

Club By-Laws of North Flathead Yacht Club

November 18, 2022

Statement of Purpose

The North Flathead Yacht Club was formed by a group of racing sailors to provide a convenient place from which to conduct races.

Its long range purpose is to provide an organization and physical plant to enhance the enjoyment by its members of the sport of sailing. It should maintain a strong racing program, and provide cruising events, social events and safety programs for its members.

Care should be taken to maintain the spirit of fellowship created by the original members. Each member family should contribute a fair share of time and effort to maintain the Club and its activities.

The goals of the club are:

1. Conduct an active racing program open to all racing sailors with continual efforts to assist the racers in developing their skills.
2. Provide cruising and social events to its members consistent with their interests and available resources.
3. Maintain an active membership within the limits of the physical plant's comfortable capacity.
4. Improve the physical plant by:
 - Building and Maintaining the dock system.
 - Improving and Maintaining the existing Grounds.
 - Improving the clubhouse to the extent feasible with consideration to security and maintenance problems.
 - Acquiring Additional lands for future development

ARTICLE I: Membership

- Section 1. There shall be six classes of membership, Charter, Regular, Legend, Associate, Junior, and Honorary:
- Charter Membership – Are the original members of the Club, who have each guaranteed \$1,000.00 of the debt incurred to buy the property and to erect the facilities during the first year. Charter members shall have all the privileges of the regular members, and in addition, shall have priority in the assignment of slips, parking spaces and other facilities over all other members.
 - Regular Membership – Shall be composed of those not eligible for other memberships. It shall include the spouse and all unmarried children under the age of twenty-five (25) years. Membership shall be limited to 140 Regular Memberships.
 - Legend Membership - Individuals who have been Regular Members for 20 years or more and no longer intend to campaign their own boat at NFYC, but who wish to support racing and other activities of the Club. Legend Members are entitled to all privileges of membership and will attain their legend status at their current membership number. They will not have the right to be assigned a boat storage space (dock, mast up, or winter storage). Legend members will pay 75% of the annual Regular Member dues.
 - Associate Membership - Individuals who wish to support racing and other activities of the Club. Associate Members shall be entitled to all privileges of membership, except the right to vote or hold office, or be assigned boat storage space (dock, mast up, or winter parking). Associate membership shall be capped at 10. The cap of 10 may only be exceeded for the child of a Regular Member in good standing. Associate members will pay annual Regular Member dues.
 - Junior Membership – Shall be composed of individuals under the age of 18 years, whose parents are not members. Junior members shall have limited privileges of the Club as designated by the Board of Directors and shall not be eligible for voting, holding office, assignment of facilities, or use of the facility outside the hours of Junior Sailing.
 - Honorary Membership – Honorary members shall be chosen upon a favorable vote of the Board of Directors. They shall be exempt from all dues and assessments of the Club. Honorary members shall

retain their membership at the pleasure of the Board of Directors, and shall have all the privileges of the Club except voting or holding office and shall not be eligible for assignment of facilities.

Section 2.

Qualifications:

- Any person of good moral character may be a member of the Club upon a favorable vote of the Board of Directors. Each candidate for membership must be sponsored by two members, in writing, upon his/her application. One sponsor, at least, will attend the meeting at which the application is considered. Officers or Board Members who sponsor a new member may not vote or be present for discussion when the Board considers the proposed member's application.

Section 3.

Suspension:

- Any member guilty of violating any of the rules or regulations of the Club, or who is guilty of conduct unbecoming a gentleman or lady, may be fined, suspended, or expelled by the Board of Directors.

Section 4.

Resignation:

- Any member who is in good standing, and not in arrears in his/her dues, may resign his/her membership by delivering a written notice of the desire to do so to the secretary, who shall report the same to the next meeting of the Board of Directors.

Section 5.

Exception to membership limit:

- Where a married couple who are members divorce, each may continue to be a member by payment of dues.

Section 6.

- Children of present members shall have priority in filling membership openings and initiation fees will be waived if the child joins by July 1st of the year following their marriage or 25th birthday, whichever comes first.

ARTICLE II: Meetings

Section 1. The Annual Meeting of the Club for the election of officers and trustees, and for the transaction of such other business as may be properly presented, shall be held in the fall of each year.

Section 2. The Commodore shall call special meetings of the general membership at the written request of ten (10) members, or at his/her own discretion. The Secretary shall give notice of such special meetings by mailing, emailing, or phoning each member of the Club, at least seven (7) days before the time fixed for the meeting, a notice of time and place of the meeting and the subjects to be acted upon.

Section 3. Ten percent of voting members of the Club (not including board members) appearing in person shall constitute a quorum for the transaction of business at any special meeting or the annual general meeting.

Section 4. Voting at meetings of the membership shall ordinarily be by voice vote. The presiding officer or any member may call for a roll call vote on any issue other than adjournment, in which case the Secretary shall call the roll of the membership and "family unit voting" shall apply. Family unit voting is intended to recognize that the family is usually the participant in club activities rather than an individual, and that there may be divided opinions within a family on any given issue. Each family shall be entitled to one vote for each membership in the Club, but this vote may be split for purposes of a roll call vote so that spouses (or other significant persons) may each cast one-half vote on each issue even though each votes differently. Any person named on the membership roll or any spouse of such a person shall have the right to require that the one vote be split.

ARTICLE III: Order of Business

Call to Order

Roll Call

Reading of the Minutes

Reports of Officers

Reports of Committees

Unfinished Business

New Business

Election of Officers

ARTICLE IV: Officers and Directors

- Section 1. The officers of the Club shall consist of Commodore, Vice-Commodore, Vice Commodore of Racing, Rear Commodore, Port Captain, Secretary, and Treasurer, each of whom shall be elected to a one-year term and shall hold office until a successor is elected.
- Section 2. The Board of Directors shall consist of the Officers, the immediate Past Commodore, and 5 Directors elected from the membership, each for a two-year term, so arranged that two or three terms of Directors expire each year.
- Section 3. In the event of a vacancy in the office of Commodore, the Vice-Commodore shall succeed to that position. A vacancy in any other office or position shall be filled by action of the Board of Directors.

ARTICLE V: Elections

- Section 1. The Board shall appoint a Nomination Committee consisting of three regular members who are not officers or directors. The Nomination Committee shall have the duty of preparing a slate of candidates for the positions to be filled. The Nomination Committee shall report its slate of candidates to the Board of Directors which in turn will notify all members by mailing, emailing, or phoning each member of the Club at least twenty (20) days prior to the annual meeting of the membership. Nominations may be made from the floor at the annual meeting for each open position.
- Section 2. An election of Officers and of the vacant Director positions shall be conducted at the Annual Meeting. Any member shall have the right to require that the election be conducted by a written secret ballot.

ARTICLE VI: Meetings of Directors

- Section 1. Directors' meetings shall be at the call of the Commodore or the request of any three Directors.
- Section 2. Notice should be given by mail, e-mail or phone by the Commodore or Designee at least twenty-four (24) hours before the time set for the meeting.
- Section 3. Fifty percent (50%) of the directors appearing in person shall constitute a quorum for the transaction of business at any meeting.
- Section 4. Voting- For any business motion to carry, a simple majority of the directors present shall be sufficient.

ARTICLE VII: Duties of Officers

- Section 1. Duties of the Commodore; The Commodore shall:
- A. Take command of the fleet.
 - B. Take charge of the general operation of the club.
 - C. Preside at all meetings.
 - D. Make such appointments as are provided for in the By-Laws.
 - E. Call special meetings of the members at the written request of ten (10) members, whenever requested in writing by three (3) Directors, or whenever he/she deems necessary.
- Section 2. Duties of the Vice-Commodore; The Vice-Commodore shall:
- A. Assist the Commodore in the discharge of the duties, and in his/her absence, or in the case of vacancy in the office of Commodore, he/she shall act as Commodore.
 - B. Commit to serving a three-year term on the Board, established to create continuity and succession for the Board; sequence being one year as VC, one year as Commodore, and one year as Past Commodore.
 - C. Be chairperson of the Membership Committee. See Article VIII, Section 2. In addition, VC will have oversight of the new membership application process.
 - D. Assist with actions of the Board to become familiar with NFYC By-Laws, Policies and Procedures, and on-going projects and tasks.

- E. Notify applicants of their election to membership and furnish them with a membership packet which includes a copy of the bylaws

Section 3. Duties of the Rear-Commodore; The Rear-Commodore shall:

- A. Assist the Commodore and the Vice-Commodore in the performance of their duties, and in their absence, officiate in their place.
- B. Take charge of facilities maintenance.

Section 4. Duties of the Secretary; The Secretary shall:

- A. Keep a true record of the proceedings of all meetings of the Club and of the Board of Directors, in books provided for that purpose.
- B. File and maintain all documents, deeds, mortgages, and communications connected with the business of the Club.
- C. Attend the Club's correspondence.
- D. Keep a complete list of all yachts enrolled in the Club.
- E. Shall notify all members of general membership meetings, and in the case of a special meeting, shall issue a notice to each member designating the purpose for which the meeting is called.
- F. Notify applicants of their election to membership and furnish them with a membership packet which includes a copy of the bylaws.
- G. Perform such other duties as are usually incumbent upon such office.

Section 5. Duties of the Treasurer; The Treasurer shall:

- A. Take custody of the funds of the Club.
- B. Pay all bills properly contracted by the Club.
- C. Render a full financial report of the Club at the annual meeting or when called upon to do so by the Board of Directors.
- D. Maintain a complete list of all yachts enrolled in the Club.
- E. Perform such other duties as are usually incumbent on such office.

Section 6. Duties of the Fleet Captains; Each Fleet Captain shall:

- A. Execute the orders of the Commodore.
- B. Verify the results of all races of his/her fleet.

Section 7. Duties of the Board; The board shall:

- A. Establish administrative policies and Club Rules and carry on the business and further the aims of the club.
- B. Appoint standing committees and other committees as needed.
- C. Have the power to make urgent decisions by a majority vote of the full board taken by mail, e-mail or telephone at the initiative of the Commodore.
- D. Perform such other duties as specified in these By-Laws.
- E. Approve an operating budget by January 31 of each year.

Section 8. Duties of the Port Captain; The Port Captain shall:

- A. Assign boat slips, dinghy racks, and mast up parking
- B. Keep a complete list of all yachts enrolled in the Club
- C. Check mooring lines
- D. Inventory all boats and trailers on the premises
- E. Work with Treasurer to notify and assign fees for non-use boats

Section 9. Duties of the Vice Commodore of Racing (Officer); The VC of Racing shall:

- A. Serve as chair for the Race Committee.
- B. Appoint at least four (4) members to serve on the Race Committee

- C. Hire, oversee, and evaluate a qualified Race Steward
- D. Appoint Junior Sailing Chair
- E. **Oversee racing, awards, and trophies**
- F. Oversee maintenance of committee boats

ARTICLE VIII: Committees

Section 1. Race Committee

- The race committee shall consist of at least five (5) active members of the Club, including the Vice-Commodore of Racing. This committee shall have the power to postpone any race should unfavorable weather or other cause, render such action desirable; shall arrange for and have complete control of and manage all races; and provide the necessary buoys and chase boats and see that they are placed in position before each race; shall arrange for and establish a race schedule before June of each year and to appoint fleet captains.

Section 2. Judges

- The Chief Judge and the Judges for each class of yachts shall be appointed by the Commodore in May of each year and shall act as the protest committee when necessary. The Judges shall decide all questions that shall arise in the sailing of races of the Club, and shall have the power to disqualify yachts that violate any rule of the Club, and their decision shall be final.

Section 3. Membership Committee

- The Membership Committee shall be responsible for furthering the Club through greater participation by members. The sponsors shall play an active role in new member orientation. The Chairman of the committee will be the Vice Commodore. Additional duties may be assigned by the Commodore.

Section 4. Publicity Committee

- The Publicity Committee shall be responsible for furthering the Club through exposure to the news media. The Chairman of this committee will be a Board Member appointed by the Commodore. Additional duties may be assigned by the Commodore.

Section 5. Long Term Planning Committee

- The Long Term Planning Committee is responsible for exploring future development and additions to the physical plant. Committee members are to be appointed by the Board of Directors and are not restricted to a specific term, but can be removed or replaced at the discretion of the Board of Directors.

Section 6. Handicapping Committee

- The Handicapping Committee shall be responsible for assigning handicaps to yachts according to applicable USSA standards. Maintains a record of Club handicaps.

ARTICLE IX: Privileges

Section 1. None but members and their families, and guests or visitors accompanied by members shall be admitted to the Clubhouse or grounds of the Club.

Section 2. Assignment of Facilities:

- A. When limited by availability, it shall be on a seniority basis, but Charter Members shall have absolute priority over non-charter members.
- B. Each year facility assignments shall be made by the Port Captain or an Officer or Director appointed by him/her, on a day designated as Assignment Day, to members based on their membership number. A lower membership number shall have priority over a higher number. For the purpose of facility assignments, a date for Assignment Day shall be published in the Club newsletter prior to May 1st.
- C. Members who have been assigned Facilities one year shall be entitled to the same assignment the following year if their dues and fees are paid in full on or before their due dates, except if their assignment for the prior year was not a permanent assignment and except for rights of Charter Members.

- D. On Assignment Day an initial assignment of facilities will be made, considering only those members holding or applying for facilities who have paid all their dues and fees on or before their due dates. A secondary assignment shall be made to assign the remaining facilities to those members who paid the dues and fees after their due date. Facilities will only be assigned after the fees and dues are paid in full.
- E. After the initial assignment of facilities has been made in the Spring of the year, the Port Captain or an Officer or Director appointed by him/her shall make subsequent facility assignments as they become available some time during the yachting season, but after Assignment Day, the assignment shall not be considered for reassignment the next year.

Section 3. If a Charter Member is unable to obtain a facility assignment due to unavailability on Assignment Day only, that Charter Member may challenge a Regular Member who is the most junior member in the Club holding such a facility. A Charter Member may not "bump" a Regular Member on any day except on the date designated as Assignment Day.

Section 4.

- A. Slips will be assigned only to members who are yacht owners or to members who plan to be yacht owners during the current yachting season. In the event that the member does not become a yacht owner during the season, that slip assignment will be reassigned the next year.
- B. In the event that a member planning to purchase a yacht during the current sailing season is successful in obtaining a slip and wishes to let another member use the slip for the duration of time that the slip would otherwise be unused, it will be temporarily reassigned by the Port Captain, or an Officer or Director appointed by him/her. This is a temporary assignment, and the member occupying the space must relinquish the slip to the original assignee at that member's request.
- C. The temporary occupant of a slip obtained under the preceding section of this article shall also pay the full slip fee before the slip is assigned to him/her. At the time the original assignee wishes to move the temporary assignee out of his/her slip, a written notice must be given to the temporary assignee and to the Port Captain by the original assignee. The temporary assignee will be assessed a slip fee, based on a three month season for the period he/she occupied the slip. This fee shall be determined by the Board of Directors and enforced by the Port Captain. This fee will be deducted from the full slip fee paid by the temporary assignee at the time the temporary reassignment was made, and the remaining portion will be returned to the temporary assignee. An amount equal to the amount assessed to the temporary assignee, less \$50.00 will then be returned to the original assignee.

Section 5. No slip, parking space, Club facility or privilege may be assigned, subleased or in any manner transferred by one member without the written permission of the Board of Directors.

Section 6.

- A. All slips on the north side of "A" dock shall be bid on only by regular members who currently own or intend to purchase a yacht over 30 feet in length (an "intent to purchase" form must be filed with the NFYC board prior to bidding, this form may not be filed in consecutive years.)
- B. A regular member who obtains a slip on the north side of "A" dock after May 17, 2013 with the "intent to purchase" must be in possession of a yacht over 30 feet in length during that season or must release the slip for bid at the next auction if a replacement slip of the correct size is needed and can be obtained.
- C. Any slip obtained on the north side of "A" dock after May 17, 2013 by regular members who sell their yacht over 30 feet in length and is not replaced or is replaced with a yacht 30 feet or under in length must release the slip for auction if a replacement slip of the correct size is needed and can be obtained.
- D. Slips on the north side of "A" dock may not be sublet to yachts 30 feet or under.
- E. If all other remaining slips of a suitable size are taken, a regular member who owns a yacht 30 feet or under may petition the board for a "temporary occupancy waiver" in order to bid on and occupy slips on the north side of "A" dock until such time that a slip of the correct size can be obtained.
- F. The amendment to the bylaws regarding slips on the north side of "A" shall not affect slip holders of record prior to May 17, 2013, nor shall it affect the rights and privileges of charter members.

ARTICLE X: Yachts

- Section 1. Each yacht regularly moored or parked at the Club shall be owned by a Charter Member or by a Regular Member. Guest mooring privileges may be afforded to nonmembers by any officer of the Club for limited time periods as established by the Board of Directors from time to time.
- Section 2. Every yacht owned or controlled wholly or in part by a member or members of the Club may be enrolled in a fleet of the Club upon the owner filing with the Race Committee a description thereof, containing its name, dimensions, rig and power.
- Section 3. Points may be accumulated by a skipper only for races sailed in the same boat or a boat of identical model and equipment.
- Section 4. No yacht which is not registered to a member of the Club shall be entitled to compete for any trophy or accumulate points unless the particular race is sponsored and the sponsor declares it to be an open race, or, if the yacht owner has paid a race registration fee determined by the Board of Directors.

ARTICLE XI: Flag

The flags of the Officers shall be those designated by US Sailing.

ARTICLE XII: Financial and Membership Commitments

- Section 1. The yearly dues, assessments and fees if any, shall be determined and fixed from time to time by the Board of Directors. Dues (except slip rental fees) are payable on or before April 1st. of each year. If dues, assessments, and previous fees are not received or postmarked by April 1, the member loses their current membership number and will be assigned the next available number. If dues and fees are not paid by May 1, membership expires and the member must reapply for Club membership following procedures in place at that time.
- Section 2.
- A. Mast-up, and slip rental fees are due on or before May 1st. of each year. If payment is not received or postmarked by May 1st, the member loses his/her slip or mast-up parking and must re-apply, except as determined by the Board of Directors.
 - B. Mast-up fees are due on all trailered boats that are parked in the Yacht Club parking lot for more than 14 days and have not paid for a slip.
 - C. Dinghy fees are due on those yachts that are stored in the dinghy rack for more than 14 days.
 - D. Slip fees are due for those yachts that are assigned a slip. Yachts granted permission by the Port Captain or an Officer or Director appointed by him/her to use unoccupied slips or dock space shall be required to pay a ground's fee for each day they remain after they have occupied an unassigned slip and/or dock space for more than 14 days. The ground's fee shall be set by the Board of Directors and enforced by the Port Captain or by an Officer or Director appointed by him/her.
- Section 3. The Treasurer shall bill each member for the annual dues, assessments and fees during January, with a second and final notice mailed in March.
- Section 4. Mast-up storage is available for a fee to members who "Actively use" their boats. "Actively used" is defined as a mast-up boat that is sailed during the season. Members in good standing may store a sailboat on the grounds for one sailing season without use. Boats for sale are also allowed one season of storage. All boats not being launched for the season must be parked along the back (East) fence or east of the pump house. Boats not "Actively Used" for one season have until July 1 of the following season to remove their boat from the club grounds or the member will be assessed a Non-Use fee. If the Non-Use fee is not paid, the member becomes not in good standing with the club and the Board may exercise Article I section 3 of the Bylaws. Members may also choose to put their boat in a slip, and pay the required slip fee by May 1 and the Non-Use fee will not be assessed. No sailboat-hardware or accessories (e.g. jack stands, anchors, sails, or masts) may be stored on the grounds unless attached to the sailboat or trailer thereof, unless approved by the Board of Directors. Any sailboat hardware or member's personal items left on the grounds for more than 30 days may be

disposed of at the discretion of the Board. Empty trailers are to be relocated to the trailer storage lot (282 School Addition Road) when the boat is launched for the season. All empty trailers must be moved off the club grounds by July 1 of each year. Empty trailers must not be placed back on the club grounds until September 1 of each year. The Board of Directors has the authority to define the amount of the Non-Use fee and any other fees for non-compliance to this By-Law.

Section 5. Moored boats must be seaworthy, fully rigged and capable of being sailed, unless approved by the board.

ARTICLE XIII: Sailing Rules and Regulations

Section 1. The races of the Club, as nearly as possible, shall be governed by the rules of the Us Sailing rules of racing.

Section 2. The North Flathead Yacht Club shall not be responsible in any way whatsoever for the care and keeping of yachts or yachting equipment.

ARTICLE XIV: Cash Reserve Funds

Section 1.

- A. The Board of Directors is authorized to establish a Facilities Cash Reserve Fund. This fund may be utilized only after a majority vote of the Board. This fund may be depleted or added to as deemed appropriate by the Board.
- B. The Facilities Cash Reserve Fund shall only be utilized by the Board of Directors for capital expenditures to the real property of the club, including the grounds and buildings. This fund shall not be utilized for incidental or operating costs.
- C. The Facilities Cash Reserve Fund shall be funded at 40% by the Initiation Fee from new Members. The remaining 60% of the initiation fee will go toward the Dock Reserve Fund.

Section 2.

- A. The Board of Directors is authorized to establish a Docks Cash Reserve Fund. This fund may be utilized only after a majority vote of the Board. This fund may be depleted or added to as deemed appropriate by the Board.
- B. The Docks Cash Reserve Fund shall only be utilized by the Board of Directors for expenditures to the slips, docks and wave attenuating system of the club. This fund shall not be utilized for incidental or operating costs.
- C. The Dock Reserve Fund shall be funded at a minimum rate of \$5,000 per year, from slip fees paid to the Club.

ARTICLE XV: Amendment of the By-Laws

Section 1. These by-laws may be amended at any annual meeting of the members by a 2/3 vote of the members present, or at a Special Meeting, provided that written notice setting forth the proposed change has been mailed, emailed, or faxed to each member at least seven (7) days prior to the Special Meeting.

Revisions Adopted by the Membership on November 18, 2022.