



**FISHERS ISLAND YACHT CLUB**  
**BY-LAWS & RULES**  
**2019**

# BY-LAWS OF FISHERS ISLAND YACHT CLUB, INC.

(As Amended at the 2016 Annual Meeting)

## ARTICLE I - NAME

The name of this corporation shall be Fishers Island Yacht Club, Inc. (the "Club").

## ARTICLE II - MEMBERSHIP

### 1. Membership

The Board of Governors of the Club shall prescribe the qualifications for membership in the Club, the method of nominating Members and shall elect all Members by a majority vote of the Board. Members shall be classified as follows: Senior Members (sixty five (65) years of age or older), Regular members (thirty (30) years of age or older but less than sixty five (65) years of age), Junior Members (twenty one (21) years of age or older but less than thirty (30) years of age), Life Members, Honorary Members, Provisional Members and Associate Members.

Membership is extended to up to two adult members of a household. The age of the older member shall be used to determine the appropriate membership category. Children of members, twenty (20) years of age or younger and residing at home, are entitled to use the facilities of the Club. Upon change in household status, members must immediately notify the Club Secretary of such change and the individuals shall be re-classified into the correct membership categories, as appropriate.

During the summer season and between meetings of the Board of Governors, "Provisional" Members may be invited to join the Club provisionally and for one summer season only upon the vote of both the Commodore and either the Vice Commodore or the Rear Commodore. "Provisional" Members shall pay dues in an amount equivalent to the membership category for which they have been proposed, but shall not be required to pay any initiation fees or assessments until such time as they are elected to permanent Membership. Provisional membership privileges may be granted for one summer season only, and any Provisional Member desiring to continue as a Member of the Club must be elected by a majority vote of the Board of Governors.

Associate Members shall be only such persons who rent or lease a Club facility (including all or a portion of the Club's clubhouse, grounds, dock slip(s), or mooring(s)) and who the Membership Committee affirmatively determines would not be likely to join the Club in any other category. Associate Members shall remain eligible for Associate Membership only during the period of the rental or lease and only when such rental or lease is fully paid. Dues for Associate Membership may be part of the use or lease fee charged to such Associate Member.

Associate Members shall have no voting privileges, shall not be entitled to vote on any matters that come before the Members of the Club, and shall receive only such mailings or notices as the Board of Governors shall determine from time to time. Associate Members shall be entitled to use: (a) the Club facility that has been rented or leased to such person; (b) the bathrooms, storage locker(s) or other accommodation(s) in the Manager's building; and (c) the Club's clubhouse, grounds and porch, when such are not being used for other Membership or Board of Governors purposes.



### 2. Termination of Membership

The membership of any Member may be suspended or terminated for conduct prejudicial to the interests of the Club or infraction of the rules of the Club by a two-thirds vote of the Governors present at any meeting of the Board duly called to consider the conduct of such Member; provided that the membership of a Member may not be suspended or terminated hereunder without such Member having been given at least two weeks notice of the charges against such Member and having the opportunity to be heard thereon at such meeting of the Board.

### 3. Meetings of Members

The Annual Meeting of the Members of the Club shall be held each year on a date and at such time and place in the State of New York as shall be determined by the Board of Governors in accordance with the laws of the State of New York. The Secretary shall call special meetings of the Club if requested by a majority of the Board or the Commodore. Notices of meetings of the Club shall be in writing (including any form of written or printed electronic communication), shall state the date, place, and hour of the meeting and shall be sent not less than ten and not more than fifty days prior to the date of the meeting to each Member at the email address appearing on the records of the Club.

### 4. Quorum of Members and Voting Privileges

One-tenth of the total number of Members entitled to vote and in good standing, present in person or by proxy, shall constitute a quorum at all meetings of the Members of the Club. Only Members classified as Junior, Regular, Senior and Life in good standing, present in person or by proxy, shall be entitled to vote on any issue at any meeting of the Club and shall be entitled to only one vote per membership on any one issue.

### 5. Annual Report to Members

The Annual Report to Members by the Board shall be presented to the Annual Meeting of the Members of the Club and entered in the minutes and filed with the records of the meeting.

### 6. Dues and Payments

Dues, initiation fees and assessments of Members shall be in such amounts and payable at such times as the Board may determine from time to time. Any Member who has failed to make any such payment when due may be suspended from the Club by a two-thirds vote of the Governors present at any meeting of the Board duly called to consider the conduct of such Member. Upon any action by the Board suspending membership, such person shall be notified in writing by the Secretary or the Treasurer of such suspension. If the indebtedness shall not be paid within thirty days after the sending of the notice, the person shall cease to be a Member of the Club.

## ARTICLE III - BOARD OF GOVERNORS

### 1. Board of Governors

There shall be a board of directors of the Club which shall be called the Board of Governors and which shall direct and manage the Club's business and affairs and have authority over the control and disposal of the Club's properties and funds. Subject to the provisions of the Certificate of Incorporation and these By-laws, the Board of Governors of the Club shall have the authority and powers conferred upon a board of directors by the Not-For-Profit Corporation Law of the State of New York.



## **2. Composition and Election of the Board of Governors**

The Board of Governors shall consist of (a) two past Commodores elected annually to the Board by the Board of Governors, and (b) not more than twelve nor less than three other Members of the Club, the actual number to be determined from time to time by a vote of the majority of the entire Board of Governors then in office. Other than the two past Commodores, the Board of Governors shall be divided into three (3) classes of as nearly equal numbers as possible. Each class shall serve for a term of three (3) years, staggered so that the Governors in only one class shall be elected each year. Each class of Governors, is to be elected by the Members by ballot at the Annual Meeting of the Club. Any Governor may resign at any time by giving written notice to the Commodore or to the Secretary. Between Annual Meetings of the Members of the Club, the Board may fill all vacancies occurring in their own number or in any office or committee. Any Governor so elected by the Board between Annual meetings of the Club shall serve for the unexpired term of the class to which he or she is so elected and until his or her successor is elected and has qualified. No person shall be eligible to continue to serve as a Governor after having served as a Governor for two (2) full three (3) year terms, other than a Governor who is elected and serves as the Commodore, a Vice Commodore, or a Rear Commodore. Partial terms are not counted towards this term limitation. All Governors (or former Governors) are eligible for re-election to the Board of Governors after an absence from the Board of Governors of at least one (1) full year.

## **3. Meetings and Quorum of and Action by Vote of the Board of Governors**

A majority of the entire Board shall constitute a quorum of any meeting thereof. The Board shall act by the vote of a majority of the Governors present at any duly called meeting at which a quorum is present. Notices of meetings of the Board of Governors shall be in writing (including any form of written or printed electronic communication) and shall state the date, place, and hour of the meeting not less than ten days prior to the date of the meeting to each Governor at his or her address appearing on the records of the Club.

## **4. Telephone Participation in Meetings**

Any one or more members of the Board or any committee thereof may participate in a meeting of the Board or committee by means of a conference telephone or similar communications equipment allowing all persons participating in the meeting to hear each other at the same time, and participation by such means shall constitute presence in person at the meeting.

# **ARTICLE IV - OFFICERS**

## **1. Officers**

Annually, the Board shall elect as officers, from its own number, a Commodore, a Vice-Commodore, a Rear Commodore, and as officers, not necessarily from its own number, a Secretary, a Treasurer, and a Race Committee Chair and such other officers as it deems necessary and who shall have such titles and duties as the Board may prescribe from time to time. The Secretary, the Treasurer, and the Race Committee Chair, if they are not already members of the Board of Governors, shall be ex-officio, non-voting members of the Board of Governors. All officers elected by the Board shall hold office at the pleasure of the Board. Any two or more offices may be held by the same person, except the offices of the Commodore and the Secretary. Any officer may resign



at any time by giving written notice to the Commodore or to the Secretary.

Between Annual meetings of the Members of the Club, the Board may fill all vacancies occurring in their own number or in any office or committee. Any Governor so elected by the Board between Annual meetings of the Club shall serve for the unexpired term of the class to which he or she is so elected and until his or her successor is elected and has qualified.

## **2. Commodore**

The Commodore shall be President of the corporation and its chief executive officer. The Commodore shall preside at all meetings of the Club and of the Board.

## **3. Vice Commodore and Rear Commodore**

The Vice-Commodore and Rear Commodore shall assist the Commodore and, in the absence of the Commodore, the Vice-Commodore, or in the absence of both, the Rear Commodore, shall perform the duties of the Commodore.

## **4. Secretary**

Among other duties the Board may prescribe from time to time and those duties ordinarily incident to the office of a Secretary of a not-for-profit corporation, the Secretary shall call meetings of the Board or special meetings of the Members if requested by the Commodore or by a majority of the Board, see that all notices are fully given in accordance with these By-laws or as required by law, shall keep the minutes of the meetings of the Board of Governors and of the Members, and shall be the custodian of the records and of the corporate seal or seals of the corporation.

## **5. Treasurer**

Among other duties the Board may prescribe from time to time and those duties ordinarily incident to the office of a Treasurer of a not-for-profit corporation, the Treasurer shall have charge of and be responsible for all assets, funds, securities, accounts, receipts and disbursements of the Club; shall deposit, or cause to be deposited, in the name of the Club all moneys or other valuable effects in such banks, trust companies, or other depositories as shall, from time to time, be selected by the Board of Governors; and shall, whenever requested by the Board of Governors and no less frequently than annually, prepare, or cause to be prepared, an account of the financial condition of the Club. Notwithstanding these provisions relating to the duties of the Treasurer, the Board of Governors may designate a banking institution as the fiscal agency of the Club and delegate to it such duties and other responsibilities as the Board of Governors may prescribe, including any duty or responsibility herein or by law directed to be performed by the Treasurer.

## **6. Race Committee Chair**

The Race Committee Chair shall preside over meetings of the Race Committee and shall periodically report to the Board and the Membership on Race Committee programs and activities.

## **7. Fleet Officers**

The Commodore may appoint a Fleet Captain and upon appointment, shall define his or her duties. Additional Fleet Offices, including but not limited to Fleet Surgeon and Fleet Measurer, may be established by vote of the Board of Governors. Fleet Officers shall hold office at the pleasure of the Commodore.



## ARTICLE V - COMMITTEES

### 1. Committees

The Commodore, with the approval of the Board, shall appoint a Nominating Committee, a Race Committee, and such other committees as the Commodore may deem necessary and, except as herein otherwise provided, prescribe their numbers and their powers and duties. The members of committees appointed by the Commodore and approved by the Board shall hold office at the pleasure of the Board. Subject to action by the Board of Governors, and between meetings of the Board of Governors, the Commodore may name individual members to Committees and may create ad hoc committees.

### 2. Nominating Committee

The Nominating Committee shall consist of two Members not members of the Board, one current Governor, and the immediate past Commodore (or a past Commodore if the immediate past Commodore is unavailable to serve). The Commodore shall vote on Nominating Committee nominations only in the event of deadlocks. The Nominating Committee shall present its report of nominations for Governors to the Commodore so that such nominees may be included in the notice of the Annual Meeting. Other nominations may be presented by Members at the Annual Meeting.

### 3. Race Committee

The Race Committee shall consist of the Race Committee Chairman, and such other Members as the Commodore shall appoint and the Board shall approve. The Race Committee shall develop and manage all racing activities of the Club.

## ARTICLE VI - INDEMNIFICATION

To the extent permitted and in the manner prescribed by law, the Club shall indemnify any person made, or threatened to be made, a party to an action, suit or proceeding, whether civil or criminal, including an action by or in behalf of the Club, by reason of the fact that such person, his or her testator or intestate, is or was a director, governor or officer of the Club, or of any other corporation of any type or kind, domestic or foreign, which such person served in any capacity at the request of the Club, against judgments, fines, amounts paid in settlement and reasonable expenses, including attorneys fees, actually and necessarily incurred as a result of such action, suit or proceeding, or any appeal therein, if such director, governor, or officer acted in good faith, for a purpose which he or she reasonably believed to be in the best interests of the Club and, in criminal actions or proceedings, in addition, had no reasonable cause to believe that his or her conduct was unlawful. The indemnification provided for herein shall not be deemed exclusive of other rights to which any such person may be entitled under any law or regulation, any resolution of the Members, resolution of the Board of Governors, agreement, insurance policy or otherwise.

Expenses incurred in defending a civil or criminal action or proceeding may be paid by the Club in advance of the final disposition of such action or proceeding in accordance with the Not-For-Profit Corporation Law of the State of New York. In accordance with the foregoing and with the Not-For-Profit Corporation Law of the State of New York, the Club may purchase insurance to cover such obligations to the extent the same is reasonably available in the judgement of the Board of Governors.



## ARTICLE VII

### Seal and Burgee

The Seal, Burgee, name, logo or other identification items of the Club (including items bearing any likeness of the Club's Burgee, name, logo or other identification items) shall be such as are from time to time prescribed by the Board and approved by the Members of the Club. The Club's Burgee, name, logo and other identification items (including items bearing any likeness of the Club's Burgee, name, logo or other identification items) prescribed by the Board and approved by the Members of the Club are for the use of, by and for the Club's Members, and may not be used for any business, commercial or advertising purposes except with the prior written permission of the Board.

## ARTICLE VIII

### Amendment of By-Laws

These By-laws may be amended at any meeting of the Club, the notice of which states such purpose, by a vote of two-thirds vote of the Members present, in person or by proxy, at such meeting at which a quorum is present.

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[Adopted at the Annual Meeting of Members held on June 27, 1998 and amended on June 24, 2000, May 24, 2003, September 5, 2005, and May 2016]

### Election of Members

FIYC welcomes new members with a knowledge and interest in boating and maritime activities and a love and respect for the sea. Prospective new members must complete an Application for Membership, which includes letters from both a Proposer and a Secunder. Candidates must also be known to at least three members of the Board of Governors, whose names shall be included in the Application, which should be submitted to the Membership Committee. The Membership Committee reserves the right to request additional information about a Candidate, which may include an interview.

Upon recommendation by the Membership Committee, Applications for Membership may be approved by the Board of Governors, followed by notification from the Commodore, including a statement, for initiation fees and dues (if in season).

### 2019 Schedule of Dues and Initiation Fees

Category	Dues	Initiation Fee
Junior (21-24)	\$100	\$0
Junior (25-29)	\$345	\$0
Regular	\$525	\$900 (\$450 for Island Residents)
Senior	\$250	\$320



# FISHERS ISLAND YACHT CLUB

## MARINA RULES

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### Marina Overview

Fishers Island Yacht Club operates and maintains its Marina facility on West Harbor under a long-term lease from FIDCO. The Club employs a Marina Manager, Lincoln White, to supervise the Marina in season and to drive the Club's launch, Attentive. The Club's Marina Committee Chair for 2019 is Stewart Cut-ler, and all questions regarding the Marina should be directed to the Manager or the Marina Committee.

### Harbor Committee

West Harbor is regulated by the Town of Southold's Fishers Island Harbor Committee, and supervised by the Bay Constables. Please refer to the Harbor Committee rules for details on anchoring, mooring, speed limits, etc. In season, copies of the Harbor Committee rules are available at the Yacht Club and are also available at [www.fiy.com](http://www.fiy.com).

### Yacht Club Members' Dock

The Marina Manager maintains an open berth for the temporary use of Yacht Club members. With the permission of the Marina Manager, Yacht Club members may bring their boats alongside the Members' Dock for washing down, provisioning, maintenance, etc. Boats on the Members' Dock may not be left unattended, and during busy times skippers are encouraged to be mindful of other members waiting to come alongside. Members requiring extended stays alongside should make arrangements for a transient berth (see below).

### Seasonal Slip Rentals

The Fishers Island Yacht Club Marina offers seasonal slip rentals. When the Marina is full, the Marina Committee maintains a waiting list of those interested in renting slips. For more information about seasonal slip rentals, including rates and availability, please contact the Marina Manager.

### Transient Visitors

The Marina has dock space available for Island visitors. Yacht Club members may reserve space for their guests, on a first-come, first-served basis. All overnight visitors are required to make payment for the full length of their stay upon arrival.

### Hay Harbor and Fishers Island Club Visitors

Upon prior arrangement with the Marina Manager, members of athletic teams competing at the Hay Harbor or Fishers Island Clubs may dock at the Marina without charge for short periods of time. In addition, members of the Hay Harbor Club and Fishers Island Club who are not Members of FIYC may make advance reservations for transient berths with the Marina Manager.

## Reciprocity Policy

Reciprocal Clubs:

SHELTER ISLAND YACHT CLUB

STONINGTON HARBOR YACHT CLUB

WADAWANUCK YACHT CLUB

WATCH HILL YACHT CLUB

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Members of yacht clubs that have reciprocal privileges with FIYC may dock at the Marina four times per season, without charge, for short periods of time, not to exceed three hours. Space at the dock is severely limited and the Dock Master must give priority to the reservations of overnight transient guests.

Due to limited dock space, FIYC is not able to offer reservations to reciprocal club boats. Available space is allocated on a first come, first served basis.

It is recommended that members of reciprocal yacht clubs who wish to visit the Marina call the FIYC Dock Master informing him of vessel name, length, draft and club affiliation. At this point the Dock Master will offer a view as to the likelihood that dock space will be available at the proposed time of arrival. Such communication will not constitute a reservation.

Skippers intending to exercise their reciprocal privileges must make their yacht club affiliation known at all times by flying their club burgee when loud hailing or addressing FIYC personnel afloat, while approaching the Marina and while secured alongside the Marina.

Promptly after securing her/his vessel the Skipper shall sign in at the Dock Master's office logging boat name, club, arrival time, Skipper's name, address and cell phone number so that the Dock Master may contact the Skipper while on Fishers Island, should the need arise.

If the reciprocal yacht overstays the three hour limit, or fails to register at the Dock Master's office, no further privileges will be extended to this yacht or Skipper for the remainder of the season.

### Discharge and Refuse

All boats at the Marina must follow the Harbor Committee rules for waste water discharge and other environmental regulations. The Yacht Club does not provide for holding tank pump-outs or garbage disposal, and no boat garbage may be left at the Club by members, tenants or visitors.

### Showers and Heads

Yacht Club members and transient visitors may use the showers and bathrooms located in the Clubhouse. Please see the Marina Manager for after-hours access.



## Safety and Quiet Enjoyment

The Marina Committee operates the Marina for the benefit of the boating community on Fishers Island. Members and visitors should exercise good judgment and seamanship when using the marina, and are responsible for their own safety and that of any children in their care. Children shall wear lifejackets while on the docks or boats moored at the Marina. There shall be no running on the docks. There shall be no fires or open flames on board any boat while at the Marina. The Marina Committee reserves the right to ask any visitor to leave the Marina and to discontinue the seasonal tenancy of a member if, in the sole judgment of the Committee, the behavior of the visitor or member is unsafe or otherwise prevents the quiet enjoyment of the Marina by others.

## PARKING POLICY

Fishers Island Yacht Club members are kindly asked to please park in the parking lot, adjacent to the Sea Stretcher, that is designated by the "Fishers Island Yacht Club, Member Parking" sign.

Please refrain from parking on private property in the neighborhood of the Yacht Club.

Overflow and non-member parking is available across the street from the gas station and in the Dock Beach parking lot.

Thank you for your attention to this matter.

## PRIVACY POLICY

It is the policy of Fishers Island Yacht Club, Inc. that the annual membership directories of the Club are to be maintained for private or official Club business only and are not to be used for a commercial purpose or for the personal gain or benefit of any member. The directory shall not be used by any outside agency or organization or individual to solicit or send circulars to members of the Club or for any other similar purpose. Members shall not permit their copies of the directory to be used for such purposes and shall not permit the directory to be available to non-members.



## FIYC ALCOHOL POLICY

It is the policy of the Club that the responsibility for the conduct of each member, their family and guests, in all matters involving the consumption of alcoholic beverages on the Club premises, lies with the individual member. In order to maintain a safe and pleasant atmosphere for all members, guests and staff, the Board of Governors has established, and will enforce, the following alcohol service policy:

*At all events where alcohol is served, signs stating that it is unlawful for individuals under the age of 21 to consume alcohol will be prominently displayed. Servers, be they members, staff or a caterer must monitor the consumption of individuals served and take steps to prevent an individual from becoming intoxicated.*

*Refusing service to an intoxicated person is the responsibility of the server, be they member, staff or outside caterer. In addition, it is the responsibility of the server to inform a member of the Board of Governors or a designee in such situations.*

Should someone appear to be intoxicated, it is important to ensure that:

*A member of the Board of Governors or a designee is informed immediately to take charge of the situation.*

*No more alcohol is served to that individual and their access to alcohol through others is prevented.*

*The Governor or a designee will enlist a friend or spouse who is not intoxicated to take the person home.*

*If an individual resists the efforts taken for their protection, the police should be called.*

All situations that arise related to the service of alcohol should be documented and signed by all staff who are aware of the situation. All documented situations are to be submitted to the Board of Governors.

### Alcohol and boating

When it comes to alcohol and boats we would like to remind our members and guests of the following:

It is illegal:

to drink alcohol while operating a boat and

to operate a boat while impaired on alcohol or drugs.

You can be charged and convicted of driving while impaired. Penalties could include prohibition from driving a boat, prohibition from operating any motorized vehicle, fines and jail. We encourage our members and guests to comply with the laws of the State of New York.

