

Chester Yacht Club

Chester, Nova Scotia

*Incorporated by an Act to Incorporate Chester Yacht Club,
Statutes of Nova Scotia 1902, Chapter 167*

Constitution

(As amended, and passed at the Annual General Meeting on September 22, 2004)

Article I - Name and Composition

1. This association shall be known as the Chester Yacht Club, hereinafter referred to as "the Club", and the membership shall be composed of yacht and boat owners and other persons desirous of encouraging amateur boating.

Article II - Objects

1. The objects of the Club shall be to encourage members to:
 - become proficient in the personal management, maintenance and handling of their boats.
 - exercise proper navigation and seamanship.
 - provide social and instructional activities as may be desirable in the interests of all Club members generally.

Article III - Flags

1. The Ensign of the Club shall be the Canadian Flag.
2. The Burgee of the Club shall be white edged with blue, with the letters C.Y.C. in red in the centre.

Article IV - Officers and Their Duties

1. **The Officers of the Club shall consist of:**

Commodore

Vice-Commodore

Rear-Commodore

Secretary-Treasurer

Flag Officers as required to conduct the business of the club

2. **Commodore**

2.1 The Commodore shall preside at all meetings and take command of the Club. In the absence of the Commodore, the Vice-Commodore shall discharge the Commodore's duties. In the absence of both the Commodore and the Vice-Commodore, the duty shall fall on the Rear-Commodore. In the event of the absence of all the officers from any Club

or Committee meeting, the member who may be elected by those present shall take the chair.

2.2 The Commodore shall be an ex-officio member of all Club Committees.

3. Vice-Commodore

3.1 The Vice-Commodore shall be responsible for the house, the grounds and the supervision of the conduct and discipline of members therein. The Vice- Commodore shall also be responsible for yearly planning and execution of the financial affairs of the club and shall assist the Commodore in the activities of the Club other than sailing.

3.2 The Vice-Commodore shall interview and recommend candidates for Club Steward and other employees to the Executive for approval.

3.3 The Club Steward shall report to the Vice-Commodore.

3.4 The Vice-Commodore may appoint a House and Grounds Committee which shall report to the Vice-Commodore.

4. Rear-Commodore

4.1 The Rear-Commodore shall be responsible for the racing calendar, sailing instructions and the conduct of races within the Club.

4.2 The Rear Commodore shall oversee the wharf, floats, committee boats and their use and maintenance.

4.3 The Rear-Commodore shall appoint a Learn-to-Sail Coordinator who shall be responsible for the Learn-to-Sail Program and the Club vessels used in that Program. The Learn-to-Sail Coordinator shall report to the Rear-Commodore.

4.4 The Rear-Commodore shall appoint a member to the position of Junior-Senior Liaison Officer. This Officer shall report to the Rear-Commodore.

4.5 The Rear-Commodore shall be chairman of the Sailing Committee.

4.6 The Rear-Commodore may appoint a Chairman for Race Week.

4.7 The Rear-Commodore shall appoint a Fleet Captain.

5. Secretary Treasurer

5.1 The Secretary-Treasurer shall keep a record of all proceedings of the Club and a correct roll of members with dates of election. The Secretary-Treasurer shall notify each member of their election and notify the members of each meeting, take charge of the books, records, papers and correspondence.

5.2 The Secretary-Treasurer shall collect all dues and assessments, and notify the Executive of which member's dues and accounts are delinquent for the appropriate action. The Secretary-Treasurer shall pay all bills contracted by the Club and passed by the Executive and keep a correct account of the same. The Secretary - Treasurer shall be

liable to account for the funds of the Club whenever so required by the Executive Committee, and shall produce annual and interim financial reports and balance sheets.

6. Flag Officers

6.1 The Flag Officers shall assist the Commodore in the activities of the Club. The Commodore may appoint Flag Officers as necessary to conduct the business of the club.

7. Flag Officer – Fleet Captain

7.1 The Fleet Captain shall report directly to the Rear-Commodore and be responsible for the maintenance of the Club's wharves, floats, committee boats, moorings, racing marks and club trophies. The Fleet Captain shall also be responsible for enforcement of vessel safety regulations. The Fleet Captain shall maintain a register of member's yachts and assist with the operation of the Club's Racing Program.

8. Flag Officer – Race Officer

8.1 The Race Officer shall conduct races, keep records, post results, care for race gear and shall report directly to the Rear-Commodore.

9. Flag Officer - Junior-Senior Liaison Officer

9.1 The Junior-Senior Liaison Officer shall be responsible for encouraging involvement and participation by the junior members in the Club.

9.2 The Junior-Senior Liaison Officer shall organize a social program with input from the Junior Executive Committee. The Junior-Senior Liaison Officer shall report to the Rear-Commodore.

10. Flag Officer – Learn-to- Sail Coordinator

10.1 The duties of the Learn-to-Sail Coordinator shall include, but not be limited to, organizing instructional programs in sailing for the benefit of Junior and other members of the Club.

10.2 The Learn-to-Sail Coordinator shall report to the Rear Commodore.

11. Flag Officer - Membership

11.1 The Membership Flag Officer shall chair the Membership Committee and report to the Executive.

12. Flag Officer – Club Handicapper

12. The Club Handicapper shall set and maintain a register of handicaps of member's racing yachts according to the prescriptions of Nova Scotia Yachting Association, (NSYA).

Article V - Committees and Their Duties

A quorum for all committees shall consist of a simple majority of the members. If a decision must be made when less than a majority of committee members can be present, it must be confirmed in writing by additional members to make up a majority.

1. Executive Committee

1.1 The Executive Committee shall be composed of the Elected Officers of the Club: Commodore, Vice Commodore, Immediate Past Commodore, Rear Commodore and Secretary Treasurer.

1.2 It shall be the duty of the Executive Committee to approve all expenditures, appoint Flag Officers, elect members to the club, make an annual report concerning the condition of the finances of the Club, and such other matters as they may think proper at the Annual Meeting, and transact all business of the Club not otherwise specially provided for.

1.3 If any Officer or Member of a Committee is absent from Chester during the term for which they were elected, the Executive Committee may fill the vacancy by the appointment of an Acting Officer or Committee Member.

2. Sailing Committee

2.1 The Sailing Committee shall be composed of the Rear-Commodore, who shall be Chairperson, Fleet Captain, Race Officer, Club Handicapper and at least two members appointed by the Rear-Commodore.

2.2 The Sailing Committee shall be responsible for the Club Racing Program

2.3 The Sailing Committee shall establish the local racing prescriptions, Sailing Schedule and Yacht Ratings.

3. House, Grounds and Social Committee

3.1 The House, Grounds and Social Committee shall be composed of the Vice-Commodore, who shall be Chairperson, and at least two other appointed members.

3.2 The House, Grounds, and Social Committee shall have supervision of the clubhouse, grounds, bar and social activities of the Club.

4. Membership Committee

4.1 The Membership Committee shall consist of three members appointed by the Commodore. The Flag Officer shall serve as chairperson. The Membership Committee will foster membership in the Club. It will review applications for membership, and present them to the Executive for acceptance to the club.

5. Junior Committee

5.1 The Junior Committee shall consist of four officers: Commodore, Vice-Commodore, Rear-Commodore and Secretary-Treasurer, all of whom shall be elected from and by the Junior Membership. They shall be responsible to the Junior-Senior Liaison Officer of the Club.

6. Long Range Planning Committee

6.1 The membership will elect a Long Range Planning Committee responsible for medium and long range direction, structure and financial planning; and to bring recommendations to the executive and membership. The Long Range Planning Committee will not involve itself in the day-to-day running of the club; a role reserved for the Executive, but will be available to serve in an advisory capacity to the Executive.

6.2 The committee will consist of six members who may serve two year overlapping terms. Half of the committee should be elected each year. Members of the committee will only serve two consecutive terms. The composition of the committee will, as far as possible, broadly mirror the composition of the club in terms of resident, non-resident, racing and cruising boaters as well as non-boating members. Members of the committee will elect a chairperson from the committee members. (Note: In its inception year, half the members will agree to serve a three year term.)

7. Nominating Committee

7.1 A Nominating Committee will be appointed by the Commodore by June 1. It should consist of three voting members, one an ex or outgoing commodore, one who has held an elected position as member of the executive, and one who has not held an elected position.

7.2 The names of the committee members will be posted on the Web Site and at the Club.

7.3 This committee will seek, receive and consider nominations for the elected officers of the club. It will put forward a slate of nominees at the Annual General Meeting for Executive Officers and members of the Long Range Planning Committee.

Article VI - Election of Officers

1. The nominated Officers shall be elected by the members of the Club by means of ballot, proxy, or otherwise, to serve for a period of one year. Elections shall take place at the Annual General Meeting.
2. No member, having been elected to the office of Commodore, Vice-Commodore, or Rear-Commodore, and having occupied that post for three consecutive years shall be eligible for re-election to that particular post until a period of eleven months has passed.
3. Vacancies occurring during the current tenure of Officers may be filled by the Executive Committee or at any Special Meeting.

Article VII - Membership

1. Application for Membership

1.1 Persons desirous of becoming members must make application to the Secretary/Treasurer. Such application must be endorsed by two Senior Members of the Club. Upon receipt of the application, the Secretary-Treasurer shall communicate it to the Membership Committee. The Membership Committee shall present the application to the Executive for consideration, at the next Executive meeting.

2. Senior Members

2.1 Persons of the age of nineteen years or more may apply to become Senior Members.

2.2 Senior Members shall be eligible for election as Officers of the Club. They shall have the right to one vote each at all meetings of the Club and shall have proprietary rights in the property of the Club.

3. **Life Members** This category was deleted September 22, 2004.

4. Proprietary Members

4.1 Persons who pay to the Club a single payment in the amount of not less than \$5,000.00. Such payment shall be used only for improvements and never for current expenses of the Club.

4.2 The Proprietary Membership is to generate immediate capital for projects the Executive deem to be of a pressing or immediate nature. Proprietors shall be granted, from the date of issue, to pay no more than 80% of the annual dues of a Senior Member for a term set by the Executive Committee. Proprietary Members shall be identified as such on the posted CYC Membership list unless there is an indication to the contrary. Proprietary Members shall also be entered in the Proprietor's Book, to be held and kept up to date by the Secretary-Treasurer.

4.3 The cost of a Proprietary Membership shall be set by a 2/3 majority vote of the Executive Committee.

4.4 Proprietary Members shall have all the rights and privileges of Senior Members including proprietary rights in the property of the Club.

4.5 If a Proprietary Member wishes to become a Benefactor, the fee of the Proprietary Membership may be transferred toward the Benefactor's Gift.

5. Benefactor's Gift

5.1 The purpose of a Benefactor's Gift is to help establish a fund to be kept in trust for perpetuity. The interest derived from the fund shall be paid to the Chester Yacht Club to defray any costs of major, general or capital improvement to the Club House and Grounds.

5.2 At no time, or for any reason, shall any member of Executive of club be permitted to use all, or any part, of the principle that has been established in the Benefactors Fund.

5.3 This clause is entrenched and can only be amended by a 2/3 vote of the living Benefactors.

5.4 In the event that the C.Y.C. ceases to exist, it will be understood that the monies of the fund will be given to a recognized and worthy charity in the Province of Nova Scotia, deemed so by a simple majority of the living Benefactors.

5.5 The monies in the Benefactor's fund will only be invested in insured or Government issue, interest paying vehicles, never in any speculative ventures.

5.6 Benefactors will be required to pay an annual fee not to exceed 75% of the annual Senior Membership dues for the lifetime of the Benefactor.

5.7 Benefactors will be identified as such on the posted membership list unless stated to the contrary. A ship's wheel, known as the Benefactor's Wheel, shall be prominently displayed in a secure manner in the Club. [The purpose of the wheel is to acknowledge and thank the Benefactors. Benefactor's names will be inscribed on brass plaques along with the date of their donation; the plaques will be permanently affixed to the wheel. A Benefactor may remain anonymous or donate in another name, living or deceased.]

5.8 Benefactors shall have all the rights and privileges of Senior Members which are not transferable after the date of issue.

5.9 Benefactors will be entered in the Benefactors Book, which will give the date of issue. The Book is to be kept in good order and up to date by the Secretary-Treasurer. (Amended 1990.)

6.0 Honorary Members

6.1 The Flag Officers of all recognized Yacht Clubs extending the same courtesy to the Officers of the Club shall be Honorary Members of the Club.

6.2 Persons who were appointed Honorary Skipper Members of the Club shall be Honorary Members of the Club.

- 6.3 Any person may become an Honorary Member of the Club who has been approved by the Executive Committee and has been elected by a majority vote at an Annual General Meeting of the Club.
- 6.4 Honorary members shall be entitled to all the privileges of the Club, except voting at meetings, and being eligible for office. They shall not have any proprietary rights in the property of the Club.
- 6.5 Honorary members shall not be liable to pay annual dues nor special assessments.

7. Student Members

- 7.1 Student membership will be offered to persons holding a current International Student Card.
- 7.2 Student Membership covers the age group from nineteen (19) to twenty-five (25) years.
- 7.3 Student members shall have all the rights and privileges of the club.

8. Junior Members

- 8.1 Junior members up to and including, the age of fifteen (15) years shall be eligible as Grade "A" Junior members.
- 8.2 Junior members between the ages of sixteen (16) and eighteen (18) years inclusive, and who have not attained the age of nineteen years before the 1st. day of June, shall be eligible as Grade "B" Junior members.
- 8.3 Junior members shall be governed by the Club House and Ground Rules.

9. Occasional Vacationing Social Members This category was deleted September 22, 2004

10. Crew Members

- 10.1 These members must be sponsored by a racing skipper, who is a senior member. This is a single person membership, with no voting rights or proprietary rights in the club.

Article VIII - Resignations

1. Any member whose dues for the current year are paid may withdraw from the Club on written application to that effect being sent to the Secretary-Treasurer.
2. Club certificates, cups or prizes, which are the property of the Club, in the possession of a resigning member, must be returned to the Secretary-Treasurer before the resignation can take effect.

3. The member so resigned shall forfeit any claim which he or she may have to any cup or prize which had been won but not awarded
4. The resigning member shall forfeit any interest in the Club.

Article IX - Discipline

1. A member may be suspended from the club for conduct injurious to the character or welfare of the Club, or its members. The member may be expelled from the Club by a two thirds vote of the Executive present at an Executive Meeting before which the subject is brought.
2. Notice of any such meeting must be served to the member or members in question at least one week prior to the meeting.
3. Any member so suspended may only appeal to the next Annual General Meeting of the Club

Article X - Meetings

1. Meetings may be attended by all members except Junior, Crew and Occasional Vacationing Social Members.
2. A quorum at any Meeting shall consist of 10% of members entitled to vote.

3. Annual General Meetings

- 3.1 The Annual General Meeting of the Club shall be held in August or September, on a date to be set at the discretion of the Executive Committee. Notice of the Annual General Meeting (AGM) and any Special Meetings will be sent to the membership by email, fax or regular post depending on the stated preference of the member. If no preference is stated, it will be sent to the billing address on record with the Secretary-Treasurer.
- 3.2 The notice will be sent out to all members at least four weeks in advance of all such meetings. The notice of meeting will include motions to be brought forward for a vote by the general membership. These notices will also be posted at the Club and on the Web Site four weeks in advance of the meeting.
- 3.3 Each mailed notice will include an absentee ballot which the voting member may return to the Secretary-Treasurer to register their vote on the motions. The signature on the ballot will be verified by comparison to a signature kept on file by the Secretary-Treasurer.
- 3.4 No action will be taken on any motions not included in the notice. Motions from the floor will be tabled until the next Annual General or Special Meeting.
- 3.5 This procedure will not be in effect for the election of officers, which will be voted on by those members present. (Note: The proxy mechanism already in the constitution will be in effect for the election of officers.)
- 3.3 The Order of Business at the Annual General Meeting shall be:

- (1) Minutes of the previous Annual General Meeting.
 - (2) Reports of Officers.
 - (3) Review and adoption of Financial Statements. (A statement of receipts and disbursements of the Club, duly prepared by an Accountant, for the preceding fiscal year shall be submitted. At this meeting an Accountant shall be appointed to prepare the Club statements for the ensuing year.)
 - (4) Consideration of Notices of Motion.
 - (5) New Business.
 - (6) Election of Officers.
- 3.4 Reports of the Executive Committee shall be submitted on the general operations of the Club and shall include submissions from:
- (a) The Officers.
 - (b) The Secretary-Treasurer.
 - (c) Club Steward.
 - (d) Junior-Senior Liaison Officer.
 - (e) Sailing Instructor.
 - (f) Junior Commodore

4. Special Meetings

- 4.1 A Special Meeting may be called by the Commodore whenever deemed necessary, and shall call a Special Meeting at the request in writing of any five members who are entitled to vote at an Annual General Meeting or a Special Meeting.
- 4.2 At least one Special Meeting shall be held during July, the purpose of which shall be to receive progress reports from the Executive Committee.
- 4.3 Members requesting a Special Meeting shall bear the printing and postage costs of notifying the membership.

Article XI - Voting and Business at Meetings

1. On any proposal or motion brought before an Annual General or Special Meeting, only Senior, Life, Proprietary, Student or Benefactor members shall be entitled to vote.
2. When a motion has been defeated at an Annual General or Special Meeting twice within one year, no motion to the same effect shall be brought forward again within that year. Thereafter, that motion may be reconsidered only one additional time in subsequent years.
3. The Chairperson shall have no vote, except in the event of a tie.

4. A member entitled to vote at a Annual General Meeting or Special Meeting may vote by proxy, provided however that the proxy, which is given to a voting member, in writing, signed, and in such form as the Executive may from time to time approve or require. No such voting member may hold or vote more than two (2) proxies. Proxies shall be registered with the Secretary-Treasure prior to the Annual General Meeting or Special Meeting. The voting member shall receive additional ballots for each proxy held.

Article XII -Amendments

1. The Constitution and By-Laws of the Club may be amended at any Annual General Meeting of the Club, or at a Special Meeting called for that purpose, by a majority of those present, provided that notice of motion has been mailed at least four weeks, prior to such Special Meeting.
2. House and Grounds Rules may be amended or added by the Executive Committee and will become effective when posted by the Executive Committee.

END

By-Laws

By-Law I- Annual Subscriptions

1. Annual dues shall be payable on, or before 1st March in each year, and the name of any member whose dues are not paid by 1st of June shall be posted and dropped from the list of members. Any ex-members who have forfeited their membership for nonpayment of dues or fees may, upon full payment of dues plus an appropriate entrance fee set by the Executive, be reinstated at the discretion of the Executive.
2. The Annual dues and any special assessment to the Club shall be reviewed and set by the Executive after ratification at the Annual General Meeting or Special meeting.
3. Any member unable to be in Chester for the entirety of the club season may retain his or her membership in good standing by remitting, on receipt of notice, one quarter of the annual dues.

BY-Law II- Entrance Fee

1. Entrance fees for Senior Membership shall be two thirds of the annual subscription.
2. There shall be no entrance fees for Student members wishing to be Senior members, who have been a Student member in good standing for the previous three years.

By-Law III-Yacht and Yacht Owners

1. Every yacht owner shall furnish to the Rear-Commodore and Club Handicapper the name, rig and appropriate measurement data for their yacht.

By-Law IV-Sailing Rules

1. The Racing Rules of Sailing of the International Sailing Federation (ISAF) as modified by Canadian Yachting Association in force at the time, shall be applied so far as practicable to the Club.

By-Law V-Ratings and Certificates

1. Ratings shall be assigned to each Yacht by the Club Handicapper.
2. Yachts with valid Rating Certificates entering races sponsored by the Chester Yacht Club shall file those Certificates with the Club Handicapper.

By-Law VI-Challenge Cups

1. Chester Yacht Club Trophies awarded to members may be signed out by those members. The members are responsible for the return of the trophy in good order at the beginning of the next season.
2. Trophies won by non-members shall be retained by the Club.

By-Law VII-House and Ground Rules

1. The Executive Committee may extend the privileges of the Club to officers of her Majesty's Canadian Armed Forces or to the officers of the forces of any foreign power visiting Chester.
2. Any member may introduce a guest to whom the privileges of the Club may be extended. Any one guest may only be signed in three times during a season. A Guest Book shall be kept in the Club in which the names of the guest and the sponsoring member shall be recorded. Every member shall be responsible for the guest introduced by said member and for the guest's observance of the rules of the Club.
3. Politics and religion shall be barred from discussion in the Club.
4. The Club House shall be open for the use of members during the yachting season and for special occasions as approved by the Executive. The date of opening and closing shall be determined by the Executive Committee. During this period the Club House shall be open as posted.
5. No pamphlet, advertisement or notice of any kind shall be laid on the tables or put up in or about the Club House or Club Grounds without the consent of the Executive Committee.

6. No guest younger than 19 years shall be extended the privileges of the Club by any member.
7. No member or guest shall bring a dog into the Club House, and no member or guest shall bring a dog onto the Club Grounds unless properly restrained and attended.
8. Appropriate dress code in the Club house shall be laid down from time to time as necessary by the Executive Committee.
9. Members shall not purchase at the Bar for persons who are not guests as defined herein or for persons who are under the age of 19 years.
10. Members shall not leave their tenders or other vessels on the deck of the Club wharves or floats or on the Club Grounds without the consent of the Executive Committee or their appointee.

END