

CATARACT YACHT CLUB, INC.

BY-LAWS

ARTICLE I

IDENTIFICATION

SECTION 1. NAME

The name of the Corporation is THE CATARACT YACHT CLUB, INC., (hereinafter referred to as the "Club").

SECTION 2: PRINCIPAL OFFICE

The post office address of the principal office of the Club is 11874 ST Rd 243, Cloverdale, Indiana, 46120.

SECTION 3. SEAL

The seal of the Club shall be circular in form with the word "SEAL" in the center, bordered circularly by 'THE CATARACT YACHT CLUB, INC. *INDIANA*' and shall be mounted upon a metal die suitable for impressing the same upon paper.

SECTION 4. BURGEE

The Burgee of the Club shall be triangular in form, twelve inches wide and eighteen inches long. It shall consist of a blue field upon which a white pilot's wheel shall appear with two bands and sixteen spokes.

SECTION 5. FISCAL YEAR

The fiscal year of the club shall begin on the first day of December and end on the last day of November next succeeding.

ARTICLE II

MEMBERSHIP

SECTION 1. CLASSES

Boating Membership:

Boating Membership – Individual

Boating Membership – Family

Social Membership:

Social Membership – Includes Family Members

Members families, including spouse and unmarried children under 21 years of age who are considered and any unmarried children under 21 years of age who are considered legal dependents of their parent(s), are included in the member's membership.

Dues: Please see the Membership Dues and Dock Fees sheet for current year rates and fees.

Annual Membership fees are due on January 1st. For Boating Memberships, a minimum dock reservation payment of \$50.00 PER SLIP is due January 1st, with the balance of the dock fee due March 1st. No other payment provisions are accepted.

All classes of membership shall be non-voting unless a member holds a share of common stock in the Club.

SECTION 2. ELIGIBILITY AND ELECTION

- a) Potential members are required to complete a written application which will be reviewed by the Board for membership determination.

SECTION 3. PRIVILEGES AND RESTRICTIONS

- a) Every member in good standing and their spouse/significant other and dependent minor children shall have the privilege of use of all facilities of the Club, except as herein otherwise expressly prohibited.

- b) Social memberships do not include unrestricted access to the docks. Social members must be accompanied by a boating member to be on the docks.
- c) Each membership is non-transferable.
- d) Slip Seniority Rights:
 - 1) We recognize that our bylaws protect the seniority rights of members who have slip rights by way of having paid for a slip for one or more years. It is fully understood that any member who remains in good standing, and who has paid their dues and slip fees by the deadline each year, shall retain those rights.
 - 2) Subletting slips is subject to the board's discretion. Members will be notified if they receive a sublease. The slip owner will be refunded 50% of the dock fee, electricity, security, and mooring permit fees. The slip owner will maintain their seniority and status in the club and slip(s). The subleases will be responsible for 100% of the dock fee, electricity, security, and mooring permit fees. Starting with the 2024 boating season, if a slip owner fails to occupy their slip or subleases it for a 3rd consecutive year, the slip will be forfeited and returned to the seniority list for distribution.
 - 3) In a case where a slip owner is selling their boat and wishes to sublet the slip to the person buying the boat, the slip owner with seniority rights must pay their slip fee in full, and the person who buys the boat may sublet the slip for the remainder of the current calendar year, paying the Cataract Yacht Club the full slip fees for that season. After that season, the member must revert to their position on the waiting list.
 - 4) In the event a slip becomes available for subleasing, an existing member, based on the seniority list, has the right to take a subleased slip before a waitlist member, new member or existing member with a new boat is offered a slip. The existing member would not have to pay any additional fees to acquire this temporary subleased slip. Then his slip would become available for sublease, based on the seniority list. If no one wanted to sublease the existing member's slip then the original sublessee would not be eligible or any refunds on his subleased slip.
 - 5) A co-owned boat must have a first named owner (first name listed on the title). The first named owner is responsible for slip assignment per the seniority list and is responsible for slip fees, insurance requirements, and compliance with all club rules. In the case of changes to the co-ownership the board of directors will review/approve all changes. Co-ownership shall not subvert the seniority list.
- e) See the posted Rules and Regulations Sheet.

SECTION 4. DUES, SPECIAL FEES, AND ASSESSMENTS

- a) Dues, special fees and assessments will be determined by the Board of Directors. Any change shall be submitted to a quorum of the voting membership for approval. All fees due on January

1st, except dock fee balance. A dock reservation payment of \$50.00 is due January 1st, with the balance of the dock fee due March 1st. Other than the above dock payment arrangement, there are no provisions for quarterly or semi-annual payments. Annual dues follow schedule "A".

- 1) New members joining August 1st, through October 31st, dues and fees follow schedule "B". All payments must be paid in full.
- 2) New members joining November 1st, and thereafter through December 31st, of the current year use schedule "A" will be fully paid through the following year.

	SCHEDULE A	SCHEDULE B
INITIATION FEE:	100%	100%
ANNUAL MEMBERSHIP FEE:		
Family Membership	100%	50%
Individual (single adult)	100%	50%
IF YOU WISH TO BECOME A VOTING MEMBER: You must purchase one (1) share of common stock	100%	100%
BOAT SLIPS:		
Single Finger Slip:	100%	50%
Double Finger Slip:	100%	50%:
Jet Ski Slip:	100%	50%
STATE MOORING PERMIT: (Required)	100%	100%
ELECTRICITY:	100%	100%
SECURITY ASSESSMENT PER DOCK:	100%	100%

- b) There is a yearly dues and fees increase based on the annual Consumer Price Index for the Midwest with a minimum 1.5% and maximum 5% annual increase. This yearly increase is imposed on membership dues and dock fee's.
- c) Members are responsible for all fees associated with electronic payment transactions such as ACH and credit cards.
- d) A fee of \$ 200 will be billed to boating members to get on the houseboat or pontoon waiting list. This fee will be credited toward the new slip initiation fee once a boating member receives their permanent

slip. If you are offered a slip and decline, then you forfeit the \$200 fee. If a slip is not offered to you in 3 years you may ask for a refund of the \$200. If you elect to move from either the houseboat waiting list to the pontoon waiting list or the pontoon waiting list to the houseboat waiting list, you do not have to pay an additional fee of \$200 and you will go to the bottom of the new list.

- e) \$75 of the \$175 electric charge for metered slips goes toward maintenance for electricity and \$100 goes toward your usage. If you go over \$100 you will pay the difference. If you are under the \$100 mark, the difference will be credited towards next year's bill.
- f) Jet skis not tied to the back of a boat will be tied on the back side of the docks and will be charged , dock security fee, mooring permit fee, 50% of the current single finger slip fee, and 50% of the dock initiation fee.
- g) There will be a \$90 fee for using an unmetered courtesy plug, more than one week.
- h) If you are not a boating member or on the slip waiting list, there will be a \$100 summer storage fee to keep your boat at the club. We do not provide storage for non-members.
- i) All dues, special fees and assessments shall be delinquent fifteen (15) days after the due date. The treasurer will promptly notify the secretary and commodore of all delinquent member fees. The secretary will notify each member of any delinquency in writing, addressed to the last known address as it appears on the membership roll of the club. Names of members who are delinquent shall be posted in the Club House.
- j) Docks are scheduled to be installed mid-April of each year. Dock installation may be delayed due to high water. There will be no refunds for membership/dock fees nor will fees be prorated if the docks are installed late.
- k) Double finger slip boat lengths limits are as follows: slip #16-#2 up to 65ft, slip #17 up to 60ft, slip #21-20 up to 50ft, slip #26-#22 up to 45ft, slip #35-#32 up to 42ft

SECTION 5. TERMINATION OF THE MEMBERSHIP

- a) Any membership shall terminate automatically for non-payment of any delinquency within fifteen (15) days after written notice by the secretary or any board member.
- b) The Board of Directors may terminate any membership by unanimous vote of the Board of Directors for violation of fish, game or forestry laws, or inappropriate behavior, or for such other cause as the Board of Directors may consider good and sufficient to warrant termination of any membership.
- c) Boat slips will be awarded to the next person on the waiting list if the above payment schedule is not followed: **NO EXCEPTIONS.**

SECTION 6. GRIEVANCE PROCEDURE

- a) Any member having a charge which he deems sufficient for ouster against another member shall submit the grievance in writing to the Commodore who shall refer the charge to the Board of Directors for appropriate investigation and action in accordance with Section 5 of this article.
- b) Any questions or concerns regarding the club can be directed to the Commadore or any board member for discussion and resolution amongst the board.

SECTION 7. REINSTATEMENT

Any member whose membership has been terminated may apply for reinstatement. The procedure for reinstatement shall be the same as that for eligibility and election of new members set out in section 2. If you are not a member for two or more years, you will be considered a new member and must pay the membership initiation fee and all other applicable fees.

ARTICLE III

MEETINGS OF THE MEMBERSHIP

SECTION 1. PLACE OF MEETING

All meetings of the membership of the Club shall be held at the Club or designated area.

SECTION 2. ANNUAL MEETING

The annual Stockholders meeting for the election of Directors, and for the transaction of Club business, shall be held at 3:00 PM., EST, on the third Saturday of November of each year.

SECTION 3. SPECIAL MEETINGS

Special meetings of the membership may be called by the Commodore, by the Board of Directors or by not less than one-fourth of all the Stockholders of the Club.

SECTION 4. NOTICE OF MEETINGS

A written, printed, or electronic notification, stating the place, day and hour of the meeting, and in case of a special meeting the purpose(s) for which the meeting is called, shall be delivered or mailed by the Secretary or by the officers or persons calling the meeting, to each member at such address as appears on the records of the Club, at least ten (10) days before the date of the meeting.

Attendance at any meeting, in person or by proxy, shall constitute an acknowledgement of notice of said meeting.

SECTION 5. VOTING AT MEETINGS

- a) Every member owning one or more shares of common stock shall be eligible to cast one vote at any regular or special meeting legally convened under the rules set forth in the by-laws herein.
- b) A member may vote either in person or by proxy executed in writing or in person. Proxies shall be valid only for the specific meeting for which it is issued.
- c) Each Stockholder can hold a maximum of one (1) proxy.
- d) At any regularly called meeting, 15% of the voting membership, including written proxies, shall constitute a quorum. A quorum must be present to transact any business coming before the voting membership. A majority of the voting members, including the quorum, shall govern.

ARTICLE IV

THE BOARD OF DIRECTORS

SECTION 1. DIRECTORS

The Board of Directors of the Club shall consist of nine members who shall serve for a three-year term, with three members to be elected each year. The outgoing Board members shall nominate a potential replacement Board member. The Board shall present a slate of Directors to be voted upon by the membership, subject to additional nominations being made from the floor. Board members must be a stockholder.

No Board member may succeed themselves in office after they have served a three-year term. A vacancy on the Board may be filled by the Board of Directors. The new Board member shall serve until the next regular election of the Club, at which time the eligible voting membership shall elect a Board member to fill the vacancy to serve the unexpired term of the replaced Board Member.

Board members serving on the board shall not be related. "Related" means an individual who is related to one another such as father, mother, grandfather, grandmother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, or significant other living in the same household.

SECTION 2. ANNUAL ELECTION

The Directors shall be elected on the third Saturday in November of each year, and they shall assume office the following January 1st to serve for a period of three years until their successors are elected and qualified.

SECTION 3. MEETINGS

The Board of Directors shall hold regular annual meetings at the regular meeting place. Other meetings of the Board of Directors may be called by any officer of the Club or any Director upon twenty-four-hour notice in writing and shall be held at a designated time and place at the Cataract Yacht Club.

SECTION 4. QUORUM

At any meeting of the Board of Directors the presence of a majority of the whole Board shall constitute a quorum.

ARTICLE V

THE OFFICERS OF THE CLUB

SECTION 1. OFFICERS

The officers of the Club shall be a Commodore, Vice Commodore, a Rear Commodore, Secretary and a Treasurer. Any two or more offices may be held by the same person, except that the duties of the Commodore and the Secretary shall not be performed by the same person. The Board of Directors, by resolution, may create and define the duties of other officers and may elect or appoint people to fill such offices. All officers shall serve for a term of one (1) year and until their successors shall be elected or qualify. Officers shall be elected by the Board of Directors from within the Board *EXCEPT THAT THE SECRETARY/TREASURER NEED NOT BE A MEMBER OF THE BOARD*. No officer, except the Secretary and Treasurer may succeed themselves in office after they have served three years. The Commodore shall call a meeting of the *ELECTED BOARD OF DIRECTORS FOR THE ENSUING YEAR*, to ELECT officers for the NEXT year, on or before the second Friday of December.

SECTION 2. VACANCIES

Whenever any vacancies shall occur in any office by death, resignation, increase in the number of offices of the Club, or otherwise, the same shall be filled by the Board of Directors, and the officer so elected shall hold office for the unexpired term of his predecessor and until his successor is chosen and qualified.

SECTION 3. THE COMMODORE

The Commodore shall (a) preside at all meetings of the membership and directors, (b) appoint committees and act as ex-officio member of all committees, (c) submit committee reports to the Board of Directors, (d) appoint fleet captains and a fleet surgeon (e) discharge all the duties which devolve upon a presiding officer, and (f) perform such other duties as this code of By-Laws or the Board of Directors prescribe: provided, however, that all appointments made by them shall be subject to the advice and consent of the Board and expire at the termination of their term of office.

SECTION 4. THE VICE COMMODORE

The Vice Commodore shall assist the Commodore in all their duties and perform all duties incumbent upon the Commodore during their absence or their inability to perform their duties and shall perform such other duties as the Commodore or Board of Directors may prescribe.

SECTION 5. THE REAR COMMODORE

The Rear Commodore shall assist the Commodore and perform all duties incumbent upon the Commodore during the absence of the Commodore or Vice Commodore or their inability to perform such duties and shall perform such other duties as the Commodore or Board of Directors may prescribe.

SECTION 6. THE SECRETARY

The Secretary shall attend all meetings of the membership and the Board of Directors and shall keep or cause to be kept in a book provided for the purpose of a true and complete record of the proceedings of such meetings. They shall attend to the giving and serving of all notices, keeping a roll of the membership, and the filing of all documents, records, reports and communications and the notification of each person elected to membership in the Club. They shall perform such other duties as this Code of By-laws may require or the Board of Directors may prescribe.

SECTION 7. THE TREASURER

The Treasurer shall keep correct and complete records of the accounts, always showing accurately the financial condition of the Club. They shall be the legal custodian of all monies, notes, securities and other valuables which may from time to time come into the possession of the Club. They shall deposit immediately all funds of the Club coming into their hands in some reliable bank or other depository to be designated by the Board of Directors and shall keep such bank account in the name of the Club.

They shall furnish at meetings of the Board of Directors, or whenever requested by the officers, a statement of the financial condition of the Club and shall perform such other duties as this Code of By-Laws may require or the Board of Directors may prescribe. The Treasurer may be required to furnish bond in such amount as shall be determined by the Board of Directors.

SECTION 8. DELEGATION OF AUTHORITY

In case of the absence of any officer of the Club, or for any other reason that the Board may deem sufficient, the Board of Directors may delegate the powers or duties of such officer to any other officer or to any director, for the time being, provided a majority of the Board concurs therein.

ARTICLE VI

COMMITTEES

SECTION 1. APPOINTMENT

All committees shall be appointed by the Commodore, subject to the advice and consent of the Board, and he shall select one member from each committee to act as Chairman. The Commodore may delegate the duty of selecting the other members of the committee. The term of the committee appointees shall expire with the termination of the Commodore appointing them.

SECTION 2. ORGANIZATION AND DUTIES OF COMMITTEES

The following shall be designated as standing committees with the duties as herein set forth:

(a) House Chairman

The House Chairman shall be responsible for the contracting or discharging of the Club Custodians. The House Chairman shall be responsible for the supervision of the purchase of food and soft drinks, prepare menus in cooperation with the cook and membership requests, and the preparation of food in cooperation with the cook. The Committee shall be responsible for informing the cook in writing of their duties, and for the safety and cleanliness of the galley.

The House Chairman shall be responsible for the supervision of the custody, repairs and maintenance of the Club grounds.

(b) Dock Chairman

It will be the duty of the dock chairman to oversee the maintenance, installation and assignment of dock slips. All dock slip assignments must be submitted for Board approval.

Available open slips will be filled based on seniority and slip type. Seniority is defined as the number of years of continuous slip rental. If a tie occurs, it will be broken in favor of the earliest application date to the club. Slip type being defined as a like size slip. (Houseboat for houseboat, pontoon for pontoon, etc).

(c) The Publicity Committee

The Publicity Committee shall oversee all publicity and public relations for the Club, including the taking of photographs of all Club events, publishing the publicity releases regarding Club events and liaison with other clubs and boat owners.

. SECTION 3. SPECIAL COMMITTEES

The Commodore shall have the power to organize and appoint such special committees as they shall deem necessary to carry out the purposes of the Club.

ARTICLE VII

GUEST PRIVILEGES

SECTION 1

Any member shall have the privilege of bringing guests onto the premises of the Club, but the member shall be responsible for the conduct of such guests.

ARTICLE VIII

FLAGS, BURGEES

SECTION 1. CLUB FLAGS

Flag officers of the Club, including past Commodore, are entitled to fly flags of their office.

SECTION 2. CLUB BURGEE

Every member of the Club shall have the right to fly the Club Burgee on any boat which they are using whether it be owned by them or not.

ARTICLE IX

CONDUCTION OF BUSINESS

All purchases and disbursements must be authorized or approved by the Board of Directors. All contracts and agreements must be authorized by the Board of Directors. The Board of Directors may designate employees of the Club who may, in the name of the Club, execute drafts and orders for the payment of money on its behalf.

A single board members' spending limit is \$1,000. Anything over \$15,000 must be pre-approved by a quorum vote of the stockholders.

ARTICLE X

HOUSE AND GROUND RULES

House rules and Ground rules shall be formulated yearly by the House Chairman and Dock Chairman, subject to the approval of the Board of Directors. Copies of said rules shall be distributed to the membership and posted in the Club.

SECTION 1: BOAT STORAGE RULES AND REGULATIONS

a) All boats not paying storage fees must be removed from yacht club property by November 15th.

b) Non-operational and/or Non-floating Boats

Members have 30 days to present a repair plan to the Board of Directors. If plan is agreed upon by the Board, member has an agreed upon amount of time to repair the boat. If the boat is not repaired in the agreed amount of time, the boat will be moved to the overflow lot and storage fee goes to \$100 a month. Members then also loses their seniority on the boat storage seniority list. Note: If work is not done in the agreed amount of time, the member has until the next Board meeting to present a new repair plan. At that time the board will re-evaluate the situation.

c) Maintaining Boat Storage Area

Members paying for boat storage on the club property are responsible for maintaining their spot(s) and for weed control. House Chairman will notify Board of any spot(s) that are not being

maintained. If the club is forced to maintain spot(s), the member will be charged a \$50 fine per offense/spot.

ARTICLE XI AMENDMENTS

The power to make, alter, amend or repeal this Code of By-Laws is vested in the Board of Directors.

CATARACT YACHT CLUB Activities and Services

CY's

This is the Auxiliary of the Yacht Club. The group contributes to many of the Club improvements throughout the year by sponsoring projects and conducting fundraisers. The major function each year is to sponsor the Commodore's Ball.

All members of the Club are encouraged to join even if they are unable to participate in the CY's activities. The only requirement to join is having a membership in the Yacht Club and the payment of yearly dues which is five dollars.

The meetings for the CY's are held on the first Friday of the month.

FORMAL OPENING

A formal ceremony conducted by the Commodore and the Bridge, is held in the afternoon on the lawn of the Yacht Club, to signal the Official Opening of the Club for the summer season. Following the ceremony, we enjoy a Cocktail Party, and the CY members bring their favorite hors d'oeuvres or dish.

COMMODORE'S BALL

This gala event is held once a year in the spring to honor our old Commodore. Reservations are necessary as this is one of the best attended events of the year. Guests are welcome to the Club.

Friday Night BUFFET DINNERS

Complete dinner buffets, including dessert, are offered every Friday, April through December, at 7:00 PM. Reservations must be made by noon Thursday.

COCKTAIL HOUR

This primarily takes place for an hour before most functions at the Club. Members bring their own bottle of whatever they wish to drink, and soda and water are available for purchase near the bar. There is a

cash drawer for your purchases (soda and water) under the Honor System per posted prices. PLEASE COMPLY. Many members have lockers in the Club to store their beverages.

SPONSORS OF DANCES AND COOK-OUTS

If a club member chooses to sponsor an event, they must first have the approval of the Board of Directors and/or the CY president. This consists of deciding what kind of party you would like to have, choosing a menu and discussing it with the House Chairman, sending invitations, displaying a poster in the Clubhouse, receiving reservations from members and collecting money at the door from people attending the function.

BOAT DOCKS

The members of the Yacht Club put the docks in the lake normally in the month of April. This is a real occasion to get acquainted with other members and have a really nice working party. The docks are usually removed from the lake in the month of October. All boats must be removed from the slips by the Wednesday before the removal of the docks.

NEWSLETTER – CALENDAR

This is e-mailed for all CYC members monthly. It lists important information, announcements and all activities for the month, including the date and time. It also lists the menu for Friday night buffet dinners.

DRESS

The Commodore's Ball is the most formal activity at the Cataract Yacht Club. Semi-formal dress is worn to this function.

Most other functions at the Yacht Club are casual affairs, and the dress is dependent on the type of party the sponsors have chosen.

IT IS A WONDERFUL YACHT
CLUB PROTECT IT SUPPORT IT
BY ATTENDING THE MANY
ACTIVITIES