



150 Harbor Road
Cold Spring Harbor, NY 11724
(631) 367-9822

www.whalerscoveyachtclub.org

Bylaws & Constitution

as Amended and Approved October 24, 2006

ARTICLE I. - NAME AND PURPOSE

Section 1

The name of the club is officially Whaler's Cove Yacht Club, Incorporated. Hereafter, referred to in this document as "the Club". Hereafter, the Board of Directors is referred to in this document as "the B.O.D."

Section 2

The purpose of this club shall be to promote sociability, good will, safe boating and a clean environment, while serving the boating interests of its Members.

ARTICLE II. - MEMBERSHIP, DUES, RESIGNATION

Section 1

Any individual, at least 24 years of age, of reputable character and sole owner of record of his/her pleasure boat, to be used for non-commercial purposes, may seek membership.

Section 2

Anything herein to the contrary notwithstanding, all persons seeking membership in the Club shall submit a letter to the Vice-Commodore, chairperson of the Membership Committee.

Section 3

a. After an applicant has submitted a letter to the Membership Committee requesting admission to WCYC, the Membership Committee, upon the availability of a membership, will interview said applicant and forward their findings to the B.O.D.

b. Balloting on a potential new Member will be at the next Board Meeting, or at a special telephonic or electronic meeting, of the B.O.D. called by the Commodore, following the one in which the applicant's name is presented for membership. Approval requires at least a majority vote by the members of the B.O.D.

c. The Club recognizes as a member, only that individual registered on the Club books.

d. A Club member must:



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- Be sole owner of record of his/her boat.
- Utilize at current fees, one slip annually.
- Be responsible for the annual membership dues and the Member's share of all assessments levied.
- Have a current certificate of insurance for his/her boat (including personal watercraft) on file at the Club.

e. All privileges of the club facilities are extended to the immediate family of the registered Member. Other individuals are considered guests.

f. Members are not permitted to use the Club for any commercial purposes whatsoever.

g. A Member shall be entitled to utilize the docking facilities of the club and shall be entitled to participate in all of its activities. A Member shall be assessed 100% of the membership dues, payable according to the terms of these By-Laws. Each Member's share of the docking facilities individually utilized by him/her shall also be itemized and billed to such Member.

h. Each new applicant for membership, after acceptance by the B.O.D., shall pay an Initiation Fee, in addition to the fees required of all Members. The amount of the Initiation Fee will be determined by the B.O.D. The Initiation Fee is not refundable.

i. A Leave of Absence will be granted for a period of one year only. The Member(s) on Leave of Absence will pay his/her current dues which may be applied to the following season, as explained below. All such Member's slips will be offered to Probationary Members and all fees collected will be considered to be equally applied among such Members.

If the aggregate of these fees covers or exceeds the total amount of such Member(s) dues, there will be no additional money due the following year from the Member(s) on Leave of Absence .

If the aggregate of these fees does not cover the total amount of the dues of the Member(s) on Leave of Absence, the shortage will be equally divided among such Member(s) and only the shortage amount will be due the following season from the Member(s).

At no time and in no event will there be a credit or any refund due to any Member on Leave of Absence.

Section 4

Membership fees and dues, as required to provide for the operating expenses of the Club, shall be determined by the B.O.D. and presented at the Annual Meeting, or as soon thereafter as feasible.

Section 5



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Dues are payable upon receipt of the bill and must be fully paid by each member no later than the due date indicated on the bill.

Section 6

- a. Membership in the Club may be terminated for non-payment or delinquent payment of dues and/or assessments, if such payment is not received within 10 days after the date of a certified mailing of a delinquent notice to such Member by the Club.
- b. Membership in the Club may be terminated for member's failure to abide by the By-Laws, its Rules, or for any act which, in the judgment of at least 2/3 of the B.O.D. is considered detrimental or harmful to the Club.
- c. If the Member being terminated believes he/she has been treated unjustly, he/she has the privilege of bringing his/her issue and position before the next General Membership Meeting providing he/she secures the signatures of ten (10) Club Members requesting such a meeting. A majority vote (of all members attending such meeting, including the Board Members in attendance) in favor of the terminated Member, is required to overturn the decision of the Board to terminate such Member.

Section 7

All notices required to be given under these By-Laws by the Club to any Member shall be deemed sufficient if mailed or emailed to such Member by ordinary mail at the address contained on the Club Membership List. Each member shall notify the Club promptly of any change of address, phone number, or email address.

Section 8

Any Member desiring to resign from membership in the Club must do so in writing, addressed to the Secretary or B.O.D. and said notice shall be delivered personally, or mailed to the regular Post Office address of the Club. The notice shall specify the effective date of resignation and all unpaid dues and charges must be paid, at that time, by the resigning Member. Annual dues for the current year may be apportioned at the discretion of the B.O.D.

Section 9

Probationary Member is defined as a person who is being considered for formal membership in the Club, but does not share the same privileges of full club membership



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ARTICLE III. - MANAGEMENT AND THE BOARD OF DIRECTORS

Section 1

The management of this Club shall be vested in a B.O.D., consisting of seven (7) Members.

The B.O.D. of the Club is responsible for enforcing all provisions of these By-Laws, and Rules and Regulations of the club.

Section 2

The B.O.D. of this Club shall consist of seven (7) members to be elected for a term of two (2) years by a majority of the General Membership in attendance at the Annual Meeting.

Section 3

All questions of the parliamentary law not otherwise provided for in the By-Laws shall be decided by "Robert's Rules of Order".

Section 4

The B.O.D. may employ personnel it deems necessary to operate the Club and to keep the Members informed of the Club's activities and other matters of the Club.

ARTICLE IV. - OFFICERS

Section 1

The Commodore shall preside at all meetings of the Club and its B.O.D. and shall act as a member ex-officio of all committees and perform such other duties as fall within this office.

He/she shall remain a non-voting Member of the B.O.D. for the following year, after his/her term expires.

Section 2

a. The Vice Commodore shall perform the duties of the Commodore, in the Commodore's absence and chair The Membership Committee.

b. The Rear Commodore shall perform the duties of the Vice Commodore, in the Vice Commodore's absence and chairs The Nominating Committee and manages the insurance requirements for the club.

c. The Senior Fleet Captain chairs The Docks and Grounds Committee.



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d. The Junior Fleet Captain chairs The Program Committee and enforces the current members' insurance certificate requirements

Section 3

The Treasurer shall have custody of the funds of the Club, shall deposit them in a bank as directed by the B.O.D., shall make disbursements only with the approval of the B.O.D. and shall present a financial statement at each regular meeting of the Club. He/she shall be charged with the collection of all fees and dues and keep records thereof.

Section 4

The Secretary shall keep the Minutes of each meeting of the Club, shall be the custodian of all correspondence and documents, issue notices of all meetings and conduct all official correspondence and maintain an up-to-date membership list.

Section 5

Vacancies for any officer's position may be filled by the Members of the B.O.D. by a majority vote of the whole Board and the successor so chosen shall serve for the unexpired term of his/her predecessor.

Section 6

A board member may be removed from office for cause (including but not limited to: failure to attend Board meetings, failure to carry out their B.O.D. duties and any action that may be considered detrimental to the Club) by a vote of no less than 5 votes of the board against said board member. Any vacancy caused by this removal will be filled by the Past Commodore on a temporary basis with voting privileges.

ARTICLE V. - COMMITTEES

All rules and regulations as set forth by any Committee must be approved by the B.O.D.

Section 1

The standing committees of this Club shall be the Docks and Grounds Committee, the Program Committee, the Nominating Committee, and the Membership Committee.

All other Committees shall be appointed by the Commodore with the approval of the B.O.D.

Section 2

The duty of the docks and grounds Committee shall be to:



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a. Make recommendations to the Board relating to the maintenance, appearance and cleanliness of the dock facilities.

b. Issue to all Members and post on the Club premises, all Club rules pertaining to the dock facilities.

c. Assign Members to their slips and their locations. Without exception, all slip transfers are subject to control and approval by the B.O.D; which may be delegated to the Docks and Grounds Committee, or the Club's Dock Master. All transfers are to be filled from the priority waiting list of individuals applying for transfer. -Members must submit slip transfer request-in writing to the dockmaster.

Manufacturer's Model Designation is the clubs' standard of measurement for all boats for all club purposes. For example, a Searay 44 is considered a 44' boat and billed as such; a Regulator 29 is considered a 29 foot boat and billed as such.

No boat may exceed a Manufacturer's Model Designation over 50', subject to B.O.D. approval.

All boats above 44' will be subject to a surcharge to be determined by the B.O.D.

Boats 31' and under will be assigned inside slips.

Outside slips will be for boats over 31' .

Inside main ramp; two slips will be available for boats up to 35', subject to the discretion of the B.O.D. Any boat over 31' will pay outside rates.

All boats are subject to review and approval by the B.O.D. The member/applicant must submit a letter for approval in advance and in writing, including complete specs. of said vessel.

To preserve our facilities, no more than eight member's boats in excess of 44' will be permitted in the Club.

The Club operates the facilities for the benefit of the Club Members and endeavors to contain operating costs. Slips are assigned by the B.O.D., or its representative, the Dock Master, in the best interests of the Club. As such, the Club reserves the right to utilize all vacant slips. Any vacant slip may be rented by the Club and the proceeds received will be used for the benefit of the Club.

The Club will determine the necessity of inter-slip pilings. The cost will be assessed to those Members whose slip requires the additional piling. The assessment will be for the purchase price, plus maintenance and replacement.

Any person requesting a piling will be charged as noted above.



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Section 3

The Program Committee shall be responsible for all Club entertainment and publicity of events.

Section 4

The Nominating Committee shall notify the Club membership of their recommendations for Member to be elected to the B.O.D. at least ten (10), but no more than sixty (60) days prior to the Club's Annual Meeting. No other Member shall be eligible for election at the Annual Meeting unless his/her name, endorsed by a petition and signed by at least ten (10) petitioning Members is filed with the Secretary for nomination at least ten (10) days prior to the Annual Meeting. No Member whose name shall appear as a candidate for the B.O.D. shall endorse said petition.

Section 5

The Membership Committee shall interview all prospective Members and make recommendations to the B.O.D.

ARTICLE VI. - FISCAL YEAR AND BUDGET

Section 1

The fiscal year of this club shall commence on the first day of January and end on the 31st day of December of each year.

Section 2

The B.O.D. shall approve a proposed budget of expenditures covering the total anticipated expenditures for the new fiscal year, at the meeting preceding the Annual Meeting of the General Membership. The Treasurer shall then submit the budget to the Members at the Annual Meeting for a vote. The budget shall be considered and approved with or without revisions at the Annual

Meeting of the General Membership. It may be increased for emergency purposes at the discretion of the B.O.D. Any Officer of the Club shall not obligate the Club in excess of the approved budget without the prior approval of the B.O.D.

ARTICLE VII.- MEETINGS

Section 1

The B.O.D. shall meet at least four (4) times during the fiscal year, at the time and place designated by the Commodore. A majority of the Members of the B.O.D. shall be considered a quorum.



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Section 2

A General Membership Meeting may be called by the B.O.D. or Commodore with no less than ten (10) nor more than sixty (60) days advance written or electronic notice. The General Membership Meeting in December shall be considered the Annual General Membership Meeting.

Section 3

Ten (10) Members, including Board Members, shall constitute a quorum at any meeting of the General Membership.

Section 4

A special meeting of the B.O.D. may be called by the Commodore, or by the written request of two (2) Members of the B.O.D., at which time only business for which the special meeting was called shall be discussed.

Section 5

A special meeting of the General Membership may be called by the B.O.D., or held by the B.O.D. as a result of a written request signed by no less than twenty (20) Members of the Club.

Such written request must state the purpose of the meeting, at which time only business for which the special meeting was called shall be discussed.

VIII.- AMENDMENTS

Section 1

The By-Laws may be amended at any General Membership Meeting of the Club by a majority vote of the Members attending such meeting, providing a notice of the meeting and its purpose shall have been mailed or emailed to each member no less than ten (10) days prior to the meeting.

IX.- CLUB RULES

Section 1

The Club Rules shall be those established from time to time by the B.O.D.