

SAILING CLUB AT UWM, LTD.

BYLAWS

Amended January 16, 1992; September 2008
August 26, 2016

ARTICLE EXECUTIVE BOARD

Section 1: The duties of the Executive Board as a body shall be to:

- a) Establish a budget and control expenditures according to the budget adjusting it when actual revenues and expenditures vary significantly from planned levels.
- b) Establish the membership dues amount for each sailing season.
- c) Establish a system of fees for sailing instruction, recreation, and racing and a system of reimbursements for Sailing Club members who perform work for the Sailing Club.
- d) Establish a system of reservations for sailing instruction, recreation, and racing.
- e) Determine the starting and ending dates of each sailing season.
- f) Meet regularly, at least once per calendar quarter, but preferably monthly. Executive Board meetings shall be open to all Sailing Club members, Advisory Board members, and Judicial Board members. Regularly scheduled meetings shall be publicized in advance to all eligible attendees.
- g) Conduct an emergency meeting for one specific purpose whenever a situation arises requiring Executive Board action prior to the next regularly scheduled Executive Board meeting.
- h) Establish a set of Rules and Regulations governing Sailing Club members' behavior while using Sailing Club equipment.
- i) Enforce Rules and Regulations by hearing cases of alleged violations and by imposing appropriate penalties when it determines that a violation has occurred. Penalties may include reimbursement to the Sailing Club for loss or damage caused by the member, fines, suspension of sailing privileges, termination of membership, and/or any other lawful penalty, "Due process will be observed." to meet policy compliance.
- j) Establish a set of Policies and Procedures for carrying out the tasks of running the Sailing Club.
- k) Overrule decisions of individual Executive Board members when the Executive Board as a body determines that those decisions are not appropriate.
- D) Approve all leases and contracts with other persons or organizations by a two-thirds majority.

Section 2: The duties of the individual Executive Board members shall be as follows:

a) Commodore

- 1) Shall be responsible for the effective and efficient operation of the Sailing Club. Shall monitor the performance of other Executive Board members and remind them of their responsibilities. Shall ensure that all Sailing Club activities are adequately supervised.
- 2) Shall represent the sailing Club on all official matters, on all dealings with other organizations, and on matters concerning donations to the Sailing Club.
- 3) Shall organize, schedule, and preside over all Sailing Club meetings.
- 4) Shall call an emergency meeting as required by Section 1(g) upon the request of any Executive Board member. Shall make every reasonable attempt to notify all eligible attendees (see Section 1(f)) prior to the meeting. Shall post a 48 hour notice of the meeting at the Sailing Club dock if such notice is feasible. If the emergency is such that Executive Board action is required within 48 hours, the Commodore may conduct the meeting by telephoning each Executive Board member, reading the motion for the proposed action, and obtaining votes in that manner.
- 5) Shall be ultimately responsible for all financial matters pertaining to the Sailing Club, and with the Treasurer shall be responsible for the preparation of a bi-annual operating budget. This budget shall be submitted to the Executive Board for review and prior approval in March and September.
- 6) Shall prepare leases and contracts with individuals and other organizations for approval by the Executive Board. Shall submit these leases and contracts to the Executive Board members at least 7 days prior to a vote.

b) Vice-Commodore

- 1) Shall assist the Commodore in his or her duties and shall officiate in the Commodore's absence.
- 2) Shall be responsible for supervising the racing and cruising programs for the Executive Board.
- 3) Shall be responsible for supervising fund raising activities.
- 4) Shall reserve rooms for Sailing Club events held at UWM.
- 5) Shall regularly provide Executive Board members with up-to-date lists of members' names, addresses, and phone numbers to include all membership categories.

c) Secretary

- 1) Shall be responsible for the writing of all official notices, bulletins, the taking and typing of all meeting minutes, and other paper work.
- 2) Shall provide a copy of the minutes of each Executive Board meeting and the minutes of any general membership meeting which conducted official business to each of the members of the Executive Board.
- 3) Shall be responsible for organizing and supervising all paperwork concerning routine operations at the dock, including the systems established under Article I Sections 1(c) and 1(d).
- 4) The Secretary must insure that the Faculty Adviser receives a copy of all meeting minutes.
- 5) The Secretary must insure that a copy of all meeting minutes is put with the SCUWM materials in the UWM Golda Meir Fromkin Archives for safekeeping.
- 6) The Secretary must insure that a copy of all board approved meeting minutes is put on the SCUWM website.

d) Treasurer

- 1) Shall act as financial advisor and be responsible for the keeping of financial records, including Club checking account, Club savings account and Student Association segregated funds, as well as the issuance of checks for other expenses, and the deposit of all membership checks.
- 2) Shall prepare a preliminary bi-annual operating budget of the Sailing Club to be submitted to the Commodore and Executive Board and shall work in cooperation with the Commodore and Executive Board in the drafting of the final budget to be submitted to the Student Association.
- 3) Shall submit a written report on the current financial status of the Sailing Club at each regularly scheduled Executive Board meeting. This report shall list account balances, list outstanding debts; and track actual revenues and expenditures, including membership checks received; and identify upcoming bills due to be paid prior to the next scheduled meeting, within each detailed budget category (See Treasurer Notes).

e) Instruction Chairperson

- 1) Shall be responsible for the organization, record keeping and quality of a complete instruction program for all members desirous of learning how to sail.

1. Shall have final approval of the appointment of sailing instructors as well as the instructor for the UWM summer school sailing curriculum; and be responsible for the lesson/practice session data submitted to the Board for prior approval. Shall be responsible for the compliance by all instructors with the Instructors' Agreement.
 - 2) Shall have authority to establish categories for proficiency ratings and criteria for skipper's tests and to approve members' attainment of such ratings.

f) Fleet Captain

- 1) Shall be responsible for the maintenance and repair of all Sailing Club equipment, except for equipment used solely within the scope of responsibility of another Executive Board member.
- 2) Shall see to it that there is proper organization and supervision of all maintenance and work parties.
- 3) Shall have the authority to prohibit use of boats he or she deems unsafe or otherwise unfit to sail.

g) Membership Chairperson

- 1) Shall promptly process membership applications, receive membership, issues receipts for dues paid, and issue membership cards.
- 2) Shall promptly forward dues checks to the Treasurer, or directly deposit them, but only with prior approval and notification of the Treasurer.
- 3) Shall promptly forward records of processed memberships to the Treasurer or a designated data processing coordinator.
- 4) Shall maintain accurate membership records.
- 5) Shall actively recruit new members and seek membership renewals.
- 6) Shall submit a written report on the current membership status of the Sailing Club at each regularly scheduled Executive Board meeting. This report shall list the names of memberships processed since the last report (showing new vs. renewal and student vs. non-student), the total current membership level, and any adjustments to the membership level projection, to include all membership categories.

h) Volunteer Chair

- 1) Shall be responsible for initiating contact with Sailing Club members and recruiting volunteers to perform functional tasks for the Sailing Club.

- 2) Shall maintain a list of active volunteers and members who indicate, on their membership applications, an interest or expertise in one or more areas.
- 3) Shall be intent on supplying volunteers upon the request of other Executive Board members or their subordinates, given a reasonable time schedule.
- 4) Shall assist in finding work for those members who wish to volunteer.
- 5) Shall be responsible for supervising data processing for the Executive Board. Shall be responsible for keeping track of membership volunteer hours for each calendar year, including date, time and volunteer activity.

i) Student-at-Large

- 1) Shall represent *UWM student members* at meetings of the Executive Board.
- 2) Shall solicit constructive criticism/*feedback* of Sailing Club activities, personnel, and procedures from Sailing Club *UWM student* members and communicate it to the Executive Board.
- 3) Shall be responsible for organizing social activities and *for* arranging *sailing events specifically for UWM student members of the club*. Shall be responsible for supervising newsletter production.
- 4) *Shall be responsible for reserving space for student recruitment tabling at the UWM Student Union.*

j) Member-at-Large

- 1) Shall represent the membership at meetings of the Executive Board.
- 2) Shall solicit constructive criticism/*feedback* of Sailing Club activities, personnel, and procedures from Sailing Club members and communicate it to the Executive Board.
- 3) Shall be responsible for organizing social activities and for arranging interesting programs for general membership meetings.
- 4) Shall be responsible for supervising newsletter production.

j) Faculty Advisor

- 1) Shall serve as liaison between UWM and the Sailing Club.
- 2) Shall serve in an advisory capacity to the Executive Board as appropriate.

k) All Executive Board Members

- 1) Each Executive Board member is required to attend all Executive Board and general membership meetings, unless excused by the Commodore. Before each such excused absence, the Executive Board member shall make a written or oral report available to the Commodore. This report shall contain all information which is to be routinely provided to the Executive Board and shall also contain the status of outstanding projects for which the Executive Board member is responsible.
- 2) Failure to satisfy the provisions of Section 2(k)(I) for two consecutive Executive Board

- meetings or three Executive Board meetings within the term shall constitute automatic, immediate resignation from the Executive Board.
- 3) Each Executive Board member shall submit a budget to the Commodore at the Early October November Executive Board meeting to support his or her responsibilities.
 - 4) An Executive Board member may delegate authority to a subordinate but retains ultimate responsibility for the actions of subordinates.

ARTICLE II · REGULAR MEMBERSHIP

Section 1: The regular membership of the Club shall be divided into ratings based upon sailing knowledge and ability. These ratings shall be as follows:

- a) Student: One who has not yet passed a skipper's test.
- b) Skipper: One who has passed the skipper's test of sailing proficiency for a particular class of boat or type of sailing as defined by the Instruction Chairperson. One must first acquire an yngling skipper rating.
- c) Instructor: One who has been qualified to teach on a particular class of boat or type of sailing by the Instruction Chairperson.

Section 2: The sailing privileges of each rating shall be:

- a) Student: May take on-water lessons and crew in any racing, recreational, or cmising event with a qualified skipper aboard.
- b) Skipper: May take command and skipper only those Sailing Club boats for which a skipper's test has been passed.

Section 3: Restrictions

- a) Student: May not skipper a boat and must abide by all Club rules.
- b) Skipper: No single-handing or night sailing of boats, unless approved by the Instruction Chairperson, and must abide by all Club rules.
- c) Instructor: No single-handing (solo) or night sailing of boats, unless approved by the Instruction Chairperson, and must abide by all Club rules.

Section 4: Regular members are welcome to all on-land and on-water social events.

Section 5: Duties: It is the responsibility of each member to contribute to the function of the Club.

Section 6: Meetings:

- a) General membership meetings shall be held at the call of the Executive Board but no less than once per calendar year.
- b) An August or September meeting is mandatory.
- c) General membership meetings shall be open to all Sailing Club members, and their invited guests. In addition, certain meetings may be declared open to the public by the Executive Board.

d) Regularly scheduled meetings shall be publicized in advance to all eligible attendees.

ARTICLE III - SOCIAL MEMBERSHIP

Section 1: Social members invited by a regular member may sail recreationally without limit. No guest fee shall be charged, but the social member does not count toward the number of regular members on board for purposes of sailing fee calculation.

Section 2: Social members are welcome to all on-land and on-water social events.

Section 3: Social members may not be aboard a Sailing Club boat during an on-water instruction or practice sessions or during racing.

Section 4: Social members may not participate in dry land basic instruction classes.

ARTICLE IV- GUESTS

Section 1: Nonmember guests invited by a Sailing Club member are welcome to all on-land social events. They are also welcome to all on-water social events if there is space available after accommodating all regular and social members.

Section 2: Nonmember guests. Invited by a regular member may sail recreationally a maximum of three times per season.

Section 3: Nonmembers may not be aboard a Sailing Club boat during on-water instruction or practice sessions or during racing.

Section 4: Nonmembers may not participate in dry land basic instruction classes.

SAILING CLUB AT UWM, LTD.

RULES AND REGULATIONS

July 9, 1990, amended March 2000; May 2005; amended September 2008

The following Rules and Regulations are for the protection of Sailing Club members, boats, and equipment instructors. Safety Committee members, Executive Board members have the power to suspend members for any infraction of the rules. Such suspension shall temporarily revoke all sailing privileges until the Executive Board can convene to hear the case and assess appropriate penalties. Penalties may include reimbursement to the Sailing Club for loss or damage caused by the member, fines, suspension of sailing privileges for a set period of time, revocation of one or more ratings, termination of membership, and/or any other lawful penalty, "Due process will be observed." to meet policy compliance.

Unsafe sailing practices which do not otherwise violate Rules and Regulations shall be cause for suspension of the skipper's rating of the skipper. No other privileges shall be suspended. Those who are authorized to suspend above are also authorized to suspend a skipper's rating. The skipper must re-qualify for the rating by taking another skipper's test after correcting the skill deficiency through lessons and practice. Appeals of the suspension may be made first to the Safety Committee, then to the Executive Board.

- 1) All persons using Sailing Club at UWM Club boats must abide by applicable US coast guard and Wisconsin Boating regulations
- 2) No alcoholic beverages or drugs are permitted on the boat. Operation of boats while under the influence of alcohol or any controlled substance is prohibited
- 3) No one is permitted on any Milwaukee Yacht Club or County grounds unless by invitation or on pertinent business. Proper identification must be shown upon request. When on MYC grounds or when otherwise dealing with MYC members or staff, Sailing Club members must act with extreme courtesy.
- 4) No Sailing Club boat is allowed at the gas dock (near the refreshment stand) for more than 15 minutes.
- 5) Prior to using a boat, an accurate Sign Out Report form (Recreation/Racing or Lesson/Practice/Test) must be completed with signatures of all aboard prior to setting sail.
- 6) Any skipper not officially signing out a boat is personally liable for any damage done to a Sailing Club boat or any other liabilities incurred while sailing, including damage or injury to other boats, property or people.
- 7) Unless in proper sailing condition, no Sailing Club boat can be allowed to sail.
- 8) Unless found, damaged or lost Sailing Club equipment is reported by the skipper before sailing, it will be assumed that damage or loss occurred during that skipper's use.
- 9) If gear failure is due to negligence, the skipper who had the boat checked out at the time of failure shall have to arrange for repair of the damage with the Fleet Captain. The skipper shall be responsible for the cost of the repair.
- 10) Any lost sailing equipment will be billed to the skipper who had the boat checked out at the time of loss.
- 11) No Sailing Club boat is ever to be left unattended at a dock. Exception: a boat may be left at the MCSC dock when arrangements have been made with another Skipper to assume responsibility for the boat, or if given prior permission by the director of MCSC.

- 12) Any display of general incompetence or recklessness shall result in immediate disciplinary action
- 13) The Boston Whaler and any Club dinghy is to be used for maintenance, race committee, emergencies, instruction, tender service only.
- 14) Refunds on membership may be given if submitted in writing within 30 days from the date of purchase, providing the membership has never been used and circumstances (e.g. illness, relocation, etc...) warrant a refund at the discretion of the Executive Board
- 15) The Dingy is not to be left unattended on a mooring. It must be returned to its proper storage location after each use. Exception: if and only if both dinghies are available and operational, the small rowboat may be left at a mooring
- 16) The club is not allowed to display any commercial advertising on its premises or in its newsletter, and may not generally compete with the general business community (see Faculty advisor for further clarifications)
- 17) The club cannot give away free memberships (eg to EB members for their service on the EB) due to tax laws and regulations. (See Faculty advisor or Treasurer or a CPA for further clarification)
- 18) All lessons, practices and night sailing sessions are limited to 2 hours each. An exception is Club racing or other organized group activities, when boats may be out 2-4 hours, and the Club's soling(s) when it is participating in Yacht Club races. Anyone wishing to sail longer than 2 hours in other situations must sign out for 2 hours, return to the dock and complete another sign out, and then return to sailing.
- 19) No member is permitted to stay out sailing all night (e.g., 10p.m. to dawn).
- 20) No member is allowed to camp out at the dock/dock box or in the Milwaukee County parks overnight.
- 21) All members must acknowledge that the club maintains NO personal injury insurance on club members due to prohibitively high cost. Therefore, all members and their guests are strongly encouraged to maintain private personal health and accident insurance in case of any injury occurring while participating in Club activities.
- 22) Any member wishing to sign out a boat to sail must first pass an Yngling rating test by an instructor, who is approved by the Instruction Chair to do the test.
- 23) An Yngling rating test is made up of an on-the-water test (forms are obtained from the Instruction Chair) and a written right-of-way rules/marina safety test.
- 24) Any member wishing to sign out a boat to sail at night must first pass a night rating test.

- 25) Any member wishing to sail alone (no crew) must first pass a solo rating test.
- 26) Any member wishing to sail the Soling must first pass a Soling recreational rating test.
- 27) Any member wishing to race the soling in a regatta or yacht club race must first pass a Soling racing test.
- 28) Any member wishing to sign out the Catalina 25 (or other recreational cabin cruising boat) or a club soling must first pass a Cruise Boat rating test as approved by the Executive Board. He or she must first have passed an yngling skipper's test which is signed and on file.
- 29) All ratings expire with the end of the sailing season (e.g., October Boats Out). All members must retest for each rating at the beginning of the next season.
- 30) If a member passes or has passed a skipper's test for two consecutive seasons, the member may request the Instructor Chair to be waived from taking the test in the third consecutive season.
- 31) All waivers and ratings are given at the discretion of the Instruction Chair.
- 32) Ratings may be revoked by the Instruction Chair or by the Commodore for neglect, incompetent, imprudent, or unsafe sailing, or violation of club rules and regulations
- 33) Any other EB member may revoke a skipper's rating for 48 hours for negligent, incompetent, unsafe sailing, or violation of Club policies, pending notification of the Commodore or Instruction Chair.
- 34) Ratings may be revoked for failing to complete a Sign Out & Inspection Report form completely each time prior to sailing.
- 35) All skippers and members are reminded that they assume responsibility for assessing conditions in which they sail and should not sail in conditions beyond their confidence. The MCSC flag color is to be noted on the Sign Out Report form prior to sailing, if so requested on the form.
- 36) When the Black Flag (winds over 20 knots) is flying at MCSC, there must be at least two skippers on board or one skipper who has a solo rating with at least one other crew member. There is to be no solo sailing in Black Flag weather. It is the responsibility of the Skipper to be informed about weather conditions and ensure that the Black Flag is not due to approaching thunderstorms or tornadoes, during which sailing is forbidden.
- 37) Instructors should be aware that in case of injury while instructing, Worker's Compensation, if applicable and granted, will pay only a portion of the instructor's pay.
- 38) All members are expected to perform a minimum of 20 hours volunteer work for the Club every year. The member is responsible for informing the Volunteer Chair of the date, time and work performed as per the Sailing Club Constitution Article III Section 1.

- 39) All sailing sessions (except Club-sponsored group events like racing, moonlight sails, and various other Club-sponsored group events) must be back at the dock within two hours from its departure time. If the boat is not in sight of the dock within three hours of its departure time, the U.S. Coast Guard will be called for assistance. Any fees incurred by missing boats for "false alarm" search and rescues will be the responsibility of the Skipper
- 40) The motor dingy is not to exceed the passenger limit of 4 persons.
- 41) When the dingy gasoline gets low, a Skipper should bring it to the gas dock a MYC and fill the tank. The cost can be charged to our account at the MYC -just have the dock attendant fill out a slip and the Skipper should sign it.
- 42) If a Skipper fills the gas tank, they need to know the oil-to-gas ratio for the dinghy motor.
- 43) In case of any boating accident, the Skipper shall notify the Commodore or the Fleet Captain (or if they are not reachable, then any EB member) immediately, but no later than 24 hours, who will then notify the Faculty Advisor, UWM Student Involvement , and UWM Risk Management.
- 44) All club members should be aware in the case of any accident and/ or damage to Club boats or third party boats, there is a \$500 deductible with club insurance. The Skipper of the boat is responsible for the \$500 deductible.
- 45) In case of any boating accident, the skipper must fill out a Club Incident Report give it to the Commodore, Fleet Captain or other another board member within 24 hours.
- 46) In case of any boating accident resulting in more than \$2000 worth of damage, or with any injury to a passenger, the skipper MUST call the U.S. Coast Guard immediately.
- 47) All members are expected to conduct themselves on Club grounds and Club boats with sportsmanlike conduct. EB members especially must set a good example to the membership. Instructors and skippers too should set a good example for students with respect, sportsmanship conduct, good ethics, and safe and proper boating practices.
- 48) In order to give lessons or paid practice sessions, a skipper must first be approved by the Instruction Chair, and fulfill application requirements, including the signing of an Instructor /Practice Provider Agreement, as required by the Executive Board. All lessons and practices must be recorded by the Instructor or Practice Provider in the student's Progress Log in a timely manner in order to be paid for that particular lesson or practice. All lessons must be recorded on a signed Lesson Packet form. Similarly, the particular lesson # and the actual tiller time of each student is to be recorded on the Lesson/Practice/Test Report form for sign-out. Differential pay may be assigned for lessons not posted at least 48 hours in advance, or as approved by the Board.

49) Instructors for the club must be Club members in good standing, with membership paid in full. An instructor's annual 20 hours (or balance due, if any) of volunteer work, which is required of all members, will be deducted from an instructor's payable hours for that year.

50) Sails must be lowered immediately after landing at the dock. Sails may be raised only immediately before taking off from a dock. Except for brief rigging class demonstrations, sails may not be left in the raised position.

51) An Yngling may be towed to the dock or to a mooring by a non-skipper but must be supervised by a skipper.

52) If any member has questions about these Rules, Regulations & Guidelines, about how the club functions or has any concerns, he/she should pose questions to an instructor or an EB member and should voice concerns to an EB member.

53) These rules, Regulations and Guidelines are subject to revisions by the Executive Board. Members must remain alert to announcements of any revisions and comply therewith immediately. All revisions must be approved by UWM through the University office responsible for registered student organizations.

*approved for UWM Student Involvement
Thomas Dake 9/20/16*

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