

# CONSTITUTION

Of the

## ANCHOR BAY YACHTING ASSOCIATION

### ARTICLE 1

#### Section I:

The name of the organization shall be: ANCHOR BAY YACHTING ASSOCIATION Herein after to be referred to as A.B.Y.A.

### ARTICLE II

#### Section I.

The purpose for which Anchor Bay Yachting Association is organized are:

- A. Promote recreational boating safety with the goal of reducing accidents, bodily injuries and property damage. Activities toward this may include (but are not limited to) creation and distribution of printed materials fostering safe boating practices, educational /classes, the purchase of navigation aids (i.e. no wake buoys) for areas not covered by local county/township/city budgets, and providing boaters with a better understanding of laws on the water.
- B. Promote clean recreational boating practices with our partner, the Clinton River Watershed Council with the aim of improving and protecting water quality. Activities toward this may include (but are not limited to) creating and distributing printed materials, education/classes, and scheduling event time for the public's help in cleaning up the rivers and lakes (removal of trash, logs etc.).
- C. Support and donate money to the St. Clair, Macomb and Wayne County Sheriff Marine Divisions to purchase urgent supplies that are not funded by their budgets and provide printed materials for distribution to help educate the boating public on marine safety statutes, local watercraft controls, administrative laws and clean boating practices.
- D. Support and donate money to the Noble Odyssey Foundation (The Great Lakes Division of the Sea Cadets Program) to provide maritime and underwater

exploration training for scientific research projects throughout the Great Lakes system. This program involves young people from the ages of 11 to 17.

- E. Operate exclusively for the purpose set forth in Section 501 ( c ) (3) of the Internal Revenue Code of 1986, as amended (the "code")
- F. Carry out such future projects or programs determined by the Anchor Bay Yachting Association Board to be in the best interest of promoting safe and clean boating.

## ARTICLE III

### Officers — Delegates — Committees

#### Section 1.

The A.B.Y.A. officers shall consist of three (3) Flag Officers and Directors, specifically identified as:

##### A. Flag

- Commodore
- Vice Commodore
- Rear Commodore

##### B. Directors

- Treasurer
- Secretary

C. They shall be elected at the November general membership meeting and assume their respective offices after the December Meeting.

D. Candidates for the position of Director may be nominated only if, at the time of nominations, they have served as a current or past director of an ABYA member club in good standing for a minimum of one (1) year. Additional Director positions may be created at the Board's discretion.

#### Section 2.

Candidates for the flag in A.B.Y.A. may be nominated only if, at the time of nomination, they are either a current or Past Commodore/Commander or have served as an A.B.Y.A. Director for no less than one (1) year. They must be a member of a club in current good standing with A.B.Y.A.

### Section 3.

All officers shall maintain their current office until the elected successor assumes that position.

### Section 4.

All Past Commodores of A.B.Y.A. shall be Ex-officio delegates and may serve on the Board at the Board's pleasure if a vacancy occurs after the first six months of the term.

### Section 5.

The position of Delegate is defined as a Past Commodore of the club he/she represents. The current Commodore of that club assumes the position of Alternate Delegate. Additional Alternate Delegates are limited to two from each club and are defined as a Line Officer i.e. Vice or Rear Commodore. An alternate delegate may also be a Past Commodore of any current A.B. Y.A. club, and may represent a club of which they are a member in good standing. A P/C of A.B.Y.A. may serve as a delegate of any club in which they are a member in good standing. These Alternate Delegates must be identified, in writing, to A.B.Y.A. and signed by the Commodore of that club.

Note: One person can only represent one club as delegate in any calendar year. A Past Commodore of the A.B.Y.A. can serve as alternate delegate of any A.B.Y.A. club, however, no person shall be allowed more than one vote for any matter to which a vote may be called.

## ARTICLE IV

### Membership

#### Section I.

Consideration for membership requires the submission of the following documents to the Board of A.B.Y.A and confirmation of additional requirements as stated herein.

1. Current nonprofit organizational status as a boat / yacht club with the State of Michigan, Department of Consumer & Industry Services.
2. Current Constitution and By-Laws.
3. A minimum of 20 active members (as identified by the club's Constitution and or By-Laws).
4. A club check (or cash funds) in the amount of twenty-five Dollars (\$25.00) to be considered as a non-refundable application fee. Upon review of the submissions by the Board and approved by the General Membership of A.B.Y.A., these funds will be applied towards the annual dues.

5. A letter of recommendation from the Board of an A.B.Y.A. affiliate club.

Section 2.

All clubs shall pay annual dues as prescribed by A.B.Y.A. By-Laws.

## ARTICLE V

### Meetings and Voting

Section 1.

All regular membership meetings will be held on a monthly basis, with no meeting in the month of July. In accordance with the dates as published in the monthly newsletter.

Section 2.

Each club shall have one vote to be cast by the Delegate or the club's Designated Alternate Delegate. Current officers and Past Commodores of A.B.Y.A. shall each have one vote, with the A.B.Y.A. Commodore to vote only in the case of a tie. Past Commodores of A.B.Y.A. who are serving as Delegate to a member club shall have only one vote. All Delegates and A.B.Y.A. officers MUST be in appropriate Uniform of the Day in order to cast a vote on any issue requiring same.

Section 3.

The A.B.Y.A. Commodore shall preside at all regular and special meetings.

The order of business shall be as follows:

Call to Order

Roll call of A.B.Y.A. officers and member clubs

Acceptance of the Secretary's Report

Acceptance of the Treasurer's Report

Committee Reports — Old business

New Business

Good of the Order

Adjournment

Section 4.

Where otherwise needed, the conduct of general membership meetings will be in accordance with Roberts Rules of Order.

## ARTICLE VI

### Resignations and Expulsions

Section 1.

Affiliation with A.B.Y.A. of a member club may be forfeited by voluntary withdrawal, by disbandment, by non-payment of dues by the March meeting, or by majority vote of all other member clubs.

Section 2.

Any officer of A.B.Y.A. who is absent three (3) consecutive regular monthly meetings, without cause or reason as deemed acceptable by the Board of A.B.Y.A. shall be relieved of his/her office.

Section 3.

It is required of any member club whose Delegate or authorized Alternate Delegate is absent from three (3) consecutive meetings, that the Delegate shall appear before the A.B.Y.A. Board to give cause as to said absence and provide acceptable response to the concerns of the Board. Failure to accept acknowledgement of the infraction and failure to appear is considered sufficient grounds to consider the club for disaffiliation with A.B.Y.A.

## ARTICLE VII

### Executive Board

Section 1.

The Executive Board (or Board of Directors) shall consist of the following:

Commodore Vice Commodore Rear Commodore Treasurer Secretary Immediate Past Commodore and Directors

Section 2.

The Board shall meet on a regular monthly basis or additionally as deemed necessary by the Commodore or two (2) or more of the Board having notified the Secretary of said meeting.

Section 3.

The Board shall be the legislative body to A.B.Y.A. Any legislative changes shall be presented at the next scheduled General Membership meeting.

Section 4.

Only members of the Executive Board will be authorized to be the chairperson ( s ) of gaming events licensed by the State of Michigan.

## ARTICE VIII

### Amendments to the Constitution and or By-Laws

Section 1.

The Constitution or By-Laws of A.B.Y.A. may be amended at any General Membership meeting by a majority vote of the Delegates representing clubs that are in good standing. It is required that any intention to amend the Constitution or By-Laws is so noted in an A.B.Y.A. publication along with a copy of said Amendments, a copy of same furnished to each member club by the Secretary. All documents shall be provided to the member clubs at least ten (10) days prior to the next scheduled General Membership meeting.

Section 2.

Any amendment, having been properly presented to the general membership for consideration, may be changed or amended by a vote of the majority prior to its enactment. This is providing said change or amendment offered is considered reasonably related to the subject of the proposed amendment.

## ARTICLE IX

### Cease Operations

Section I.

In the unlikely event that the A.B.Y.A. should cease operations and no longer be a non-profit corporation in the State of Michigan, all assets and real and personal property remaining after all obligations are paid will revert to Harrison Twp., Michigan.

Revised September 10, 2018

# BY-LAWS

## OF THE

### ANCHOR BAY YACHTING ASSOCIATION

#### ARTICLE I

##### Special Committees

###### Section 1.

Special committees for specific purposes may be appointed, dissolved or reappointed by the Commodore as he or she sees fit.

#### ARTICLE II

##### Application

###### Section 1.

Clubs desirous of becoming a member of A.B.Y.A. shall comply with the requirements as stated in ARTICLE V of the Constitution.

#### ARTICLE III

##### Dues

###### Section 1.

The annual dues for membership in A.B.Y.A. shall be determined by the Board. This amount may be reevaluated on an annual basis. Club dues shall accompany the Roster Update Form and be payable by the first of January of each year.

###### Section 2.

Any club not having paid the annual dues by the March General Membership meeting shall be considered in arrears and will be notified of same in writing by the Treasurer. Should the arrearage not be paid within thirty (30) days, their affiliation and privileges extended therewith shall cease.

###### Section 3.

Should A.B.Y.A. dissolve, after all debts having been paid, any remaining assets will revert to the governmental entity or entities as required by our Constitution, ARTICLE IX.

## ARTICLE IV

### Meeting and Voting

#### Section 1.

Special meetings may be called by the Commodore whenever he or she deems it necessary and appropriate. They may also be called by written request of five (5) or more Delegates.

#### Section 2.

All requests for special meetings as made by Delegates (5) shall specify the purpose and object of that meeting.

#### Section 3.

A Quorum for non-financially related business is defined as the total number of Delegates present at a general membership meeting. For business of a financial nature, a Quorum is defined as a majority of the Delegates from member clubs being present.

## ARTICLE V

### Nominations Elections and Succession of Officers

#### Section 1.

An Election Committee shall be appointed by the A.B.Y.A. Commodore prior to the September general membership meeting. It shall consist of the Immediate Past Commodore and two (2) Past Commodores of A.B.Y.A.

#### Section 2.

Unless unusual circumstances, as defined in ARTICLE V — Section 8 were to occur, nominations for the position of Rear Commodore and Directors will be accepted. The nominee must provide, to the Committee, written confirmation of his or her intention to run for that position. This must be presented at or prior to the October general membership meeting.

#### Section 3.

Candidates may be nominated from the floor at the October meeting. Should this occur, those candidates will submit, to the Election Committee, in writing, their acceptance of the nomination. This must be received by the Board prior to the November meeting.

#### Section 4.



At the close of the October meeting, all candidates having been presented to the Delegates, the nominations for office will be closed.

Section 5.

The election shall be held at the November general membership meeting. All officers succeeding to the next highest rank will be asked by the election chairperson, or the designee, to signify their willingness to assume that responsibility.

Section 6.

The terms of office shall be one (1) year. Assumption of duties associated with the elevation to the next office will take place on or before January 1<sup>st</sup>.

Section 7.

Election shall be by secret ballot.

Section 8.

Succession to the next highest office will be automatic, providing those provisions as stated in Section 2 have been met. Should any officer be unwilling or unable to complete their term and this should occur within the first six (6) months of that term, a special election shall be held. Current officers will be elevated to the next rank and new Directors and a Rear Commodore will be elected. Should this occur in the last six (6) months of the term, all remaining officers will share in the duties of that office until the November election meeting.

## ARTICLE VI

### Responsibilities of Office

Section 1.

Commodore

- A. To be Chief Executive Officer.
- B. To preside at all meetings.
- C. To execute, or cause to be executed, contracts, certificates and other instruments on behalf of A.B.Y.A.
- D. To be Ex-officio member of all committees.
- E. To contract with an auditing agency who shall audit the financial records of A.B.Y.A. and will certify their accuracy. This shall occur prior to said records being passed to the successive Treasurer.
- F. To maintain an inventory record of all A.B.Y.A. property.

Section 2.

Vice Commodore

- A. To assist the Commodore in the discharge of his or her duties.

- B. To assume the duties of the Commodore in the event of his or her absence or temporary incapacity.
- C. To arrange for guest speakers at the membership meetings as deemed appropriate.

#### Section 3.

##### Rear Commodore

- A. To assist the Commodore and Vice Commodore in the discharge of their duties.
- B. To be responsible for organizing at least two (2) charity events.

#### Section 4.

##### Director-Secretary

- A. To record accurate minutes of all meetings and to publish a reasonably accurate synopsis of same in the next newsletter
- B. Maintain records of attendance and various reports. C. To conduct the A.B.Y.A. correspondence.
- D. To notify all delegates of membership meetings at least one (1) week prior to the date thereof.
- E. On an annual basis, and before the March general membership meeting, to furnish each member club's Delegate and Commodore a copy of the A.B.Y.A. Constitution, By-Laws, Code of Conduct and membership roster. In addition, the Secretary will cause to be published in the newsletter, any proposed amendments to the Constitution or By-Laws in accordance with ARTICLE V III of the Constitution.
- F. To send notice, in writing, to clubs in arrears of annual dues.
- G. To notify in writing, a member club's Board in the event of the absence of their Delegate or Alternate from two (2) consecutive general membership meetings.
- H. To be in charge of assuring the confirmation of all locations for the monthly general membership meetings.

#### Section 5.

##### Director-Treasurer

- A. To be the financial officer of the A.B.Y.A.
- B. To accept and deposit all monies owed to A.B.Y.A. To pay all bills, as approved by the Board, from the general fund.
- C. to keep accounts of the A.B.Y.A. and to preserve proper vouchers for all disbursements.

- D. To prepare and deliver accurate reports of the A.B.Y.A. 's current financial status at each membership meeting.
- E. To prepare all documents necessary for annual auditing.
- F. To have all documents and financial records in order and to surrender same to the succeeding Treasurer on or before January 1st
- G. To be responsible for at least one (1) charity event.

## ARTICLE VII

### Dress Code

#### NOTE:

The following Sections constitute the dress code for the Officers of Anchor Bay Yachting Association. It is recommended that all member clubs use this as a guideline for their dress code as well.

#### Section I.

WINTER FORMAL UNIFORM - Worn at the A.B.Y.A. Christmas Ball, Commodore's Balls and funerals.

A. Men: Formal black yachtsman's double breasted tuxedo. White shirt, black bow tie, (long black tie for funerals), black shoes and black socks. Hat is black if worn. B. Women: Formal black yachtsman's double breasted tuxedo with long or short skirt to match. White blouse, black "V" tie, black shoes and appropriate hosiery. NO OTHER EMBELLISHMENTS OTHER THAN AS FOLLOWS:

1. Commodore: Black trefoil with stripes (3) on both sleeves. Three gold stars, each within a ring of the trefoil. Three gold stars on hat. \* Gold anchor above top trefoil.
  2. Vice Commodore: Same as Commodore except two gold stars in the lower two rings of the trefoil.
  3. Rear Commodore: Same as Commodore except one gold star in the upper ring of the trefoil.
  4. Treasurer: Same as Commodore except gold acorn in the top ring of the trefoil.
  5. Secretary: Same as Commodore except gold maple leaf in top ring of the trefoil.
- NOTE: Officers of A.B.Y.A. shall wear a gold anchor placed below trefoil in center.

6. Name plate: Black with white lettering — left breast pocket. Commodores may substitute gold with black lettering and Past Commodores may substitute silver with black lettering.
7. Past Commodores will substitute silver for gold stars. ABYA Past Commodores substitute silver for gold anchor.
8. Past Commodores who have served more than one club as Commodore or, their own club more than once as Commodore, shall be permitted to wear a rectangular silver bar on their left sleeve. These bars are for each ADDITIONAL tour of duty. The bars shall be placed 1/2" inch below the bottom trefoil. They may be worn on both the informal and formal uniform.

## Section 2.

Winter Informal Uniform shall be worn to all A.B.Y.A. general membership meetings between October 1<sup>st</sup> and May 1<sup>st</sup>. The exception to this code is the last island meeting of the year, should it fall after September 1<sup>st</sup>.

- A. Men's Uniform shall consist of dark blue single or double breasted blazer, gray slacks, white shirt, long black tie, black shoes and socks. (See Exhibit C)
- B. Women's Informal Uniform shall consist of dark blue single or double breasted blazer, gray slacks or skirt, white blouse, black or dark blue crossed tie, dark blue or gray shoes and appropriate hose. (See Exhibit D)
  1. Club patch to be worn over left breast pocket.
  2. Insignia of rank directly over patch.
  3. Name badge over top of breast pocket.
  4. Club or association pins are worn on right lapel.
  5. A.B.Y.A. Past Commodore anchor is worn on left sleeve, 3" inches above the sleeve edge.
  6. I.O.B.G. patch is worn on the right sleeve approximately 5" inches above the sleeve edge. The handle of the gavel shall point downward.

## Section 3.

Summer Uniforms — worn May 1<sup>st</sup> through September 30th.

- A. Formal Uniform shall be the same as stated in Section 1, (A&B) except for substitution of white slacks/skirt, white shoes, socks / appropriate hose, black bow tie /"V" tie. White "skippers" hat is optional but recommended when

appropriate. This uniform is usually reserved for funerals or formal events as dictated by either A.B.Y.A. or the individual clubs.

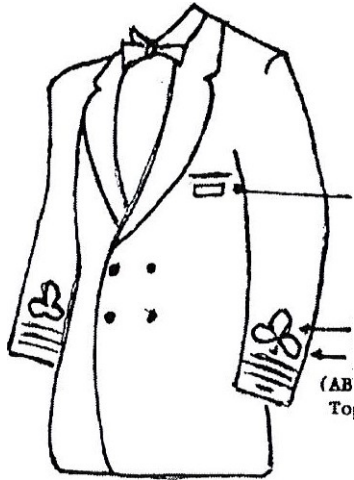
- B. Formal (Daytime Whites) Uniform shall consist of white uniform shirt/blouse with the epaulets of the wearer's office. All buttons shall be white with the exception of the pockets and shoulders which shall be gold (substitution of silver for gold for Past Commodores), white slacks/skirt with white belt, white socks and shoes. Black long tie/V tie and white "skippers" hat may be considered appropriate in some circumstances. (See Exhibit E & F)
- C. Alternative Informal Uniform could add the blue blazer to Section 3 B.

NOTE:

The addition of anchor insignias on epaulets are reserved for line officers of A.B.Y.A. Past Commodores of A.B.Y.A. only.

- 1. Commodore epaulets — four gold bars (gold anchor for A.B.Y.A. officer)
- 2. Vice Commodore — three gold bars (gold anchor for A.B.Y.A. officer)
- 3. Rear Commodore — two gold bars (gold anchor for A.B.Y.A. officer)
- 4. Treasurer — gold acorn (one gold bar for A.B.Y.A. officer)
- 5. Secretary — gold maple leaf (one gold bar for A.B.Y.A. officer)
- 6. Past Commodore — four silver bars (silver anchor for A.B.Y.A. officer)

EXHIBIT A



Name badge  
Name  
Rank  
Rank  
(AB Anchor  
To:YA only)

Tour Bar/s

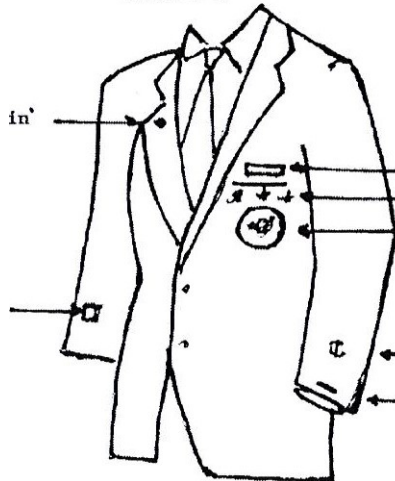
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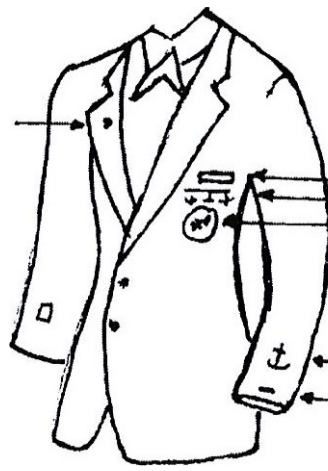
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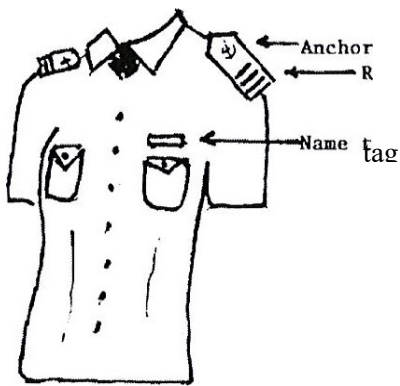
EXHIBIT C



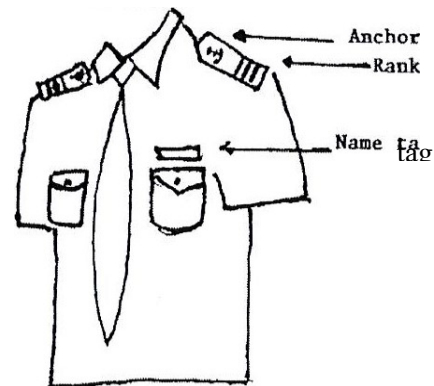
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