

BY-LAWS BAKERSFIELD MODEL YACHT CLUB



Introduction: The Bakersfield Model Yacht Club is an organization comprised mostly of individual members from Kern County, California. The BMYC represents these individuals to the American Model Yachting Association (AMYA). BMYC is in fact the only model sailboat club sanctioned by AMYA in this area. BMYC was founded in 2003 to promote fair yachting competition by supporting standard yacht racing, measurement rules and by coordinating model racing schedules and regattas for the Kern County area. These functions will remain central to BMYC's primary objectives. In addition, BMYC will be a recognized host to numerous national and regional AMYA invitational regattas and championship events by providing services for protests and various other coordinated functions throughout the region. BMYC is comprised of an Executive Committee and professional staff who all serve on a volunteer basis. These individual members also run various other activities and members services, and, as well, provide outreach services to show all interested parties how to become involved in model sailboat racing. These By-laws have been established to keep BMYC's primary goals focused in the appropriate directions.

BY-LAWS

ARTICLE I – NAME

The name of this organization shall be the "Bakersfield Model Yacht Club"; herein and otherwise known as BMYC for the purposes of these by-laws "organization" or "association", formed in the state of California.

ARTICLE II – PURPOSE

The exclusive purposes for which the organization is formed and for which it shall operate are for charitable and educational purposes and to foster national and international amateur sports competition within the meaning of Section 501(c)(3) of the Internal Revenue Code and any successor provisions, and, specifically:

- a) To encourage and promote model yachting activities among the members of the organization and all other yachting associations throughout the world and to help unify the rule in connection therewith.
- b) To encourage and promote amateur model sailboat racing in the Bakersfield area and its adjacent waters by supporting standard model yacht racing and measurement rules and by coordinating racing schedules and regattas.
- c) To maintain a rules and appeals committee for processing appeals of the decisions of protest committees of the organization and/or territory assigned to the association by American Model Yachting Association (AMYA). This service is provided as a public service to all model sailors.
- d) To foster educational programs for the training of members in subjects related to model yachting activities, including the science of seamanship and navigation.
- e) To promote boating education and safety through educational programs and through the requirement of appropriate safety equipment and gear on participating boats and competitors.
- f) To promote the sport of model sailboat racing by sponsoring education and training programs for youths interested in the sport of sailing.
- g) To promote educational and scientific purposes by assisting in the training of amateur yachtsmen for participation in international, national and regional competition by organizing and/or holding competitive events similar in nature, and to the holding of meetings, in the nature of seminars at which the results of these events will be analyzed and competitive strategy and tactics will be discussed with a view to the improvement of the performance of the participants.

h) To promote and make available to contestants in the aforesaid international, national and regional sailing events new developments in the design, construction, sails and rigging of craft of the type used in such contests.

i) To foster and promote public interest in the participation in international, national and regional events.

j) To supervise the organization's model sailing activities carried on by members and class organizations and to administer the by-laws and rules of the organization.

k) To promote AMYA national championships and international events, to organize supportive competitions within the organization's area and to support participation of sailors.

l) To cooperate with and to present members before AMYA and other organizations that support amateur model sailboat racing, boating safety and educational activities.

ARTICLE III - MEMBERSHIP

Section 1 MEMBERSHIP: The membership shall consist of individuals whose purpose or interest is the furtherance of Corinthian sailing. No individual; who, through his or her membership with the organization would be subject to financial gain or interest from the organization; shall be eligible for membership in this association. Exceptions are the organization's endeavors to further promote the purposes stated in Article II herein and/or the staff as they are paid for necessary support services.

Section 2 APPLICATION FOR MEMBERSHIP: Membership candidates must display an interest in model sailing or model sailboat racing in Bakersfield area or its adjacent waters. The candidate must devote adequate attention to the development of Corinthian yacht racing.

Section 3 ADULT MEMBER: Any individuals in the Bakersfield, CA area who have reached their 15th birthday by the 31st day of December of the year in which they are competing will hold adult membership in BMYC. The individual adult member is privileged to take part in the discussion of questions on the floor, may offer or second resolutions for vote, and may cast votes on all matters of business before BMYC. Adult members may hold office, may serve on committees, and may participate in discussions on the floor.
JUNIOR MEMBER: Any individuals in the Bakersfield area who have not reached their 15th birthday by the 31st day of December of the year in which they are competing may hold junior membership in BMYC. Junior members may serve on committees, but are not entitled to participate in discussions on the floor at BMYC meetings, offer or second resolutions, or vote on matters of business at such meetings.

Section 4 DUES FOR ACTIVE MEMBERSHIP: Payment of dues is required to retain the status of membership in good standing. Dues shall become payable at the end of the annual business meeting held in December and are due no later than the following 1st day of April. Any member not in good standing (in arrears) shall lose all privileges of membership and, if in arrears for 6 months, shall be automatically dropped from the membership rolls of the association. All members according to type shall pay dues, as follows:

a) \$10.00 per annum for all Adult Individual memberships;

b) \$5.00 per annum for all Junior Individual memberships.

Annual dues may be changed by a vote of three-fourths of the voting members present in person or by proxy at any scheduled meeting of BMYC.

Section 5 PROBATION AND EXPULSION: Any member may be placed on probation or expelled for cause after,

a) the member and the Executive Committee have been notified 30 days in advance of any regularly scheduled meeting that such action has been recommended, and;

b) the member has been offered the opportunity to be heard at such meeting, and;

c) three-fourths of the voting members present at such meeting, in person or by proxy, vote in favor of the recommendation. A member on probation no longer has voting rights. If a member remains on

probation for two consecutive years, the racing events participated in by this member shall not count towards the earning of any BMYC award. A member on probation may be restored to voting membership after: a) the Executive Committee recommends such action, and; b) the member on probation is notified of such recommendation 30 days in advance of any regularly scheduled meeting of BMYC, and; c) three-fourths of the voting members present at such meeting, in person or by proxy, vote in favor of the recommendation.

ARTICLE IV – ANNUAL MEETING The annual meeting shall be held on the first Saturday in December or within fifteen days thereafter. The Executive Committee shall designate the location of the annual meeting. Special meetings may be called by the Commodore or on written request of three or more voting members on not less than thirty days notice to the membership. At all meetings, a majority of the voting membership in good standing, present in person or by proxy, shall constitute a quorum.

ARTICLE V – EXECUTIVE COMMITTEE

Section 1 VESTED AUTHORITY: The management and control of the association shall be vested in an Executive Committee consisting of the officers of the association. The committee shall make all appropriations, authorize all expenditures, designate the location of the annual meeting, perform all routine duties, perform all acts that may be directed by the by-laws, and have such powers and perform such other acts as usually pertain to such a governing body. Voting on questions by the Executive Committee may be by mail and acts so authorized shall have full effect.

Section 2 REMOVAL OF EXECUTIVE COMMITTEE MEMBERS: Removal of any executive committee member shall be approved by a vote in favor of the recommendation of three-fourths of the voting members present at any scheduled meeting, in person or by proxy.

Section 3 VACANCIES: In the event of the death, resignation, or removal of a member of the Executive Committee, the committee shall appoint a new member to fill such a vacancy as soon as may be practicable. Persons appointed to fill such vacancies shall serve as members of the Executive Committee until the next ensuing annual meeting or until their successors have been duly elected.

ARTICLE VI – MANAGEMENT

Section 1 OFFICERS: The officers of the association shall consist of a Commodore, Vice Commodore, Secretary/Treasurer and Race Director and Fleet Captain(s).

Section 2 ELECTIONS: At the annual meeting, the Commodore, Vice Commodore, Secretary/Treasurer and Race Director shall be elected by the vote of a majority of the delegates present and voting, in person or by proxy.

Section 2B ELECTIONS OF FLEET CAPTAIN(S): The officers of the association shall elect a Fleet captain by a majority vote of the officers for each qualified fleet within the association at the annual meeting of the BMYC. The Fleet Captains elected shall serve for a one-year period. A qualified fleet shall consist of at least 5 yachts dully registered with the AMYA within the fleet.

Section 3 COMMITTEE CHAIRS AND DELEGATES: The Commodore shall, as needed, appoint the chairs of the following standing committees and delegates: Appeals Committee; Membership Committee.

ARTICLE VII – OFFICERS

Section 1 The Commodore of the association shall preside at the meetings of the association, shall chair the executive committee, and shall be ex-officio member of all other committees. The commodore shall appoint the chairs of standing committees and delegates to other organizations with which BMYC is associated and shall appoint special committees as deemed desirable.

Section 2 The Vice Commodore shall have such powers and duties as usually pertain to such an office and, in the absence of the commodore, shall preside in his place. The vice commodore's duties shall include promotion of membership, publicity, dissemination of race results, scheduling and such other duties, as the Executive Committee shall prescribe.

Section 3 The Secretary/Treasurer shall be the custodian of the permanent records of the association. The Secretary/Treasurer shall keep minutes of the meetings, the list of active members and their delegates, the list of individual members, shall keep a schedule of events, send announcements of

meetings, handle association correspondence, carry on other duties usually pertaining to the office and duties as the Executive Committee shall prescribe.

Section 4 The Secretary/Treasurer shall keep account of all receipts and expenditures and make full report thereon at the annual business meeting, collect dues, send bills and notices, carry on other duties pertaining to the office and duties as the Executive Committee shall prescribe.

Section 5 The Race Director shall appoint the chairman of the Race Committee and the High Point Committee and shall supervise all races and race courses during the course of sailing events during the year.

Section 6 Fleet Captain: The Fleet Captain will preside at all meetings of his designated fleet and shall be a member of the executive committee of the BMYC. The Fleet Captain shall maintain records of the fleet members and all pertinent information such as frequencies used and registered yacht sail numbers. The Fleet captain will also be responsible to be the "contact" between the fleet members, the BMYC officers, other fleets within Region 6 and the Fleet Secretary of the AMYA. The Fleet Captain will also help in promoting new members to join the local fleet and the BMYC.

ARTICLE VII – STANDING COMMITTEES

Section 1 Race Committee: The committee shall develop and supervise the organization and conduct of all racing events. The committee shall consist of a chair, appointed by the Race Director, and delegates appointed by the chair as deemed desirable.

Section 2 High Point Committee: The committee shall maintain records of the sanctioned events held and shall compile and publish the season's standings. Its records shall close at midnight, 31st day of October, or two weeks after the last scheduled sanctioned event, whichever is last. Race results not received prior to that time shall not be counted in the season's scoring. The committee shall consist of a chair, appointed by the Race Director, and delegates appointed by the chair as deemed desirable.

Section 3 Rules and Appeals Committee: The committee shall hear and decide appeals duly filed as prescribed in the [ISAF](#) (formerly IYRU) rules as adopted by the American Model Yachting Association (AMYA), report all results to the high point committee, and review and approve sailing instructions published by BMYC. The committee shall consist of a chair, appointed by the Commodore, and delegates appointed by the chair as deemed desirable.

Section 4 Membership Committee: The committee shall consider applications of individuals desiring membership and make their recommendations known to the delegates. The committee shall consist of a chair, appointed by the Commodore, and delegates appointed by the chair as deemed desirable.

ARTICLE VIII – RACING RULES In all events, sponsored and/or sanctioned by the association, the [ISAF](#) (formerly IYRU) rules as adopted by AMYA and AMYA prescriptions, shall govern, except as may be otherwise modified by BMYC publications or by special race committee or class rules.

ARTICLE IX – AMENDMENTS The by-laws may be amended at a duly constituted meeting of the association by a two-thirds vote of those present in person or by proxy, provided notice of such amendment has been sent to the active membership at least thirty days prior to the date of such meeting.

ARTICLE X – DISSOLUTION

Section 1 No part or portion of the assets or net earnings of the association shall be used, nor shall the association ever be organized or operated, for the purposes or objects other than those stated in Article II hereof. In the event of the termination or dissolution of the association in any manner or for any reason whatsoever, its remaining assets, if any, shall be distributed exclusively for the purposes stated in Article II hereof in such manner, or to one or more organizations described in section 501(c)(3) of the internal Revenue Code and any successor provisions, as the directors of the association shall determine.

Note #1- The red copy are the revisions passed by Amendment Number 1 on January 17, 2004 by a majority of BMYC members present at a duly constituted meeting.