

**BEACONSFIELD YACHT CLUB  
BY – LAWS  
Final Version, January 2023**

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## **Beaconsfield Yacht Club, By – Laws**

### **Article 1 - Name, Seal and Location**

The name of the Club shall be BEACONSFIELD YACHT CLUB and in French shall be YACHT CLUB DE BEACONSFIELD.

The seal shall read: "Beaconsfield Yacht Club, founded 1967, Quebec incorporated 1969". The Club shall have its seat in Beaconsfield, Quebec.

### **Article 2 - Object**

The object of the Club shall be to encourage the sport of yachting, to promote boating safety and to provide and maintain suitable boating facilities and clubhouse for the recreation and use of its members.

### **Article 3 - Burgee and Insignia**

The Club Burgee shall be triangular shaped, bearing a design based on the seal of the City of Beaconsfield in gold colour on a dark green field. The Club's insignia shall be a crest showing the Club's burgee on a black background over blue waves and the inscription FORTI NIHIL DIFFICILE, surrounded by a golden rope intertwined at the bottom.

### **Article 4 - Membership**

#### **4.1 Senior Members**

Senior Members shall be boat owners whose applications have been accepted by the Executive, and whose dues are not in arrears. In this context a senior member is defined as a person who pays an annual fee for mooring, docking or dry sailing.

#### **4.2 Associate Members**

Associate Members shall be members who are not boat owners in the sense of the preceding section, whose applications have been accepted by the Executive.

#### **4.3 Out-of Town Members**

Out of Town Members shall be members who reside and whose regular place of employment is outside a radius of 100 kilometres from the clubhouse in Beaconsfield and who do not regularly use the facilities of the Club.

#### **4.4 Family Privileges**

Members' spouse and their children, under 21 and living at home, shall enjoy club privileges. Member's children having reached the age of twenty-one and owning a boat must become members in their own right.

#### **4.5 Beaconsfield Residents**

New membership priority will be given to residents of Beaconsfield until the end of February.

#### **4.6 Membership Renewal**

Non payment by any member of his annual membership dues within 30 days after their due date, at the discretion of the executive, may be deemed to be his resignation.

#### 4.7 Voting Rights

Voting rights shall be restricted to Senior members, one representative per family. Only one family member may sit on any committee.

### **Article 5 - Flag Officers of the Club**

#### 5.1 Flag Officers of the Club

The Flag Officers of the Club shall consist of Commodore, Vice Commodore, Rear Commodore, Harbour Master, Secretary and Treasurer, each of whom shall be senior members at the time of their election.

#### 5.2 Period of Office

The Period of Office Each Flag officer of the Club shall hold office from the date of the Annual General Meeting in which he has been elected until the next Annual General Meeting. It is anticipated that a member shall serve two, but in no case more than four consecutive terms in the same office.

### **Article 6 - Duties of Flag Officers**

#### 6.1 Commodore

It shall be the duty of the Commodore to preside at all meetings of the members and of the Executive Committee and to see that the rules of the Club are enforced. The Commodore may participate in any Executive sub committees.

#### 6.2 Vice Commodore

It shall be the duty of the Vice Commodore to act in the absence of the Commodore and to assist him in the discharge of his duties. The Vice Commodore shall also be responsible for all club publicity and communications.

#### 6.3 Rear Commodore

It shall be the duty of the Rear Commodore to be responsible for provision of sailing instruction through the Junior and Adult Sailing Programs.

#### 6.4 Harbour Master

It shall be the duty of the Harbour Master, to ensure general supervision, control and maintenance of the harbour, ramps and docks. It shall also be the duty of the Harbour Master to assign dock space.

#### 6.5 Secretary

It shall be the duty of the Secretary to-

- a) keep a true record of the proceedings of all meetings of the Club for the Executive Committee;
- b) keep a correct roll of all categories of members and a complete description of their boats;
- c) oversee all official communications connected with the business of the Club;
- d) notify each member of every general meeting and each member of the Executive Committee of each executive meeting and prepare an agenda and all relevant documentation of the business to be discussed at such meetings;

## 6.6 Treasurer

The Treasurer shall:

- a) Ensure that the member's accounts are kept current
- b) Ensure that all monies due to the Club are received, all bills contracted by it with the approval of the Executive Committee are paid; and all accounting records are kept current and made available to the Club's appointed auditors
- c) Report on the amount of money on- hand at any time when requested by the Commodore or Executive Committee;
- d) Present at the Annual General Meeting a report of the affairs of the Club for the past year, and also a full account showing all receipts and disbursements and the audited financial condition of the Club at the end of its financial year.
- e) Ensure that the funds of the Club shall be kept in a chartered bank and shall be withdrawn or paid out with any two signatures of the following persons; The Commodore the Vice Commodore, the Treasurer, the Secretary or the Manager.
- f) Prepare, with a Committee selected by the Executive Committee, the annual budget of the Club.

## Article 7 - Executive Committee

### 7.1 Executive Officers

#### 7.1.1 General

The Executive Committee shall consist of the Flag officers and the following Executive Officers, each of whom shall be senior members at the time of their election

#### 7.1.2 House and Grounds Officer:

It shall be the duty of the House and Grounds Officer to ensure proper maintenance of Club buildings and grounds, provision of adequate dry sailing facilities, enforcement of the necessary rules and regulations, and the allocation of winter storage areas.

#### 7.1.3 Special Events Officer:

It shall be the duty of The Special Events Officer to plan and ensure a responsible organization and management of Club sponsored special events.

#### 7.1.4 Sailing Officer:

It shall be the duty of the Sailing Officer to promote sailing activities through both racing and cruising events and to ensure proper management of these events and activities.

#### 7.1.5 Other Positions

d) The Sitting Commodore, with the approval of the Executive may appoint one additional Executive Officer for whom he would define responsibilities. The sitting Commodore may abolish, with the approval of the executive, this position at any time. If this position is to be renewed in the following year, the new position and responsibilities of the Executive Officer will be communicated to the members of the Nominating Committee.

#### 7.2 Executive Committee Meetings

The Executive Committee shall hold meetings when called by the Commodore or the person acting in his stead and as often as necessary. Four members of the Executive Committee, including at least two Flag Officers, personally present, will form a quorum.

#### 7.3 Vacancies

The Executive Committee has power to fill vacancies among the Officers and its members except for the office of Commodore. The qualified person chosen to fill a vacancy will hold office for the balance of the term of office of the person that he replaces, but may subsequently be elected to the office for up to three consecutive terms.

#### 7.4 Management Responsibilities

The Executive Committee shall ensure proper management and control of the Club, set fees and make rules for the governance of the Club property, harbour, and affairs generally. The Executive Committee has power to accept, discipline and expel members as provided in Article 13 of these Bylaws.

#### 7.5 Information on Club Operations

The Executive Committee shall inform the membership at large of the operating plans and major capital expenditures it considers desirable, and that it plans to implement for the proper functioning and long-term development of the Club.

#### 7.6 Board of Governors

The incoming New Commodore, and the Executive Committee, shall appoint a Board of Governors which will serve in an advisory role to the Commodore and to the Executive Committee. The Board of Governors shall be comprised of the most recent past Commodore, and two other past Commodores along with two senior members, appointed by the Executive Committee. The Board of Governors shall elect its Chairman. A vacancy on the board may be filled by the Commodore appointing a senior member to complete the remainder of the term. The board shall meet at least once annually and shall present a report at the Annual General Meeting.

#### 7.7 Honorary Members

The Executive Committee may, by resolution, name any person who has provided the Club with services or who has displayed exceptional support for the objectives pursued by the Club, as an Honorary Member of the Club. Honorary Members may participate in the Club's activities and may attend Meetings of the Members, but they shall not have the right to vote at such Meetings. They shall not be eligible for election as Officers of the Club and shall not be required to pay dues or contributions to the Club, so long as they do not own a boat.

#### 7.8 Liability of Directors, Officers and Staff Members

The Beaconsfield Yacht Club shall indemnify every officer or other person or his estate and provide defence against any claims, whether by third parties or fellow members arising out of such persons' performance of the duties of his office with the Club unless such claims arise from the wilful misconduct of that person.

The Club shall provide this protection through adequate liability insurance.

## **Article 8 - Nominations**

### **8.1 Members of the Nominating Committee**

Members of the Nominating Committee shall consist of three (3) senior members of the Club, as defined below.

The selection of the members for the Nominating Committee for the current year shall be made by the Executive Committee at the beginning of their year in office. The members of the Nominating Committee shall be presented in writing to the BYC Club Membership at the earliest opportunity. They will also be presented to the Club membership during a scheduled Event, and not later than the Commissioning Day of the club.

#### **8.1.1 Composition of the Nominating Committee**

The Nominating Committee shall be composed of:

- a) The Committee Chairperson, a senior member of the club who has previously held a position as an Officer of the Club at the Beaconsfield Yacht Club, but who is not currently sitting on the Executive and is not a member of the Board of Governors.
- b) Two (2) Members at Large, who shall be selected from the general membership, where each position shall be held by members who have been senior members of the club for at least four (4) years.

### **8.2 Duties of the Committee**

The Nominating Committee shall present a slate of Executive Committee members for the following year to be included in the notice calling the Annual General Meeting and will have received agreement from all the persons proposed for office. The proposed slate shall be posted and mailed to the members at the latest with the notice of the Annual General Meeting. The nominees for the Executive positions shall be considered by the Nominating committee after input from the Commodore, and discussion with club members at large. No position on the slate shall be dictated solely by succession but shall be put forth after due consideration.

### **8.3 Restrictions on Committee Members**

No member sitting on the Nominating Committee shall be selected as an incumbent for a position as an Officer of the Club.

### **8.4 Other Nominations**

Any five Senior Members together may independently nominate one candidate for each or any office or position. Such nomination, together with the written consent of the nominee, shall be filed with the Secretary no later than two weeks prior to the Annual General Meeting. The Secretary shall post these nominations in the club house and notify the members by a general mailing not less than ten days prior to the Annual General meeting.

## **Article 9 - Fees**

### 9.1 General Fees

Entrance fees, annual fees and dues will be set each year by the Executive Committee. Member's children who have reached the age of twenty-one and are required to become members of the club shall have their Initiation Fees waived

### 9.2 Assessments

An assessment may be levied by the Executive Committee to cover operating deficits, but shall not exceed \$100.00 per member per year.

## **Article 10 - Fiscal Year**

The fiscal year of the Club shall run from November 1 until October 31.

## **Article 11 - Borrowing Powers**

### 11.1 Debentures

*(This original by-law as of 1970 shall be retained in its original context until all or any outstanding debentures have been officially removed from BYC books)*

Unsecured, non-interest bearing debentures (series A) in the principal amount of \$50.00 shall be issued by the Club. Founding Members shall be obliged to purchase one debenture each in fiscal year 1970 and 1971 in lieu of entrance fee. Members joining in fiscal year 1970 shall be obliged to purchase one debenture in fiscal year 1971. These debentures shall be refundable upon replacement of membership or as recalled by the Executive Committee at its discretion.

### 11.2 New Debentures

New debentures, to meet specific requirements, may be issued from time to time as approved by the membership at a general meeting.

### 11.3 Banking

The Executive Committee has the right to make full banking arrangements through short-term loans against revenue not to exceed 12 months. The club may only obligate itself for the financing of any long term capital purchase or expansion to a level not to exceed in aggregate 10% of the annual revenue.

## **Article 12 - Meetings**

### 12.1 Annual General Meeting

The Annual General Meeting shall be held at a date in December determined by the Executive Committee. The Annual Meeting shall be held at the Club House or at any other place determined by the Executive Committee.

### 12.2 Special General Meetings

General Meetings of the Members other than the Annual Meeting shall be Special General Meetings. They shall be held at the place determined by the Executive Committee. Such Meetings shall be called by the Executive Committee when it is deemed advisable for the efficient administration of the Club's business. However, the Executive Committee shall be required to call a Special Meeting of the Members upon the written request of at least ten Senior Members, addressed to the Secretary and specifying the object of such Meeting. Should the Executive Committee fail to call such a Meeting within five weeks of receipt of the aforementioned notice, it may be called by the signatories of the written request themselves. Such meetings may only transact the business for which the meeting was called.



### 12.3 Notice of Meetings

Notice of time and place of a general meeting will be mailed to each member four weeks prior to the date of the meeting. In the case of special general meetings, purpose of meeting must be stated.

### 12.4 Quorum Requirements

A quorum for all general meetings shall be 20 Senior Members in good standing.

## **Article 13 - Regulations and Discipline**

The Executive Committee is authorized to draft and enforce such rules for the proper conduct of the Club as it shall deem expedient. If a member be guilty of conduct which, in the opinion of the Executive Committee, is detrimental to the interests of the Club, the Secretary shall summon such member to appear before the Committee to explain such conduct. If he neglects to appear before it, or, having appeared, fails to satisfy it, the Committee may suspend him or expel him permanently.

## **Article 14 - Dissolution of the Beaconsfield Yacht Club**

In the event of the dissolution of the Beaconsfield Yacht Club, the assets of the club will be transferred to a not for profit, boating related organisation. The Organisation is to be chosen and approved by the membership at a duly constituted meeting called to approve the dissolution of the club.

## **Article 15 - Making, Repealing Or Amending By-Laws**

Bylaws can be enacted, repealed or amended only by a vote of 2/3 of members present and entitled to vote at a duly constituted general meeting. The text of any proposed change must be stated in the notice calling the meeting.

## **Article 16 - Amendments**

BEACONSFIELD YACHT CLUB  
26 Lakeshore Road  
Beaconsfield. Quebec  
H9W 4H3