for transfer to Active Membership, be required to pay an active membership initiation fees as they were at the time of their acceptance into the Club. (Namely, \$6.00 vs. \$30.00 in effect during period January 23, 1964- September 26, 1968.)

Section 11

- (A) **Honorary and Non-Resident** members shall not have harbor or dry **storage privileges**. They shall have six (6) months after becoming Honorary or Non-Resident to make arrangements for moving their boat(s).
- (B) **Junior members** shall have all the **privileges of the Club**, except they may not hold office or vote in the senior organization, but they may serve on senior committees. They may elect Junior Officers to correspond to the officers of the senior organization. They may

- participate in the Club races and use the Club boats subject to the rules and regulations governing the use of the boat
- (C) **Honorary Memberships** may be **granted by the Board** of Governors, expiring December 31, of each year.

Section 12 Membership Certificates

- (A) Life, Active, Associate and Non-Resident Members **must hold one membership certificate.**
- (B) The Board shall be authorized to issue any number of membership certificates; **as It deems necessary to support the growth of the Club.** The membership certificate has a face value of two hundred and fifty dollars (\$250).
- (C) All bonds held by Life, Active, Associate and Non-Resident Members and bonds **held by previous** member who resigned in good standing and legatees, and devisees of a deceased member of good standing as of August 31, 2002 will receive one (1) membership certificate for each bond they owned as of August 31, 2002.
- (D) If a member **leaves the Club in bad standing** the membership certificate shall be void and without value, and the Secretary will record this on the membership certificate registry. The Board is authorized to issue replacement membership certificates for any membership certificate lost, destroyed. Said replacement membership certificates will be recorded in the membership certificate registry.
- (E) Membership Certificates **may be transferred only** with the approval of the Board of Governors. Members in good standing and legatees, and devisees of a deceased member of good standing, and members who have resigned in good standing may transfer ownership of excess certificates with Board approval.
- (F) A new member, when approved for membership, must obtain a **member ship certificate within sixty (60) days**, A new member will buy a membership certificate from the Club at face value; or a may purchase a membership certificate from an owner listed by the Secretary, and will be referred to lowest price listing. Where more than one (1) is offered at the same price they will go in the order listed.

Section 13 - Life Memberships

Any person seventy-two **(72) years of age** and over shall be eligible for Life Membership beginning January 1, following the year they reach their seventy second **(72) birthday**, provided they have been an **Active-and/or an Associate Member in good standing for twenty-five (25) years** prior to their request for life membership status.

Requests must be in writing to the Board of Governors prior to the 31st of

December of any year to take effect the following year. Life members shall have all the rights of Active members, except will have no right to hold an elective office.

Section 14 - Membership Military service

Any Active or Junior member entering active military service will be covered by this class of membership for up to five (5) years, dues free. A member activated by the United States Government in the service of his or her country will be covered by this class of membership for the duration of the activation but not to exceed five (5) years. Any member in this class of membership reported **Missing in Action (MIA)** will continue to be classified on the roll as Military in **Good Standing**. A military member will be afforded the rights and privileges of his or her former class of membership.

ARTICLE III

RESIGNATIONS AND REINSTATEMENTS

Section 1

A member may resign from the Club and shall be considered to have resigned in good standing when they **have tendered a written resignation to** the Secretary and when all of their outstanding debts due the Club shall have been paid and when they have surrendered to the Secretary of the Club any Club insignia buttons in their possession. The Club agrees to refund the cost of such insignia to the resigning member.

Section 2

Any member who does not tender their **resignation in writing** prior to the 31st of December in any year will be considered a member of the Club for the ensuing year and liable for the dues for the entire year.

Section 3

The **resignation of any member** or the termination of the membership of any member shall operate as a **release from all right**, title or interest in the assets of the Club.

Section 4

Any member who wishes to **rejoin**, after having **resigned in good standing** as set forth in Section 1 of this Article of the By-laws, may make application for reinstatement to the Board of Governors.

ARTICLE IV

DISCIPLINE

Section 1

It shall be the **duty of any member** of the Club to **report any violation** of the Constitution and By-laws or rules of the Club, or any action by a member tending to bring discredit upon the Club.

Section 2

Charges made against any member for incompetence, failure to discharge their obligations to the Club, acting contrary to the letter or the spirit of the Constitution, By-laws or rules of the Club, or the rules and regulations of the United States relating to the operation and navigation of boats, or **conduct unbecoming a member**, shall **be made in writing** and addressed to the Club. The charges shall be passed to the Board of Governors.

Section 3

The Board shall **afford the accused a hearing** and offer the assistance of an Officer or a knowledgeable Member assistance to the accused, to insure that the Member rights under **these bylaws are not abridged**.

Section 4

After a **hearing**, the Board may **dismiss the charges**, or at its discretion, **censure, fine, suspend for a stated period, expel the accused from the Club or request the member to resign**. If the accused member shall fail to resign within ten (10) days after mailing such request to their last known address, then the Board may expel such member without further notice or proceedings.

ARTICLE V

CLUB PROPERTY

Section 1

All Club property, including flags, trophy cups, crockery and glassware, etc.. shall **not be removed** from the Club property without the consent of the Commodore, who shall demand a receipt for all items removed.

Property removed with the **consent of the Commodore** shall be returned on the date set by the Commodore subject to a penalty of two dollars (\$2.00)

per day for any portion of the property not returned within the time specified.

Section 2

- (A) The **use of the Club** rooms by Club members for private social functions may be granted by the Commodore, with the consent of the Board of Governors who will set up the conditions under which the rooms may be used. No pictures or decorations shall be removed from the clubroom walls. A charge will be made to cover the actual additional expense.
- (B) Should any overnight or weekend facilities be provided by the Club for the use of the members, rules and regulations governing such use shall be prescribed by the House Committee subject to the **approval of the Board**.
- (C) The use of the **Club rooms for civil, fraternal or social organizations** may be granted by the Commodore with the consent of the Board of Governors.

ARTICLE VI

ORDER OF BUSINESS

The following order of business shall prevail at **all regular, special or annual meetings of the Club**:

1. Determination of a quorum
2. Reading and approval of the minutes
3. Introduction of new members and guests
5. Report of Officers
4. Reports of Committees
6. Unfinished business
7. New business
8. Election of Officers
9. Good of the organization
10. Adjournment

ARTICLE VII

Files

The **documentary files** of the officers and committees shall, at the close of their respective terms of office, be transmitted by **each officer or Chairman of any committee, to the Secretary for custody and preservation; also he or she shall convey a copy of the same to his or her successor.**

ARTICLE VIII

RULES OF ORDER

The proceedings of all meetings shall be conducted according to Robert's **Rules of Order** insofar as such rules of order do not conflict with the **Constitution or By-laws**.

ARTICLE IX

PURCHASES AND SALES

Section 1

No person shall purchase in the name of, or **charge to the account** of the Buccaneer Yacht Club any material, supplies, labor, etc., until a written and signed order shall first have been **secured from the Chairman of the Board**.

Section 2 Contracts, Conveyances

Contracts, conveyances, or other obligations entered into by the Club shall be signed for the Club by **the Secretary and counter-signed by the Chairman of the Board**. The signature of the Chairman of the Board shall be a certification to the Secretary that the transaction has been authorized by the Board.

Section 3 Disbursements

Disbursements of the fund of the Club shall be **made by the treasurer** by checks drawn on the Club bank account. Such checks may be drawn only upon **written authority signed by the Chairman of the Board**.

Section 4 Disposal of any assets

The disposal of any assets of the Club, other than the Club bank account, may be made by instruments **signed by the Secretary and counter-signed by the Chairman of the Board**. The signature of the Chairman of the Board shall be a certification to the Secretary that the transaction has been authorized by the Board.

This rewrite was accepted by Buccaneer Yacht Club Membership on the 8th day of May in the year 2003, and that action record in the minutes of that meeting this publication containing amendment updates in inserted and approved by the Broad of Governors Buccaneer Yacht Club for print September 15th 2005.

Members K Kleinschrodt, J Foster, D Brennan, N Foster Jr, H Jordan, W Stein, J Wacker.
Amended by vote of membership on 9 March 2016