

# SOUTH PORT SAILING CLUB

## **BY-LAWS, RULES & REGULATIONS**

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## **Statement of Purpose**

South Port Sailing Club

South Port Sailing Club is a family oriented, self-help organization that promotes a variety of sailing activities for its members. The Club relies solely on the participation of members to further the well-being and development of Club sponsored activities. These activities include racing, cruising, junior sailing and instruction in both keelboats and dinghies with any related social events.

Adopted by the Executive, October 1991

## South Port Sailing Club **BY-LAWS**

Last revised November 2015 to include amendments since enactment in 1964.

BE IT ENACTED AND IT IS HEREBY ENACTED as a By-law of SOUTH PORT SAILING CLUB (Hereinafter called the "Club") as follows:

**SECTION 1 MEMBERS** The members of the Club shall be duly elected by the Board of Directors (hereinafter called the "Board") and the membership therein shall consist of the following classes:

(a) Full Member

A "Full Member" shall be a person admitted as such by the Board who has paid the initiation fee fixed by it and who shall pay such additional dues as may be fixed from time to time by the Board. A "Full Membership" shall consist of one individual or two persons in a spousal relationship and may include one or more junior members. Each "Full Membership" shall be entitled to two votes at each meeting of the Club. Children of Full Members will receive a discount on initiation fees of 10% per annum up to a maximum of 100%.

When a Member changes his/her Full Membership for another classification, he/she may later apply to regain his/her resigned Full Membership by paying the difference in annual membership dues between the classification for his/her time at the other classification. This amount shall not exceed one-half the Full Membership Initiation Fee as long as the member left in good standing. Then on the approval of the Board the applicant may be returned to the Full Membership classification.

When a Member (Intermediate, or Junior) who has never previously held a Full Membership applies for a change to Full Membership, one half of his/her dues paid up to that time will be credited to the Full Membership Initiation Fee. On payment of the balance of fees and dues, and with the approval of the Board, the applicant may become a Full Member.

Returning members initiation fees will be reduced by 10% per annum per year of membership up to a maximum of 50% who previously had a Full Membership and paid a full initiation fee. This is provided they left in good standing and their application meets the Board approval. This would also apply to both Senior Member classifications as long as they had Board Approval.

(b) Life Member

The Board of Directors may grant a Life Membership to Family or Senior members for distinguished service to the Club over many years. The privileges of a Life Member shall be the same as those for a Full Member except that the member shall not serve on the Board of Directors. Life Memberships shall be presented at the Annual General Meeting.

(c) Non-resident Member

A Non-Resident Member shall be a person admitted as such by the Board, whose main residence is outside a radius of 150 Km from the Club and whose stay in the vicinity

during the sailing season is of no more than thirty days.

A Non-resident Member shall pay such initiation fees and dues as may be fixed by the Board from time to time. If the Non-resident Member establishes his/her main residence inside the 150 Km radius such membership shall terminate unless such Non-resident Member has made application for any other classification of membership for which he/she is eligible. Upon making such application, and with payment of such fees and dues as may be fixed by the Board from time to time, such Non-resident shall be admitted to the class of membership requested. A Non-resident Member shall not be entitled to vote at any meeting of the Club nor shall they be assigned a well or allowed to store a boat at South Port.

Any current non-resident member living less than 150km from the club is grandfathered in.

(d) Junior Member

A Junior Member is a person who has attained the age of ten (10) years and is not over the age of twenty-five (25) at the date of his/her application for membership and who has been elected by the Board upon the written undertaking of the parent or guardian of such Junior Member. Such person will be responsible to the Club for all debt which may have been done by such Junior Member. A Junior Member shall pay such initiation fees and dues as may be fixed by the Board from time to time. The rights and privileges of a Junior Member are subject to such restrictions as may be made from time to time by the Board.

A Junior Member has access to the clubhouse, grounds and parking. A Junior member may have a dinghy that is dry sailed only with ramp privileges.

A Junior member may attend club meetings and must perform 5 work hours annually.

A Junior Membership may be continued up to the age of twenty-five (25) provided the said Junior Member is still attending an educational institution on a full-time basis, is single, and is living at the home of a parent or guardian.

(e) Intermediate Member

An Intermediate Member is a person who has attained the age of eighteen years and is not over the age of twenty-five (25) at the date of his/her application for membership and has been admitted as such by the Board. On the 31st day of December in any year, if the Intermediate Member has attained the age of twenty-five (25), such membership shall terminate unless such Intermediate Member has made application for Full or Non-resident membership. Upon making such an application, such Intermediate Member shall be admitted by the Board to the class of membership requested.

An Intermediate Member has access to the clubhouse, grounds and parking.

An Intermediate member may own a boat and have access to a well.

An Intermediate Member may attend club meetings and must perform 10 work hours annually.

An Intermediate Member shall pay such initiation fees and dues as may be fixed by the board from time to time. The rights and privileges of an Intermediate Member are subject to such restrictions as from time to time may be made by the Board.

An Intermediate member shall not be entitled to vote at any meeting of the Club.

(f) Temporary Member

A Temporary Member shall be a person admitted as such by the Board. The term and fees of a temporary membership shall be fixed by the Board in each case. A temporary member shall not be entitled to vote at any meeting of the club.

(g) Senior Social Member

Any Full Member can qualify for Senior Social status provided the member has attained the age of sixty-five (65) years and has paid his or her initiation fee in full prior to their application to Senior Status.

Upon receiving a letter of intent from the Full Member, the Membership Chairperson will propose to the Board their application for Social Senior Membership. Senior Social Members shall pay such fees and dues as may be fixed by the board from time to time.

Senior Social Members shall have all the privileges of a Full Member; however they shall not be entitled to vote at any meeting of the Club nor shall they be assigned a well or allowed to store a boat at the club. Any Senior Member currently under the age of 65 years is grandfathered in their category.

(h) Senior Emeritus Member

Any Full Member can qualify for Senior Emeritus status provided the Full Member has attained the age of sixty-five (65) years and has had membership in that classification for 25 years immediately preceding the time of application to Senior Emeritus Status.

Upon receiving a letter of intent from the Full Member, the Membership Chairperson will propose to the Board their application for Senior Emeritus Membership. Senior Emeritus Members will receive a 10% discount of Full Membership dues only.

Senior Emeritus Members shall have all the privileges of a Full Member, that is, they may have a well and be allowed a boat and are entitled to a vote at any meeting of the Club and may hold an executive position.

(i) Honourary Member

The Board of Directors may confer annual Honourary Memberships on individuals in recognition of important or distinguished services. The privileges of an Honourary Member are the same as those for a Full Member except that the Honourary Member shall not be entitled to be present or vote at any meeting of the Club nor shall they be assigned a well or store a boat at the Club.

**SECTION 2 NOMINATION** Nomination of every applicant for admission to membership shall be submitted in writing in accordance with application forms provided by the Club for that purpose to the Board, signed by the applicant and two other members other than Directors.

The proposer and seconder of the nomination should be prepared to attest to the suitability of the applicant to the Board of Directors, if so requested.

**SECTION 3 POSTING** No one shall be elected as a member by the Board until his/her nomination shall have been posted in the Clubhouse for at least ten (10) days.

**SECTION 4 NOTIFICATION** On the election of a member, the Secretary shall notify the applicant of their election.

**SECTION 5 ACCEPTANCE** Members by acceptance of their membership agree to be bound by all by-laws, rules and regulations now or hereafter in force.

#### **SECTION 6 RESIGNATION OF MEMBERSHIP**

Resignation of memberships shall be made by notification in writing addressed to the Secretary, by whom it shall be submitted to the Board at its next meeting. No resignation shall be accepted until all monies owing to the Club, including current dues, have been paid by the member tendering such resignation.

**SECTION 7 EXPULSION OF MEMBERS** The Board may at any time suspend or expel from membership any person whose conduct they deem improper and such action shall be final and conclusive provided:

- (a) the vote of the majority of the Board present is required to effect such suspension or expulsion;
- (b) if, at any time within one (1) month after the expulsion of a member, a special general meeting of the Club is requested by ten (10) Full Members in writing addressed to the Secretary; such meeting shall be called forthwith and an appeal thereat may be made regarding the decision of the Board. The member shall be reinstated only by an affirmative vote of two-thirds (2/3) of the voting members present in person or represented by proxy;
- (c) a member, upon suspension, shall not be liable for payment of any dues, nor shall the member have any Club privileges. Upon expulsion, such dues of the member shall cease;
- (d) a member who has been suspended or expelled shall have no claim upon the Club for repayment of any initiation fee, dues or any monies whatsoever.

**SECTION 8 DUES** The various classes of members shall pay to the Club such dues, at such times as may be determined by the Board, from time to time.

**SECTION 9 INITIATION FEES** The initiation fees payable by the various classes of members shall be determined from time to time by the Board, provided that the initiation fee already paid in another class of membership shall apply against the initiation fee of a Full Membership on transfer to the Full Membership class.

**SECTION 10 DELINQUENCY** In case any members should neglect to pay the prescribed dues or any other indebtedness to the Club by the 20<sup>th</sup> of the month in which dues or other indebtedness is payable, the member shall be advised in writing that their name will be posted in the Club, on the 1<sup>st</sup> of the month following and thereafter no further privileges of the Club or credit will be allowed.

**SECTION 11 DELINQUENT ACCOUNTS** After a member has been posted and their account not paid, their name shall be submitted to the Board at the next regular meeting for such further actions as they deem fit.

**SECTION 12 OFFICERS OF THE CLUB** Officers of the Club shall consist of the following: Commodore, Vice-Commodore, Rear Commodore, Chairperson of the Racing Committee, Chairperson of the Cruising Committee, Chairperson of the Social Committee, Chairperson of the Property Committee, Chairperson of the Sailing School Committee, Secretary, Treasurer, and Harbour Master, all of whom, with the exception of the Treasurer, shall be elected at the Annual Meeting. Each of the above shall hold office until the next general meeting or until a successor shall have been duly elected and qualified. The Treasurer shall be appointed by the Board at the first meeting of the Board, subsequent to the Annual Meeting or as soon thereafter as possible.

**SECTION 13 BOARD OF DIRECTORS** The government and management of the Club shall be vested in a Board of Directors consisting of twelve (12) fully qualified Full Members in good standing and shall include the above officers of the Club plus the immediate past Commodore plus any additional Directors required to bring the number to twelve (12). Any additional Directors required shall be appointed by the Board at their first meeting subsequent to the Annual Meeting or as soon thereafter as possible. An additional Director would be required in the event that one of the Flag Officers was named as Chairperson of a Committee as listed under Officers of the Club (Section 12)

**SECTION 14 CONDUCT OF ELECTION OF OFFICERS** The manner of conducting the election of the Officers of the Club shall be as follows:

- (a) Voting shall be by secret ballot at the Annual Meeting by those eligible members personally present;
- (b) The Commodore, or in his/her absence, the Chairperson of the Annual Meeting shall appoint two or more inspectors of election who shall hand out, collect and otherwise take charge of the ballots;
- (c) Each eligible member shall vote by printing the name of the candidate for whom he/she votes on the ballot as directed by the Chairperson;
- (d) The appointed inspectors shall count the votes and the candidates receiving the largest number of votes shall be declared duly elected.

**SECTION 15 NOMINATION FOR CLUB OFFICERS**

- (a) Nominating Committee for Officers of the Club: There shall be a Nominating Committee composed of the Commodore and three voting members (not Directors) approved by the Board. Such Nominating Committee shall nominate at least one (1) candidate for each position to be filled for officers of the Club and for the Audit



Committee Chairperson for the next ensuing election.

(b)Other nominations: Any Family or Life member may also nominate for Officers a member who is eligible provided such nomination shall be in writing signed by the nominator and a seconder, with the nominee signifying in writing on the nomination paper that he/she is willing to stand for election in accordance with the nomination and to be in the hands of the Secretary of the Club at least five (5) days before the meeting, after which no further nominations shall be accepted.

(c)Any Full Member shall be eligible to stand as an officer of the Club or for Chairperson of the Audit Committee.

## **SECTION 16 POSTING OF NOMINATION FOR BOARD OF DIRECTORS**

Candidates nominated by the Nominating Committee shall be posted, included in a letter or otherwise brought to the attention of the members at least fifteen (15) days before the meeting at which the Directors are to be elected.

**SECTION 17 VACANCIES** If any vacancy occurs in the Board, the remaining Directors shall have the power to appoint a Full Member to fill such vacancy for the remaining term.

**SECTION 18 MEETINGS** Meetings of the Board may be called by the Commodore at any time, or in the absence of the Commodore by the Vice-Commodore and shall be so called when a request in writing is made by two Directors.

**SECTION 19 NOTICE** Notice shall be by telephone. At least twenty-four (24) hours notice of the meeting of the Board shall be given provided that meetings of the Board may be held at any time without notice if all the members be present and consent thereto or if those absent signify their consent to such meeting.

**SECTION 20 PLACE** All meetings of the Board shall be held at the Clubhouse or at such place as the Commodore, or in his/her absence the Vice-Commodore, may select.

**SECTION 21 VOTES** All questions save those required by these by-laws or by the Ontario Companies Act, to have a special majority, shall be decided by a majority vote; provided that in the case of a tie, the Commodore shall have a second or casting vote.

**SECTION 22 RESOLUTION** A resolution signed by all the Directors shall be as valid and effectual as if it had been passed at a meeting of the Directors duly called and constituted.

**SECTION 23 QUORUM** Five members of the Board shall constitute a quorum.

**SECTION 24 VACATION OF OFFICE** The office of a Director shall ipso facto be vacated:

- (a) Upon the death of the Director;
- (b) If the Director ceases to hold a Full Membership in the Club;
- (c) If by notice in writing to the Board he/she resigns from office.

**SECTION 25 POWER OF DIRECTORS** The Board of Directors shall have the government and management of the Club and its affairs and without restricting the generality of the foregoing shall have the power:

(a) To appoint such officers and standing committees as it may deem advisable, and to prescribe their duties. The action of such officers and committees shall be at all times subject to the Board's revision and control;

(b) To fill vacancies that may occur in any office, and to appoint or dismiss at pleasure any officer or servant of the Club;

(c) To make rules and regulations for the proper management and control of the Club's affairs, and to authorize that such rules and regulations be made by any of its committees, and to enforce due observance of the By-laws and any of such rules and regulations and to enforce and prescribe penalties;

(d) To make and execute contracts on behalf of and in the name of the Club, or to authorize its Officers or Committees to do so. The Board shall cause all monies of the Club to be deposited in the Club's bank and in the amount received by the Club. The bank of the Club shall be the bank from time to time designated by the Board. No contracts shall be entered into and no liability or obligation incurred on behalf of the Club by any person, member or committee except such as may be made, incurred, authorized or confirmed by the Board. No payment of any account or obligation by or on behalf of the Club shall be made except on the authority of the Board. No real estate transaction entered into by the Board shall be of any force whatsoever before the said transaction shall have been approved by a majority of the members present at a general meeting called to approve same;

(e) All bonds, debentures, deeds, mortgages and other securities, instruments or documents requiring the signature of the Club may be signed by the treasurer plus any Director designated by the Board. All bills of exchange, promissory notes, cheques and orders for the payment of money on behalf of the Club shall be signed by the Treasurer and/or any Director or Directors designated by the Board.

**SECTION 26 REMOVAL** The Board, at any time, may remove from office any Officer, elected or appointed.

**SECTION 27 DUTIES OF THE COMMODORE AND VICE-COMMODORE**

It shall be the duty of the Commodore to preside at all meetings of the Board and of the members and to appoint all committees not otherwise provided for and he/she shall be ex officio a member of all standing committees. In his/her absence, the duties of the Commodore shall be exercised by the Vice-Commodore. The Vice-Commodore shall be ex officio a member of all committees.

**SECTION 28 DUTIES OF THE REAR COMMODORE** It shall be the duty of the Rear Commodore to act in the absence of the Commodore and Vice-Commodore and to assist them in the discharge of their duties. The Rear Commodore shall be an ex officio member of all committees.

**SECTION 29 DUTIES OF THE SECRETARY** The duties of the Secretary shall be:

(a) To keep a record of all matters transacted at the meetings of the Club or any committee thereof;

- (b) To notify applicants for admission of their election;
- (c) To have custody of the corporate seal of the Club and to affix the same to any instrument or written document when so authorized by the Board;
- (d) To perform such other duties as may be assigned from time to time by the Board.

**SECTION 30 DUTIES OF THE TREASURER** The duties of the Treasurer shall be:

- (a) To keep a record of all members;
- (b) To collect all fees, dues, subscriptions and monies due to the Club and to deposit the same to the credit of the Club with its banker;
- (c) To keep in the books of the Club a regular account of the financial transactions, assets and liabilities of the Club subject to examination of the Board and the Audit Committee and he/she shall have custody and be responsible for the said books, documents and securities of the Club;
- (d) To submit to the Annual Meeting a statement of the Club's accounts, examined by the Audit Committee;
- (e) To perform such other duties as may be assigned from time to time by the Board.

**SECTION 31 DUTIES OF THE HARBOUR MASTER** The Harbour

Master shall have general supervision over the Club's docks, moorings, ways, etc., and shall see that all rules made in connection therewith are observed.

**SECTION 32 COMMITTEES AND DUTIES** The Commodore shall annually appoint eight committees:

- (a) Racing Committee
- (b) Cruising Committee
- (c) Property Committee
- (d) Social Committee
- (e) Sailing School Committee
- (f) Membership Committee
- (g) Audit Committee
- (h) Harbour Committee

and may appoint such other committees as he/she may deem advisable. The chairpersons of committees shall be members of the Board and the chairperson of each shall select from the membership at large at least three additional members for such committee. All rules and regulations made by any such committee when approved by the Board shall be binding on all members. The said committee shall perform such duties as the Board shall designate from time to time and without limiting the generality of the foregoing.

- (a) **Duties of the Racing Committee:** It shall be the duty of the chairperson of the Racing Committee to organize together with the members of the committee a racing programme each year for the members of the Club, and to arrange with other yacht clubs for inter-club yacht racing. The Racing Committee should consist of at least the following: a fleet captain for each racing fleet, a person responsible for all race

committees, a person responsible for all equipment including the race committee boat, and an official measurer, if available.

(b) **Duties of the Cruising Committee**: It shall be the duty of the chairperson of the Cruising Committee to arrange and supervise, together with the committee, all Club cruises.

(c) **Duties of the Sailing School Committee**: It shall be the duty of the chairperson of the Sailing School Committee together with the members of the committee to organize and supervise the operation of the Sailing School. Responsibility for the Club owned boats and equipment used for the Sailing School rests with this committee.

(d) **Duties of the Social Committee**: It shall be the duty of the chairperson of the Social Committee, together with the members of this committee to arrange and supervise all entertainment in the Club during the year.

(e) **Duties of the Property Committee**: It shall be the duty of the chairperson of the Property Committee along with the other members of this committee to have general charge of all property, docks, etc. regarding their maintenance and improvement, not however taking on any of the duties of the Harbour Master. The Property Committee chairperson shall see that improvements as suggested or specified by the Board are carried out.

(f) **Duties of the Membership Committee**: The duties of the Membership Committee shall be to encourage and foster the introduction of suitable new members into the Club.

(g) **Duties of the Audit Committee**: The duties of the Audit Committee shall be to supervise the receipts and disbursements of the Club from time to time and to report on their inspection to the Commodore.

(h) **Duties of the Harbour Committee**: The Harbour Committee shall assist the Harbour Master in the exercise of his/her duties

**SECTION 33 FISCAL YEAR** The fiscal year of the Club shall terminate on the 31<sup>st</sup> day of October.

### **SECTION 34 MEMBERS MEETINGS**

(a) The **ANNUAL GENERAL MEETING** of the members shall be held at the Club House, or such other place as the Commodore may direct, in November of each year, or such time and place as the Board, by resolution, may determine for the election of Directors, consideration of annual reports and such other business as may be presented.

(b) **SPECIAL MEETINGS** of the Club may be called at any time on the order of the Board or the Commodore and must be called by the Secretary on the written request of at least ten (10) members of the Club entitled to vote. Such written request shall state the object of such meeting and no other business shall be transacted at such meeting.

(c) **CALLING** All meetings of members shall be called by the Commodore or in his/her absence, the Vice-Commodore or Secretary (Rear Commodore).

(d) **NOTICE** No public notice of the Annual Meeting or any meeting of the members shall be required, but notice of the time and place of any such meeting shall be mailed to each member entitled to be present and/or vote at his/her address as shown on the books of the Club, at least thirty (30) days before the holding of such meeting.

**SECTION 35 FINANCIAL STATEMENT** There shall be made available to each member entitled to be present and vote at the Annual Meeting a financial statement examined by the Audit Committee.

**SECTION 36 QUORUM** A quorum for the transaction of business at a meeting of the members shall consist of not less than twenty (20) members present in person at such meetings who are entitled to vote.

**SECTION 37 PROXIES** Whenever a vote may be given by proxy, the form of proxy shall be that approved by the Board and the instrument appointing a proxy shall be in writing under the hand of the appointer and no person may be appointed a proxy who is not a voting member of the Club.

**SECTION 38 VOTING** Each Family or Life membership shall be entitled to two (2) votes on a show of hands or two ballots where a vote is conducted by secret ballot. Members eligible to vote may also have two votes for each Family or Life membership whom they represent a proxy. A vote shall be taken if any member entitled to vote so requests.

**SECTION 39 OMISSION** The omission to give notice to any member shall not invalidate any resolution passed at any meeting.

#### **SECTION 40 LADY MEMBERS' COMMITTEE**

(a) The lady members shall form an associate club, which shall elect from its members a committee of as many members as the lady members at their annual meeting shall determine. From such committee shall be elected the President and Secretary and such other officers as may be deemed advisable by the meeting. Election shall take place at the Annual Meeting of the lady members to be held at such time and place as may be selected by the ladies' committee from year to year. Notice of the time and place of the meeting shall be given in such manner as the ladies' committee may determine. Failing such election, the committee shall be appointed by the Board.

(b) The ladies' committee shall assist the Board as the Board may require in matters relating to lady members generally and supervise and control matters pertaining solely to lady members. The ladies' committee shall also appoint from their membership members to serve on the social and membership committees and such other committees as may be required.

**SECTION 41 CLUB PRIVILEGES** Only members of the Club and their guests shall be entitled to the privileges of the Club House, grounds, docks and other facilities.

**SECTION 42 CLUB RULES** The Board shall have the power to make rules regulating the use of the Club House and the grounds and dockage by members and guests.

**SECTION 43 DEBTS OF GUESTS** The member introducing a guest to the privileges of the Club shall be liable for any debt which such guest may incur to the Club and for any damage done by such guest to Club property.

**SECTION 44 OBJECTIONABLE GUESTS** No member shall knowingly introduce as a guest any person who has been suspended or expelled from the Club or who shall have applied for and been denied membership. Any member of the Club introducing a guest to the Club House knowing that such guest is objectionable shall be subject to such actions as the Board may deem proper.

**SECTION 45 LOSS OF PROPERTY** The Club will not be responsible for the loss of property of members or their guests or for any damage or injury sustained by them in or about the Club House, grounds, docks, etc.

**SECTION 46 CERTIFICATION** A certificate of membership, appropriate to the class of membership conferred, may be issued to each member in such form as may be approved from time to time by the Board.

**SECTION 47 INDEMNITY** The Directors, Secretary and other Officers for the time being and everyone of them and everyone of the heirs, executors and administrators, shall be indemnified and saved harmless out of the assets and revenues of the Club from and against all actions, costs, charges, losses, damages and expenses which they, or any of them, or any of their heirs, executors or administrators shall, or may, incur or sustain, or by reason of any act done, concurred in or omitted in or about the execution of their duties in their offices except such of any as they shall incur or sustain by or through their own willful neglect or default respectively.

**SECTION 48 AGENTS** The Board may appoint such employees, servants and agents as it shall deem necessary who shall have such authority and shall perform such duties and shall receive remuneration as from time to time shall be prescribed by the Board.

**SECTION 49 NEGOTIABLE INSTRUMENTS** All bills of exchange, promissory notes, cheques, orders for the payment of money on behalf of the Club by way of overdraft or otherwise shall be signed by the Commodore or Vice-Commodore and countersigned by the Treasurer.

**SECTION 50 OTHER DOCUMENTS** All other documents on behalf of the Club shall be signed by the Commodore or Vice-Commodore and by the Secretary or such other person or persons as the Board of Directors may from time to time appoint.

**SECTION 51 AMENDMENT OF BY-LAWS** The Board of Directors may by a vote by a two-thirds (2/3) majority of those present at a meeting, repeal, vary or rescind any provision of these by-laws and constitutions or enact new provisions, but any change, unless in the meantime confirmed by a majority vote of the members present at a special general meeting who are entitled to vote, shall have force only until the next Annual General Meeting and if not then confirmed by a majority vote of such members present, shall from that time cease to be in force.

**SECTION 52 AMENDMENT BY MEMBERS** Ten (10) Full Members by notice in writing signed by them and mailed to the Secretary at least ten (10) days before the date fixed for the General

Meeting of the members may propose an amendment to any of the by-laws of the Club not inconsistent with or contrary to Letters Patent. The notice shall specify the amendment to be proposed and shall be posted in the Club House at least five (5) days before the meeting at which it is to be voted upon. Any such notice may be withdrawn before being submitted to the meeting, and if not so withdrawn, shall be submitted to the first general meeting of the members held after receipt of the notice. If two-thirds (2/3) of the members entitled to vote, either present in person or represented by proxy, approve of the proposed amendment, it shall take effect from the date of such approval.

**SECTION 53 BY-LAWS** No change shall be made in the by-laws of the Club other than provided for by Section 52 and 53 hereof.

**SECTION 54 REGULATIONS** The Board, from time to time, may make such regulations as it deems advisable not inconsistent with the Letters Patent or with the by-laws of the Club, and may repeal, amend, modify or vary any such regulations.

**SECTION 55 SEAL** The seal, an impression which appears in the margin hereof, shall be the seal of the Club.

**SECTION 56 INTERPRETATION** In all by-laws of the Club, the singular shall include the plural and the plural the singular, and the masculine shall include the feminine.

**WITNESS** the Corporate Seal of the Club.

SDG W.G. Colborne  
Commodore

SDG J. C. Merian  
Secretary

The fore-going by-laws passed by the Directors of the Club pursuant to Section 311 of the Corporations Act, R.S.O. 1960 and amendments thereto as evidenced by the respective signatures hereto of all Directors.

<u>(SGD) W. G. Colborne</u>	<u>(SGD) N. L. Hillary</u>
<u>(SGD) G. H. Fluelling</u>	<u>(SGD) C. H. Montrose</u>
<u>(SGD) S. B. Irwin</u>	<u>(SGD) C. Griffiths</u>
<u>(SGD) N. Loaring</u>	<u>(SGD) W. R. Maybee</u>
<u>(SGD) W. H. Asselstine</u>	<u>(SGD) J. C. Merian</u>

The foregoing by-law is hereby confirmed by all the members of the Club pursuant to Section 311 of The Corporation Act, R. S. O. 1960 and amendments thereto as evidenced by their respective signatures hereto.

<u>(SGD) W. G. Colborne</u>	<u>(SGD) N. L. Hillary</u>
<u>(SGD) G. H. Fluelling</u>	<u>(SGD) C. H. Montrose</u>
<u>(SGD) S. B. Irwin</u>	<u>(SGD) C. Griffiths</u>
<u>(SGD) N. Loaring</u>	<u>(SGD) W. R. Maybee</u>
<u>(SGD) W. H. Asselstine</u>	<u>(SGD) J. C. Merian</u>

Dated the 31<sup>st</sup> Day of August, 1964.



## **HARBOUR AND DOCK RULES**

(Revised October 2015)

1. All members shall moor their boats in a manner so instructed by the Harbourmaster.
2. Sound and adequate mooring lines properly, attached to eyes and posts, are mandatory.
3. Boats must be positioned in such a manner that no part of the vessel obstructs the dock or walkway. The docks must remain clear of hoses, mooring lines, power cords, and any overhanging pulpits and rigging.
4. All OWRC regulations and restrictions regarding dumping of refuse and waste must be adhered to.
5. There shall be no running or horseplay on the docks at any time.
6. Children should be accompanied by adults at all times. Children **MUST** wear lifejackets while on the docks, boats, or near the water's edge.
7. No BBQ's or fires are allowed on the docks or boats at any time.
8. Unattended boats shall not be connected to shore services (electricity and water) overnight except under special circumstances as approved by the Harbourmaster.
9. Nothing may be fastened or attached to the wood deck of any docks. This includes storage boxes or bins, carpet or matting unless approved by the harbour master.
10. Boats shall not enter or depart the harbour complex or Pike Creek under sail except dinghies.
11. Boat operators must exercise, at all times, the necessary caution to have their boats under full control in the confined space of the harbour, and observe the rules of courtesy for smooth and unobstructed operation of the facilities.
12. The dinghy ramp shall be used by day sailing boats.
13. Members are requested to notify the Harbourmaster when leaving on an extended cruise, or if their well is to be vacant for an extended period.
14. Wells temporarily vacated are to be used by the Harbourmaster at his discretion.
15. Guest yachts will be docked by the Harbourmaster in available space under the terms of first night free to affiliated yacht club members. Additional nights may be charged at the discretion of the Harbourmaster. The overnight charge shall be determined and reviewed by the Board of Directors.
16. Members must take the wells "as is".

17. Members will not be permitted to dredge individual wells or install posts themselves. If a problem exists, notify the Harbourmaster.

18. Masts stored over winter on club property MUST have spreaders removed. These masts MUST be removed from the clubhouse area within thirty (30) days of launch day in the spring. Fines will be levied for failure to comply.

**Non-sailed boats on cradles or trailers MUST be moved to a location approved by the Harbour Master by June 1st each year unless special permission is obtained from the Board of Directors. The owners are responsible for paying the appropriate fee, that is, the dry sail fee.**

**WELL ALLOCATION POLICY**  
(Revised February 1999)

1. Wells will be assigned on an annual basis according to applications received by April 1<sup>st</sup>.
2. Wells will be assigned first to members who have been members for two years, and were assigned a well in the previous year, and have applied for a well for the same or comparable boat as last year.
3. Wells not assigned in item 2 will be assigned on a point system, one point for each year of continuous dues paid membership. A well waiting list will be posted showing seniority of applicants.
4. A member must own a boat in order to be assigned a well. Proof of purchase will be acceptable on application, but the boat must occupy the well by June 1<sup>st</sup>.
5. A member does not "own" the well assigned. It may be changed from time to time if necessary by the Harbour Master.
6. No member shall have the use of more than one well without permission of the Board of Directors. Any second well assigned will be considered a temporary well.
7. If a boat is owned in partnership, both partners must be members. Only one name shall be used in the well application, the name of the member with the least points.
8. A member purchasing a new boat must consult with the harbourmaster to determine if the boat is compatible with his/her assigned well, and if not, to determine if there is another well available to accommodate the new boat.
9. If a well becomes available after the initial assignment, a notice will be posted in the clubhouse for 10 days and the well will be assigned according to the point system.
10. A well holder, selling his boat during the boating season, will retain the well in his name, but may sublet it for the balance of the season to a fellow member on a cost only basis, subject to approval by the Harbour Master.
11. The sizes of the wells are frozen at their present allocated sizes December 1, 1998.

## **WATER DEPTH AND DREDGING**

South Port Sailing Club has a continuing water depth problem. Pike Creek, the entrance to the creek in Lake St. Clair, and the South Port harbour are subject to silting. They are also subject to falling water levels. Through a season, there are normal changes of a foot or more in the surface level of the lake and creek. Long term levels have been high in the recent years, but they have been known to be five feet lower in the past. The Club must arrange for dredging from time to time if the Pike Creek harbour is to remain accessible to keel boats.

The Club is committed to do what it can, within the limits of its financial resources and influence, to provide reasonable water depths in its harbour and approaches to it. Members can expect that effort to be made. However, it is impossible for the Club to ensure that any particular minimum depth of water will be available in any given period.

While the Club has not limited the draught of keelboats, which members may sail from the club, it should be expected that dredging efforts would have the objective of accommodating only moderate keel depths. A popular notion of moderate is less than five (5) feet.

In any event, the Club does not guarantee that any keelboat will have sufficient depth of water for a safe approach, or at a dock, even if the owner/member has paid a fee for the berth. The member must make his own evaluation of any risk involved. No fees will be returned for the reason of insufficient water depth.

The Executive recommends to all members that potential water depth be considered when choosing boats expected to be moored at the Club harbour.

*– Position statement adopted by the South Port Sailing Club Executive – 15<sup>th</sup> March, 1983.*

## **POLICY ON MEMBERS USE OF CLUB PREMISES**

Subject to approval of South Port Sailing Board of Directors, members may use the clubhouse and grounds for family occasions such as birthdays, anniversaries, showers and the like.

Only family occasions of immediate Full Members will be considered.

The member requesting the use of the Club must be present at the event being held and is responsible for insuring that the club's property is protected and cleaned.

A nominal fee will be charged and security deposit will be required. Deposit will be refunded provided there are no damages and the site is restored to normal condition.

No fees will be charged to the participants for the event and no beer, wine or liquor can be sold.

While the members will be allowed to use the facilities, other members not associated with the event shall not be excluded from using the facilities. Members will be encouraged to respect the event in progress and not infringe on their space.

The member using the Club will provide all necessary supplies for the event and remove any unused material and garbage. Kitchen equipment can be used but must be washed and put away after the event.

If beer, wine or liquor is to be served, the member must make sure all liquor laws are adhered to.

A member wishing to use the Club facilities must check with the Secretary to see if the date and time is available and make application in writing to the Board of Directors.

The member making the application is solely responsible for the conduct and their guests and the well being of the Club's facilities.

*- Position statement adopted by the South Port Sailing Club Executive – 10<sup>th</sup>  
April, 2006.*

