

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

PREFACE

MANY OF THE PRACTICES DEFINED AND/OR RECOMMENDED IN THIS CHARTER HAVE BEEN ADAPTED FROM THE "ANCHOR BAY YACHTING ASSOCIATION CONSTITUTION". ADDITIONAL REFERENCE MATERIAL, i.e. FORMAL DRESS CODE, CEREMONY, FLAG ETIQUETTE, ETC., IS AVAILABLE IN THAT DOCUMENT AND RECOMMENDED AS SOURCE MATERIAL FOR FUTURE REVISION OF THE BBYC CHARTER.

"CHAPMAN'S GUIDE" IS THE RECOGNIZED AUTHORITY ON MANY OF THESE MATTERS AND IT HAS BEEN, AND IS, THE INTENT OF THE BOUVIER BAY YACHT CLUB TO ADHERE TO THOSE GUIDE-LINES.

EXPLANATION OF ABBREVIATIONS USED IN THE TEXT:

- **"BBYC"** = BOUVIER BAY YACHT CLUB
- **"DEVELOPER"** = BOUVIER BAY ASSOCIATES INC.
- **"ASSOCIATION"** = BOUVIER BAY OWNERS ASSOCIATION
- **"MANAGEMENT"** = AN APPOINTED INDIVIDUAL (OR INDIVIDUALS) ACTING ON BEHALF OF THE "DEVELOPER" AND/OR "ASSOCIATION"
- **"RULING BODY"** = ANNUALLY ELECTED OFFICERS OF THE BBYC
- **"REVIEW BOARD"** = OWNERS OF BOUVIER BRIDGE MARINA DEVELOPMENT, ACTING IF/WHEN THE RULING BODY IS QUESTIONED, AND IN ANY MEMBER/MANAGEMENT CONFLICT.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE I - NAME AND LOCATION

SECTION 1.

NAME OF THE ORGANIZATION SHALL BE "BOUVIER BAY YACHT CLUB". THE CLUB WILL BE COMMONLY KNOWN AS THE BBYC.

SECTION 2.

LOCATION OF THE ORGANIZATION IS ON THE PREMISES OF THE BOUVIER BRIDGE MARINA DEVELOPMENT. CORRESPONDENCE SHOULD BE DIRECTED TO:

BOUVIER BAY YACHT CLUB	
ATTN: BBYC SECRETARY	OFFICE PHONE #: (586) 725-6530
7838 DIXIE HWY.	
FAIR HAVEN, MI. 48023	FAX PHONE #: (586) 725-5930

ARTICLE II - PURPOSE OF THE ORGANIZATION

SECTION 1.

BBYC SHALL FUNCTION FOR THE GOOD AND ENJOYMENT OF THE MEMBERSHIP AS A NON-PROFIT ORGANIZATION.

SECTION 2.

BBYC WILL ENCOURAGE AND PROMOTE SAFE-BOATING, INTER-CLUB BOATING AND SOCIAL ACTIVITIES, AND INTRA-CLUB FRATERNALIZATION.

SECTION 3.

BBYC WILL SEEK MEMBERSHIP IN AREA COMMON-INTEREST ASSOCIATION(S), AND ENCOURAGE CORDIAL RELATIONS WITH AREA BUSINESS, CIVIC, AND GOVERNMENTAL ORGANIZATIONS.

SECTION 4.

BBYC, WHILE CO-OPERATING FULLY WITH THE DEVELOPER, THE ASSOCIATION AND MANAGEMENT, WILL FUNCTION AS AN INDEPENDENT ORGANIZATION OF CLUB MEMBERS INTERESTED IN SOCIAL AND BOATING RELATED ACTIVITIES.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

SECTION 5.

REPRESENTATIVES AND MEMBERS ACTING ON BEHALF OF BBYC WILL NEITHER SEEK NOR RECEIVE ANY SPECIAL CONSIDERATIONS FROM THE "DEVELOPER", "ASSOCIATION", AND/OR "MANAGEMENT".

ARTICLE III - MEMBERSHIP

SECTION 1.

1. OWNERS AND CURRENT LEASE HOLDERS OF BOAT-WELLS AT BOUVIER BRIDGE MARINA SHALL BE ELIGIBLE FOR MEMBERSHIP.
2. OTHER PERSON(S) REQUESTING MEMBERSHIP, RECOMMENDED BY AN OWNER OR CURRENT LEASEE AND APPROVED ANNUALLY BY THE RULING BODY, MAY BE ACCEPTED AS ACTIVE VOTING MEMBERS.
3. POLICIES REGARDING MEMBERSHIP ADMISSION, RULES AND DUES SHALL BE REVIEWED AND APPROVED ANNUALLY BY THE BBYC RULING BODY AND REFLECTED IN THE CLUB BYLAWS.

SECTION 2.

1. HONORARY MEMBERS: IN RECOGNITION OF SPECIAL SITUATIONS, PERSON(S) APPROVED BY THE RULING BODY, MAY BE GRANTED A NON-VOTING, NON-DUES PAYING MEMBER STATUS.

SECTION 3.

1. MEMBERS MUST MAINTAIN A STATUS OF "IN GOOD STANDING" AT BOUVIER BRIDGE MARINA, BY AGREEING TO;
 - ABIDE BY THE BBYC CHARTER AND BYLAWS, AND RULES AND POLICIES OF THE RULING BODY.
 - ABIDE BY ALL MARINA RULES AND POLICIES REGARDING THE USE OF FACILITIES, AS PRESCRIBED BY BOUVIER BAY MANAGEMENT.
2. IN SITUATIONS WHERE "GOOD STANDING" AND/OR ADHERENCE TO CLUB OR MARINA RULES AND POLICIES ARE AN ISSUE, THE BBYC RULING BODY WILL PROVIDE GOVERNING DECISIONS. SHOULD THESE DECISIONS BE CONTESTED, AFFECTED PARTIES MAY APPEAL TO A REVIEW BOARD PROVIDED THEY AGREE TO ACCEPT THAT BODIES RULING AS FINAL.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE IV - COMMITTEES AND DELEGATES

SECTION 1. ANNUALLY APPOINTED COMMITTEES.

1. CHARTER AND BYLAWS: THE COMMODORE, WITH THE RULING BODY, WILL ACT AS OR APPOINT A COMMITTEE TO INCORPORATE REVISIONS AND MAINTAIN INTEGRITY IN THE BBYC CHARTER AND BYLAWS.
2. MEMBERSHIP: THE COMMODORE, WITH THE RULING BODY, WILL ACT AS OR APPOINT A COMMITTEE RESPONSIBLE FOR;
 - A. ADDRESSING ISSUES AND INTERPRETING RULES RELATING TO MEMBERSHIP.
 - B. PREPARING AN ANNUAL "RECOMMENDED SLATE" OF OFFICER ELECT NOMINEES AND SUPERVISING THE ANNUAL ELECTIONS.
3. NEWSLETTER: THE VICE-COMMODORE, WITH THE CLUB SECRETARY, WILL BE IN CHARGE OF PREPARATION AND DISTRIBUTION OF THE CLUB NEWSLETTER.

SECTION 2.

THE REAR-COMMODORE WILL BE RESPONSIBLE FOR ORGANIZING ENTERTAINMENT COMMITTEE(S) FOR SOCIAL ACTIVITIES.

OTHER COMMITTEES MAY BE APPOINTED, DISSOLVED OR RE-APPOINTED BY THE COMMODORE AS HE/SHE SHALL SEE FIT.

SECTION 3.

THE IMMEDIATE PAST-COMMODORE, OR IN HIS/HER ABSENCE THE COMMODORE, SHALL SERVE AS BBYC DELEGATE AS REQUIRED.

ALL PAST-COMMODORES OF BBYC SHALL BE EX-OFFICIO DELEGATES, ACTING FOR THE GOOD OF THE ORGANIZATION.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE V - BUDGET AND FINANCE

SECTION 1.

BBYC WILL ADHERE TO ALL GOVERNMENT REGULATIONS REGARDING FINANCIAL MATTERS. IT WILL BE THE RESPONSIBILITY OF THE TREASURER TO MAINTAIN RECORDS AND PREPARE REPORTS AS REQUIRED.

PER IRS REGULATIONS, AN ANNUAL BUDGET WILL BE PREPARED BY THE BBYC TREASURER WITH THE ASSISTANCE OF THE RULING BODY.

GENERALLY ACCEPTED ACCOUNTING PRACTICES WILL BE OBSERVED BY THE BBYC TREASURER, OTHER CLUB OFFICERS, AND COMMITTEES.

SECTION 2.

FUND RAISING WILL BE ADDRESSED BY THE RULING BODY AND DESIGNATED COMMITTEE(S) AS PART OF NORMAL CLUB OPERATION.

THE COMMODORE, TREASURER, AND OPTIONALLY, ONE OTHER CURRENT OFFICER WILL BE AUTHORIZED TO SIGN CHECKS FOR BBYC.

THE COMMODORE HAS AUTHORITY TO APPROVE EXPENDITURES FOR THE CONDUCTING OF NORMAL CLUB BUSINESS. THE RULING BODY WILL DETERMINE A DOLLAR AMOUNT REQUIRING APPROVAL OF A MAJORITY OF THE OFFICERS.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE VI - MEETINGS AND VOTING¹

SECTION 1.

REQUIRED ANNUAL MEETING(S) WILL BE HELD IN THE MONTH OF AUGUST FOR THE PURPOSE OF NOMINATING OFFICERS FOR THE FOLLOWING YEAR, AND IN SEPTEMBER, FOR THE PURPOSE OF:

1. VOTE BY THE MEMBERSHIP OF ANY PROPOSED CHANGES TAKEN UNDER CONSIDERATION DURING THE PAST SEASON.
2. DISCUSSION OF ISSUES THE PAST RULING BODY AND/OR MEMBERSHIP WOULD LIKE TO SEE CONSIDERED BY THE INCOMING OFFICERS.
3. ELECTION OF OFFICERS FOR THE FOLLOWING YEAR. THE BBYC OFFICERS SHALL BE NOMINATED FROM:
 - A "RECOMMENDED SLATE" PREPARED BY THE CURRENT RULING BODY FOR POSITIONS THAT CURRENT OFFICERS MAY FILL OR ADVANCE TO.
 - NOMINATIONS FROM MEMBERS UNABLE TO ATTEND THE ANNUAL NOMINATION MEETING FOR POSITIONS OTHER THAN THOSE TO BE FILLED BY CURRENT OFFICERS.
 - NOMINATIONS FROM MEMBERS UNABLE TO ATTEND THE AUGUST MEETING MUST BE SUBMITTED IN WRITING TO A CURRENT OFFICER OR MEMBER OF THE ELECTION COMMISSION AT LEAST FIVE (5) DAYS PRIOR TO THE NOMINATING MEETING.
 - ALL NOMINEES MUST BE CONSIDERED "IN GOOD STANDING", AND COMMITTED TO BBYC MEMBERSHIP FOR THE NEXT BOATING SEASON.
 - ALL NOMINEES MUST BE PRESENT AT THE MEETING TO ACCEPT THE NOMINATION OR SUBMIT WRITTEN ACCEPTANCE AT LEAST FIVE (5) DAYS PRIOR TO THE MEETING.

SECTION 2.

THE BBYC RULING BODY SHALL DETERMINE THE FREQUENCY AND SCHEDULE OF ALL MEMBERSHIP MEETINGS OTHER THAN THE (REQUIRED) AUGUST AND SEPTEMBER ANNUAL.

¹ SECTIONS 1 & 2 WERE REVISED AND VOTED INTO EFFECT BY A MAJORITY AT THE 2/95 GENERAL MEMBERSHIP MEETING

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

SECTION 3.

THE COMMODORE, OR DESIGNEE, WILL BE RESPONSIBLE FOR PREPARING AN AGENDA AND WILL PRESIDE AT ALL MEMBERSHIP MEETINGS. THE NORMAL ORDER OF BUSINESS AT THESE MEETINGS WILL BE (NOT EXCLUSIVELY) AS FOLLOWS:

- A. CALL MEETING TO ORDER - ROLL CALL OF OFFICERS
- B. APPROVAL OF MINUTES OF PREVIOUS MEETINGS - SECRETARY
- C. APPROVAL OF FINANCIAL REPORT - TREASURER
- D. COMMITTEE REPORT(S) AS NECESSARY
- E. OLD BUSINESS - DISCUSSION, VOTE ON ISSUES
- F. DEFER TO MEMBERSHIP COMMITTEE: (ANNUAL ELECTIONS)
- G. NEW BUSINESS
- H. GOOD OF BBYC
- I. ADJOURN MEETING

SECTION 4.

SPECIAL MEETINGS MAY BE CALLED BY THE COMMODORE WHENEVER DEEMED NECESSARY, OR UPON THE REQUEST OF FIVE (5) OR MORE MEMBERS, OR AT THE REQUEST OF THE REVIEW BOARD.

SECTION 5.

ANY REQUESTS FOR SPECIAL MEETING(S) SHALL SPECIFY THE PURPOSE OF THE MEETING AND THE PERSON(S) REQUESTING.

SECTION 6.

"MEMBERSHIPS" (FAMILIES) WILL DETERMINE THEIR ADULT VOTING MEMBER, WITH EACH HAVING ONE VOTE.

A QUORUM AT ANY MEETING, FOR THE PURPOSE OF VOTING SHALL BE DEFINED IN THE CLUB BYLAWS.

MEETING PARTICIPANTS ARE EXPECTED TO BE CIVIL AND ORDERLY IN THE CONDUCT OF BUSINESS.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE VII - CLUB OFFICERS

SECTION 1.

THE BBYC RULING BODY SHALL CONSIST OF SIX ELECTED OFFICERS PLUS THE IMMEDIATE PAST-COMMODORE. PAST-COMMODORE(S) AND THE FOLLOWING SHALL BE DESIGNATED AS BBYC FLAG OFFICERS:

- | | | |
|------------------|-------------------|-------------------|
| A. COMMODORE | B. VICE-COMMODORE | C. REAR-COMMODORE |
| D. FLEET CAPTAIN | E. SECRETARY | F. TREASURER |

SECTION 2.

BBYC NOMINATIONS AND ELECTION OF OFFICERS SHALL BE CONDUCTED ANNUALLY FOLLOWING THE GUIDELINES DEFINED IN THE CLUB BYLAWS. AS A PROVISION FOR OFFICE HOLDING, NOMINEES MUST AGREE TO ABIDE BY THE RULES SET FORTH IN THE CHARTER AND BYLAWS, AND TO ACCEPT THE DECISIONS OF THE RULING BODY AND, AS REQUIRED, THE REVIEW BOARD.

SECTION 3.

NOMINEES FOR OFFICE MUST BE CONSIDERED "IN GOOD STANDING", AND;

- A. IF A LEASEE, COMMITTED FOR THE NEXT BOATING SEASON.
- B. IF A NON WELL-HOLDING MEMBER, APPROVED BY THE CURRENT RULING BODY.

SECTION 4.

OFFICERS SHALL HOLD OFFICE FROM OCTOBER 1ST UNTIL THEIR SUCCESSORS ARE DULY ELECTED.

SECTION 5.

OFFICERS SHALL BE ELECTED BY SECRET BALLOT.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

SECTION 6.

IN THE EVENT THERE ARE NO NOMINEES FOR AN OFFICE OR IF AN OFFICE IS VACATED PRIOR TO THE ANNUAL ELECTION IT SHALL BE FILLED, IN THE BEST JUDGMENT OF THE CURRENT OFFICERS, AS FOLLOWS;

- A. RETENTION OF THE CURRENT OFFICER HOLDER, OR
- B. APPOINTMENT BY THE OUT-GOING OFFICERS, OR
- C. ASSUMPTION OF DUTY(S) BY THE ELECTED OFFICERS WITH THE INTENT OF FILLING THE VACANCY(S) WHEN CONDITIONS PERMIT.

ARTICLE VIII - DUTIES OF OFFICERS

SECTION 1. COMMODORE

- A. TO BE CHIEF EXECUTIVE OFFICER OF THE BBYC.
- B. TO REPRESENT THE MEMBERSHIP AND PRESIDE AT BBYC CEREMONIAL FUNCTIONS.
- C. TO PRESIDE AT OR DESIGNATE A CHAIRPERSON FOR ALL MEETINGS.
- D. TO CONDUCT ANY NECESSARY BUSINESS ON BEHALF OF THE BBYC.

SECTION 2. VICE-COMMODORE

- A. TO ASSIST THE COMMODORE IN THE DISCHARGE OF DUTIES.
- B. TO PERFORM THE DUTIES OF THE COMMODORE IN THE EVENT OF HIS/HER ABSENCE OR INCAPACITY.
- C. TO ACT AS CUSTODIAN OF ANY BBYC PROPERTY.

SECTION 3. REAR-COMMODORE

- A. TO ASSIST THE COMMODORE AND VICE-COMMODORE IN THE DISCHARGE OF THEIR DUTIES.
- B. TO BE IN CHARGE OF SOCIAL ACTIVITIES AND PUBLICITY, AND TO INTERFACE WITH MANAGEMENT ON THESE MATTERS.
- C. TO REPRESENT THE CLUB IN ADDRESSING MATTERS OF MARINA AND BOATING SAFETY.

SECTION 4. FLEET OFFICER

- A. TO ASSIST THE REAR-COMMODORE IN THE DISCHARGE OF DUTIES.
- B. TO ASSIST THE COMMODORE IN CEREMONIAL FUNCTIONS.
- C. TO ASSUME RESPONSIBILITY FOR THE FLEET AT CLUB OFF-SHORE ACTIVITIES.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

SECTION 5. SECRETARY

- A. TO ASSIST THE COMMODORE IN THE CONDUCTING OF BUSINESS, INCLUDING CO-SIGNING OF ANY BUSINESS INSTRUMENTS.
- B. TO RECORD ACCURATE MINUTES AT ALL MEETINGS.
- C. TO MAINTAIN RECORDS OF ATTENDANCE, ROSTERS, AND REPORTS AS REQUIRED.
- D. TO ASSUME RESPONSIBILITY FOR BBYC CORRESPONDENCE.

SECTION 6. TREASURER

- A. TO ASSUME RESPONSIBILITY FOR CLUB FINANCES AND BANKING.
- B. TO MAINTAIN FINANCIAL RECORDS OF INCOME AND EXPENSES.
- C. TO PREPARE AUDIT AND FINANCIAL STATEMENTS AS NECESSARY.

ARTICLE IX - AMENDMENTS TO CLUB BYLAWS.

SECTION 1.

CHANGES WILL BE ADAPTED BY:

- 1. A MAJORITY VOTE OF MEMBERSHIP PRESENT AT A REGULAR MEETING SUBJECT TO RULES SPECIFIED IN THE BYLAWS.
- 2. SPECIAL MEETING(S) AS DEFINED IN THE CLUB BYLAWS.

SECTION 2.

THE CHARTER/BYLAWS COMMITTEE, OR COMMODORE ACTING IN THAT CAPACITY, WILL BE RESPONSIBLE FOR INCORPORATION OF CORRECTIONS AND UPDATES ON AN ON-GOING BASIS. ALL CHANGES SUBJECT TO MEMBERSHIP REVIEW/APPROVAL.

SECTION 3.

MEMBERS SHALL BE MADE AWARE OF CHANGES TO THE CHARTER/BYLAWS BY A NOTICE IN THE BBYC NEWSLETTER, AND REVISED COPIES OF THE CHARTER MUST BE MADE AVAILABLE BY THE SECRETARY.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE X - SAFETY AFLOAT

SECTION 1.

ALL MEMBERS ARE EXPECTED TO ACT IN A SAFE AND RESPONSIBLE MANNER BOTH ON THE PREMISES AND WHILE INVOLVED IN BOATING ACTIVITIES.

SECTION 2.

ALL MEMBER VESSELS ARE EXPECTED TO BE MAINTAINED WITH SAFETY AS A PRIORITY CONSIDERATION.

SECTION 3.

AS A MATTER OF PRACTICE, BBYC WILL ENCOURAGE PARTICIPATION IN U.S. POWER SQUADRON AND/OR U.S. COAST GUARD AUXILIARY BOATING AND NAVIGATION CLASSES.

SECTION 4.

MEMBERS ARE ENCOURAGED TO UTILIZE THE PRACTICE OF "FILING A FLOAT PLAN" WITH THE DOCK-MASTER (FORMS AVAILABLE FROM THE FLEET CAPTAIN).

SECTION 5.

ANYONE BECOMING AWARE OF NAVIGATIONAL OR SAFETY PROBLEMS IN THE AREA IS EXPECTED TO REPORT SAME TO A CLUB OFFICER AND/OR MANAGEMENT FOR FOLLOW-UP.

SECTION 6.

ADDITIONAL RECOMMENDATIONS:

- A. THAT THE FLEET OFFICER ARRANGE A U.S. COAST GUARD AUXILIARY SAFETY INSPECTION, ON THE PREMISES, AT THE BEGINNING OF THE BOATING SEASON.
- B. BBYC OFFICERS AND MEMBERS, IN CO-OPERATION WITH MANAGEMENT, OBSERVE AND REPORT ANY POTENTIAL SAFETY PROBLEMS IN AND AROUND THE MARINA.

BOUVIER BAY YACHT CLUB - CLUB CHARTER

October, 1996

ARTICLE X1 - GOOD OF THE ORGANIZATION

SECTION 1. DRESS CODE:

1. BBYC REPRESENTATIVES ARE EXPECTED TO CONFORM TO ACCEPTED STANDARDS OF DRESS AT ANY INTRA-CLUB ACTIVITIES. ADAPTATION OF A DRESS CODE FOR FLAG OFFICERS, USING THE ANCHOR BAY YACHTING ASSOCIATION GUIDE IS RECOMMENDED POLICY.
2. FLAG OFFICERS WILL BE EXPECTED, AND ALL MEMBERS WILL BE ENCOURAGED, TO WEAR INFORMAL CLOTHING DISPLAYING BBYC AFFILIATION WHENEVER APPROPRIATE.

SECTION 2. CEREMONY:

ON-GOING DEVELOPMENT OF A BBYC TRADITION WILL INCLUDE IMPLEMENTATION OF CEREMONIAL ACTIVITIES. THE FOLLOWING ARE BASIC RECOMMENDATIONS:

- A. VESSELS UNDERWAY, ESPECIALLY WHILE PARTICIPATING IN CLUB ACTIVITIES, SHOULD DISPLAY THE "BBYC COLORS". THE BURGEE IS FLOWN FROM THE BOW STAFF OF A POWER BOAT AND THE STARBOARD YARDARM OF A SAILBOAT.
- B. A SOCIAL FUNCTION, SOMETIME AFTER THE ANNUAL ELECTION, WITH THE OUT-GOING CLUB OFFICERS HOSTING THEIR IN-COMING SUCCESSORS.
- C. "RAISING THE COLORS" AT A "DATE TO BE DETERMINED" SPRING OPENING CELEBRATION.
- D. "RETIRING THE COLORS" AT A "DATE TO BE DETERMINED" AUTUMN ACTIVITY.
- E. AN ANNUAL "BLESSING OF THE FLEET" SERVICE; INVITING LOCAL CLERGY PARTICIPATION AND MEMBERS INCLINED TO ATTEND.