

SEA HAVEN YACHT CLUB, INC. BY-LAWS

(Amended 3/9/2016)

A LIMITED COMMON ELEMENT OF GARDEN-AIRE VILLAGE, SEA HAVEN INC.

ARTICLE I - NAME AND ADDRESS

Sea Haven Yacht Club, Inc. 2731 N. E. 14th Street Causeway Pompano Beach, Florida 33062

ARTICLE II - PURPOSE

Sea Haven Yacht Club, Inc., here and after referred to as the Yacht Club, is formed as a non-profit organization to operate, manage, maintain, repair, replace, protect, and insure the Marina Facilities of the Garden-Aire Village Sea Haven Condominium. The By-laws originally adopted by the Yacht Club were approved by the Garden Aire Village Sea Haven developer's Board of Directors on March 21, 1972.

ARTICLE III - MEMBERSHIP

To obtain and retain membership in the Yacht Club the following requirements shall be met:

- A. Owner of an apartment at Sea Haven Condominium.
- B. Ownership or designated control of vessel within a corporation subject to the provisions and pursuant to Articles of the Yacht Club.
- C. Be assigned a dock space and execute a Dock Lease Agreement, the form of which is attached to these By-laws as Appendix A.
- D. Upon assignment of dock space by the Yacht Club, an applicant automatically becomes a member of the Yacht Club and agrees to abide by these By-laws. Non-conformance to the rules and regulations contained in these By-laws and the provisions of the Dock Lease Agreement shall be cause for termination of membership when approved by the Board of Directors.
- E. If a member of the Yacht Club sells their apartment, the dock space will be vacated within a reasonable length of time and is not transferable to the new apartment owner.
- F. Residency - to obtain and retain membership in the Yacht Club, a member may not lease their designated condominium more than 10 months per calendar year.
- G. If a member of the Yacht Club leases their apartment which by its terms would make it impossible to meet the requirements of Paragraph "F" above, their membership shall be terminated and their dock space surrendered forthwith.

ARTICLE IV- ORGANIZATION STRUCTURE

- A. Commodore (President)
- B. Vice Commodore (Vice-President)
- C. Fleet Captain
- D. Treasurer
- E. Secretary
- F. Five Directors - Each Director will serve two year terms. At the annual meeting each March (3) Directors will be elected for two years and two (2) Directors will continue one year to complete their term. The following year two (2) Directors will be elected for two (2) years and three (3) Directors will continue one year to complete their term. This rotation will continue each year to elect three (3) or two (2) Directors each year.
- G. An Assistant Fleet Captain may be appointed by the Commodore if considered necessary.
- H. Common usage of the terms Officers or Board of Directors is interpreted to mean the above elected Officers and Directors of the Yacht Club.
- I. A Nominating Committee will be appointed by the Commodore each year at the January Meeting. It will present its slate of Officers and Directors at the February Meeting. The election will be held at the Annual Meeting in March.
- J. In the event an elected position becomes vacant during the year, the Board of Directors will appoint another member to fill the vacancy until the annual election.
- K. The Board of Directors may, by majority vote, approve recommended amendments, additions or rescissions to these By-laws to be presented to the Membership. A majority vote of the Membership present or by proxy, at a duly called meeting of the Membership, is required to alter the By-laws.
- L. All Officers and Directors shall be members of the Yacht Club.

ARTICLE V - FUNCTION OF THE BOARD OF DIRECTORS

To conduct the affairs and administer the By-laws of the Yacht Club and abide by the terms of The Marina Management Agreement in effect with Garden-Aire Village Sea Haven Inc.

ARTICLE VI - YACHT CLUB OFFICERS RESPONSIBILITIES

Commodore:

Is elected annually and shall serve as President of the Yacht Club. It shall be the duty of the Commodore to direct the Yacht Club, to preside at all meetings of the Yacht Club, to officially represent the Yacht Club in all external affairs, and to enforce its By-laws and regulations, and the decisions of the Board of Directors. Committees, standing, and special shall be appointed by the Commodore.

Vice Commodore:

Is elected annually and shall serve as Vice-President of the Yacht Club. It shall be the duty of the Vice-Commodore to assist the Commodore in the discharge of those duties, and in the event of absence to act in the Commodore's stead. In the event the Commodore is unable to complete their term of office, the Vice-Commodore will assume the duties of Commodore until the election at the next Annual Meeting. The Vice-Commodore is responsible for the planning and supervision of all Yacht Club social functions.

Fleet Captain:

A. Will assign all permanent and temporary dock spaces.

B. Is responsible for insuring that the U. S. Flag, Commodore's Flags, and Yacht Club Burgee are flown from the flagpole and yardarm at all times. A light will be directed on the U. S. Flag during hours of darkness. Flags will be taken down in very windy weather to preserve them.

C. Will insure the dock lights are in working order, life preservers are available, and the firefighting equipment is in working order and inspected as required. Will read the electric meters prior to each billing period and furnish the information to the Treasurer. Will also insure an electric pump is available for emergency use.

D. Will obtain a copy of the Registration or Title of each boat presently in the Marina Facilities and for each newly assigned boat. Will ensure each boat is authorized to be assigned dock space.

E. Assure that a Dock Lease Agreement is properly executed as a condition for the assignment of a dock space

The Treasurer:

A. Is elected annually

B. Is responsible for maintaining the financial records of the Yacht Club, paying the bills, collecting dues, electric fees, assessments, etc. Will ensure all funds are deposited in an institution where all deposits are insured by the US Government.

C. Shall cause the financial records to be reviewed and audited annually by a committee appointed by the Commodore. The review and audit shall be completed and presented at the scheduled February Meeting. An audited financial statement will be furnished to each member and the Board of Directors of the Sea Haven Condominium.

D. Will ensure that the funds are used only for the purpose stated in these By-Laws and other authorized activities.

E. Will keep CD's and other valuable papers of the Yacht Club in a bank safety deposit box or other secure place.

F. Will ensure that all check disbursements for operations are signed by the Treasurer, Commodore or other authorized member. Two signatures are required for investment accounts.

G. Expenditures and account balances will be reported at the monthly meetings.

The Secretary:

A. Is elected annually.

B. Shall keep a record of all Yacht Club meetings.

C. Shall keep a roster of the Board of Directors, committees, the members and their yachts.

D. Shall report to the Yacht Club at its Annual Meeting and to the Board of Directors as required.

ARTICLE VII – MEETINGS

- A. All meetings shall be conducted under Robert's Rules of order.
- B. Annual meetings for the election of Officers and Directors shall be held the 2nd Wednesday of March.
- D. Monthly meetings of the Board of Directors shall be held the 2nd Wednesday of each month to conduct the affairs of the Yacht Club and this meeting shall be open to all members. Due to a lack of Officers and Directors present or lack of business, some meetings may be canceled during the summer months.
- E. Special meetings of the members may be called at the request of the Commodore, or by the written request of ten (10) of the members, or at the request of the Board of Directors. Such special meetings shall have power to transact only that specific business for which the meeting was called. The Secretary shall mail written notification to all members at least fifteen (15) days prior to any special meeting, and state in writing the business under consideration for such special meeting.

ARTICLE VIII - VOTING RIGHTS

Each Yacht Club member is allowed one vote. If a vessel is owned jointly only one member shall have a vote.

ARTICLE IX - DUES

- A. There shall be a one-time initiation fee of \$10.00 for the assignment of dock space. The fee will be submitted with a completed Membership Application (Appendix B) and is non-refundable. A nonrefundable initial dock fee of \$100.00 must also accompany the application. This fee will be applied to monthly dues upon assignment of a dock space. Failure to accept the dock assignment will result in the forfeiture of the initial dock fee.
- B. Monthly dues shall be fixed upon a fee per foot length of each boat or the established minimum charge for each dock, whichever is greater. The amount of fee per foot and the minimum charge for each dock are determined or changed by the Board of Directors. Dues, electricity fees, assessments, if any, will be billed semi-annually whether the boat is in the slip or not.
- C. Annual dues of \$100.00 will be charged to Yacht Club members which includes 1 free ticket to the Commodore's Ball and other authorized activities.
- D. Bills are considered delinquent if not paid within thirty (30) days after the January 1st and July 1st billing dates. If not paid within 60 days of billing date, the Member will forfeit the dock space.
- E. All persons established on the wait list must become Non-voting Social Members subject to its annual dues.

ARTICLE X - MAINTENANCE

The Yacht Club shall be responsible for the payment of the present and future operation and maintenance of the docks which shall include all necessary utilities, insurance, repairs, and re-building of the docks beyond the sea wall.

ARTICLE XI - RULES AND REGULATIONS GOVERNING MEMBERS USE OF DOCKS

Rules and Regulations Governing Members Use of the Docks, an appendix to this document, shall be enforced, amended or deleted by a vote of the Board of Directors.

ARTICLE XI - OTHER RESIDENTS RIGHTS

There is no intention in these By-laws to prevent or restrict other residents and guests of Sea Haven from walking on or fishing on the dock area.

ARTICLE XII - ASSIGNMENT OF DOCK SPACE

A. Dock space will be assigned or re-assigned by the Fleet Captain in the following manner:

1. Any existing member who desires a change in dock assignment will be given first consideration. A list of those desiring change will be kept by the Fleet Captain and Treasurer upon written notification.

2. A waiting list will be maintained by the Fleet Captain for assignment of dock space to applicants on a first come first serve basis. The Fleet Captain shall determine whether the applicant's vessel is suitable for the available dock. Size, type and compatibility shall be determining factors. If the dock space available will not accommodate the applicant's vessel, the applicant may either; (a) accept the slip and commence paying dock fees until a suitable slip is available or, (b) decline the available slip and retain their position on the waiting list. If the applicant declines a slip which would accommodate their vessel, but wishes to remain on the waiting list, their name will be placed at the bottom of the waiting list.

3. The Fleet Captain has the authority to assign or re-assign vessels to suitable dock space to make better use of each dock or to accommodate more members. If there is a disagreement on assignments or re-assignments, the vessel owner has the right of appeal to the Board of Directors. The decision of the Board of Directors is final.

B. A dock lease shall be submitted for any new vessel. Any existing Member who sells their boat or any new Member who is assigned dock space shall, within (6) six calendar months, have an approved vessel at their assigned dock. During the interim waiting period the Member shall continue to pay dues based on the length of the assigned dock. If, by the end of prescribed waiting period, a designated vessel is not berthed at the assigned dock the Member shall forfeit all rights to the dock and be placed at the bottom of the wait list. In the event of unusual circumstances, the Board of Directors may grant an extension of up to (90) ninety days.

ARTICLE XIII - SOCIAL MEMBERSHIPS

Each October a letter will be sent to each Sea Haven apartment owner, inviting them to become non- voting Social Members of the Yacht Club. Upon the completion of a brief application and submission of \$20.00 per year dues, a membership card will be issued to each Social Member.

ARTICLE XIV - BURGEES

A. Two sizes of Yacht Club burgees are available for purchase from the member designated for this purpose. The burgee sizes are appropriate for a small or large vessel.

B. A large burgee is flown on the Yardarm continuously.

ARTICLE XV - ASSESSMENTS

When approved by the Board of Directors, assessments may be made on all members for purposes considered appropriate for the Yacht Club.

ARTICLE XVI - COMMERCIALISM

Commercial operations will not be permitted at the Marina Facilities.

BY AUTHORITY OF:
THE OFFICERS AND DIRECTORS SEA HAVEN YACHT CLUB, INC.

Adopted February 2, 1972

Revised January 8, 1988

Revised December 12, 1990

Revised May 16, 1995

Revised January 1, 2005

Revised March 4, 2005

Revised August 1, 2005

Revised March 12, 2008

Revised March 19, 2015

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