

SANTA MARGARITA YACHT CLUB BYLAWS

If provisions of the Bylaws conflict with the Constitution, the provisions of the Constitution shall prevail.

Article I. Duties of the Board of Governors

The Board of Governors shall:

Subject to the general action by the SMYC membership, have final authority in the management of the affairs and finances of the SMYC.

Hold a regular meeting at least quarterly. A quorum will be established as provided in Article VIII of the Constitution.

Be custodians of and have control of all its property. All rights and powers connected therewith shall be vested in them.

Fill vacancies occurring in their number as provided in Article IX of the Constitution.

Approve the budget submitted by the Treasurer.

Approve all bills and expenditures of SMYC monies.

Inquire into the qualifications, standing and character of candidates, and elect to membership of the SMYC those applicants meeting the qualifications for membership. Such election must be by a simple show of hand majority vote of the Members of the Board if done at a Board Meeting or by E-mail if not.

Oversee the duty performance of the officers and committees of the SMYC, the conduct of the SMYC members, and the general provisions for the welfare of the SMYC.

Conduct member disciplinary hearings.

Appoint such ad hoc Committees from time to time as it may deem in the best interest of the SMYC.

Article II. Duties of the Officers

The **Commodore** shall perform the following duties:

Set the dates, locations, and agendas for all meetings.

Preside at all meetings.

See that the resolutions passed by the Members and the Board are carried out.

Shall be responsible, or designate responsibility for the management and accountability for assets, satisfaction of liabilities, disposition of residual assets upon dissolution, assurance of responsible management, and be a second authorized signer on the Club's bank and financial account(s).

Be an ex-officio member of all committees.

When required by MCCS AC/S, coordinate and submit all requested club information.

Vice Commodore shall perform the following duties:

Assist the Commodore in the discharge of his duties.

Officiate at meetings in the absence of the Commodore.

Assume and perform the duties of the Commodore in the absence, or disability, of the Commodore. In the event of the resignation or death of the Commodore, the Vice-Commodore shall become the Commodore for the unexpired term.

Rear Commodore shall perform the following duties:

Assist the Commodore and the Vice-Commodore in the discharge of their duties.

Officiate at Membership and Board of Governor meetings in the absence of the Commodore and Vice-Commodore.

Treasurer shall be responsible for the following duties:

Preparing an annual budget to be submitted to the Board for approval at the January meeting.

Collecting, safeguarding, and depositing of all SMYC monies in a federally insured financial institution.

Disbursing all SMYC monies.

Presentation of a written statement of the financial position of the SMYC at each meeting of the Members or the Board.

Making available to any Audit Committee access to the books and records at reasonable times throughout the year.

When leaving office, the Treasurer shall deliver to the Commodore the financial records of the SMYC, both paper and electronic; along with all bank account materials, including monthly statements, check books and deposit slips. The departing Treasurer shall sign all documents and perform any other task necessary to transfer management of the SMYC's bank accounts to the new Treasurer within 30 calendar days of leaving office.

Making available to the Audit Committee access to the books and records at reasonable times throughout the year.

Secretary shall be responsible for the following duties:

Keeping accurate records of the minutes of all meetings.

Keeping a complete and accurate membership roster, and call the roll of officers and members when so required.

Custodian of all organizational records.

Publishing all notices required by law, the club Constitution, or these Bylaws.

Verifying that a quorum is present at each meeting of the Members and of the Board.

Preparing and transmit all official correspondence as directed by the Commodore.

Article III. Committees

COMMITTEE ADMINISTRATION

SMYC shall have two types of committees: standing and ad hoc committees. Standing committees are permanent in nature and will function on a continuing basis. Ad hoc committees will be established for a specific project or task that does not fall within the purview of a standing committee.

The Board of Governors shall appoint the chairman and members to the standing committees annually.

The Commodore may appoint the chairman and members to an ad hoc committee subject to review by the Board of Governors.

Committees shall obligate or expend SMYC funds only to the extent approved by the Board of Governors in advance.

STANDING COMMITTEES

Anchorline is responsible for the Newsletter.

Awards will administer SMYC's award program.

Budget will work with the Treasurer to prepare an annual budget to be presented to the Board of Governors for approval.

Buildings & Grounds is responsible for assisting in the maintenance of the Del Mar Marina facility that SMYC is allowed to use.

Directory will write the "Year in Review" section of the directory, and prepare and distribute the annual membership directory.

Education and Safety will prepare instructions, manuals, courses, and demonstrations in water safety, boating, and seamanship.

Membership will seek new members; process new, renewal, resignation, and reinstatement membership applications; and perform the administrative functions related to member discipline; and report delinquent members to the Board of Governors

Nominations will identify suitable candidates for election to the Board of Governors.

Social will plan, organize, and conduct social activities for SMYC. It will provide accommodation for visiting yachts and guests of the SMYC at any of its races, cruises, or social activities.

Race will plan, organize, and conduct the sailboat racing activities for SMYC.

Goodwill Ambassador will provide suitable acknowledgement to members experiencing sickness or suffering.

Article V. Application for Membership

Application for membership will be made in writing to the chair of the Membership Committee. The applicant's sponsor will verify the eligibility of the applicant. The membership chair will present the application to the Board of Governors for consideration and disposition.

Article VI. Dues

Amount

- Members of the "DoD Family" as defined in the Constitution Article VI, shall pay the designated dues amount per family for a calendar year. Honorably Discharged Veterans or active/retired Merchant Marine personnel will pay the same designated dues amount for themselves only, for a calendar year.

Timing of Dues Payment; Delinquencies

- Dues are due and payable by December 31 of the preceding year. New members, who join between January 1st through October 31st, shall pay the appropriate annual dues amount. New members joining in the months of November and December shall pay the appropriate annual dues amount and be paid in full through the following year.
- Members who fail to pay their dues by January 31st are delinquent. The Membership Chair shall submit a list of the delinquent members to the Board of Governors beginning with the February meeting until disposition.
- Delinquent members are not allowed to vote, hold office, or participate in membership meetings or activities.
- Delinquent members will not be listed in the SMYC Directory nor will they continue to receive the newsletter.
- Delinquent members can be reinstated to full member status by paying their delinquent dues if such action is accomplished during the same year in which they become delinquent. Members who remain delinquent on December 31st shall be dropped from membership. Dropped members may rejoin the SMYC by submitting a new application.

Changing the Designated Dues Amount

- The Board of Governors will recommend to the general membership changes in dues as they become necessary for responsible operation of the SMYC. The Board's recommendation will be published (both physically and electronically) at least 30 days prior to the next general membership meeting. Voting on the recommendations will take place at the designated meeting.

Article VII. Absentee, Resignations and Reinstatements

ABSENTEE MEMBERSHIP

- Members in good standing, who for reason of military service who are unable to participate in SMYC activities for a period of at least four consecutive months, and upon request to the Membership Committee, will be credited for the time away in the following years dues.

RESIGNATIONS

- Any member in good standing may resign without prejudice by giving written notice to the Board of Governors. Such members, who are still eligible, shall be entitled to re-instate their membership after submitting an application to the Board of Governors.

REINSTATEMENT

- Individuals who have been expelled or suspended for disciplinary reasons may apply in writing to the Board of Governors for re-instatement. The Board will consider each request on a case-by-case basis.

Article VIII. Member Discipline

A member may be expelled or suspended from membership in the Club for conduct injurious to the welfare or the economic wellbeing of the Club. Upon written complaint of one or more members, the Board shall investigate the circumstances connected with such alleged misconduct and provide the member the opportunity to present a defense. If after due deliberation the Board finds by a preponderance of the evidence that the alleged misconduct has occurred, it may reprimand, suspend or expel the member, or take no action as appropriate.

Article IX. SMYC Burgee

The burgee of the SMYC shall be a pennant with a blue field and a gold horizontal stripe running from the hoist to the point, containing a crimson Rancho Santa Margarita cattle brand.

Article X. Flags, Pennants and Insignias

The Officers flags and insignia pins are maintained by the Quartermaster and provided by SMYC for the term of office (*refer to Constitution, Article IX*). Lost flags or pins must be replaced by the Officer to the club.

The **Commodore's flag** shall be rectangular in shape, having a fouled anchor and thirteen stars in white on a blue field. The insignia is a gold 3-star pin.

The **Vice Commodore's flag** shall be rectangular in shape, having a fouled anchor and thirteen stars in white on a red field. The insignia is a gold 2-star pin.

The **Rear Commodore's flag** shall be rectangular in shape, having a fouled anchor and thirteen stars in red on a white field. The insignia is a gold 1-star pin.

The **Treasurer's flag** shall be rectangular in shape, having an acorn in white on a blue field. The insignia is a gold acorn pin.

The **Secretary's flag** shall be rectangular in shape, having an oak leaf in white on a blue field. The insignia is a gold oak leaf pin.

The **Director's flag** shall be rectangular in shape, having a chevron in white on a blue field. The insignia is a gold chevron pin.

The **Junior Staff Commodore's flag** shall be rectangular in shape, having three stars inside a circle and square knot in white on a blue field. The insignia is a silver 3-star pin.

The Officers shall transfer their flags and pins to their successors at the Change of Watch.

The **Staff Commodore's flag** shall be rectangular in shape, having a white fouled anchor to the right of three white vertical stars on a blue field. The flag is provided by SMYC and presented to the departing Junior Staff Commodore as their property as well as their silver 3-star insignia pin.

In Witness thereof, the Members have set their hands, the year, and the date below:

I, Susan Rodriguez, certify that these Bylaws, as amended, was approved by at least a majority of the ballots cast at a board meeting of the SMYC on 20 April, 2022.

/s/ Susan M. Rodriguez
Susan Rodriguez, Commodore

ATTEST:

/s/ Linda L. Loftis
Linda Loftis, Secretary

Approved as to form by CRM, Marine Corps Community Services:

/s/ Jennifer L. Webb (8/29/22)
Jennifer L. Webb

THIS IS A NON-FEDERAL ENTITY. IT IS NOT PART OF THE DOD OR ANY OF ITS COMPONENTS AND HAS NO GOVERNMENTAL STATUS.