

# Orr's-Bailey Yacht Club

## Club Rules

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*Revised September 1, 2020*

The basic rules for Club members and their guests are: (1) Always use common sense and be thoughtful of others. (2) If you are concerned about a practice or what to do, seek out the right answer from a knowledgeable Club member. (3) Always remember we are an organization that attempts to be self-sufficient. Volunteer efforts from the membership to plan, maintain and run the Club allow for a minimum of vendor/contractor activities.

Rules provide guidance for activity of members and committees. The management of all rules, as established in the Bylaws, is the responsibility of the Board of Directors. Changes to the rules can be made by a majority vote of the Board of Directors.

The enforcement of OBYC rules is essentially entrusted to the self-discipline of Club members. When patterns of rule violations are repeated, the Club officers, committee chairpersons, or members of the Board of Directors must take the appropriate action for education, correction, clarification, or discipline.

Correspondence should be directed to the OBYC, PO Box 236, Orrs Island, ME 04066.

### **GENERAL RULES**

1. The OBYC facilities are for the private, non-commercial use of members except as authorized by the Board of Directors.
2. A member's guest(s) are those specifically invited to accompany the member while using Club facilities. Guests must be accompanied by a member, and the behavior of the guest(s) is the responsibility of the hosting member. A tenant of a member, a charterer of a member's boat, or a paying passenger may not use the member's privileges.
3. Attendance at social events is limited to those who commit to attending an event by the OBYC website, sign-up sheet, or telephone approval with the hosts no later than 48 hours prior to the event.
4. A Club Guest is a visitor or a vendor invited to the Club for a specific purpose in conjunction with Club maintenance, social, educational or other event. Use of the facilities is limited to that specific purpose.
5. Visiting yachtsmen requiring a "guest mooring" may use the club facilities for a period of not more than 3 days without permission of the Waterfront and Anchorage Committee. Monetary donations are encouraged for use of the guest mooring and the Club facilities.
6. All members should report any trouble or facility problems to a Club Officer or Director in a timely fashion.

7. No personal property is to be stored within or about the Club facilities except for dinghies and kayaks (refer to Fee Schedule on page 3).
8. Dogs must be on a leash or under the firm command of a handler. No animal/pet is permitted in any Club building but may use the clubhouse porch along with their handler. All handlers are expected to pick up animal waste.
9. OBYC Policy regarding use of alcohol, marijuana and legal or illegal narcotics by Members or Employees of OBYC/AFSS:
  - The State of Maine laws concerning alcohol, marijuana and legal or illegal narcotics shall prevail.
  - Boats, power or sail, including dinghies owned by OBYC shall not be operated or crewed by anyone who has recently\* used alcohol, marijuana or narcotics.
  - Potentially dangerous machinery such as lawn mowers, string trimmers etc. shall not be operated on OBYC property by anyone who has recently\* used alcohol, marijuana or narcotics.
  - Supervising, teaching, chaperoning or transporting of participants for any AFSS authorized or endorsed activity is not permitted by anyone who has recently\* used alcohol, marijuana or narcotics.

*\* means within the previous eight (8) hours.*

## **MEMBERSHIP RULES**

1. Membership is limited to 260 REGULAR MEMBERS, including HONORARY LIFE MEMBERS.
2. Applicants for membership must complete an approved Membership Application Form and forward it to the Membership Committee. It must be endorsed by two sponsoring members in good standing of different households and include a non-refundable application fee.
  - A. A Regular Member may sponsor one application per calendar year.
  - B. A new Regular Member may not sponsor an application until he/she has been a member for one year.
  - C. At least one Sponsor must be acquainted with the candidate(s) for more than one year. If the candidate(s) is an adult child or sibling of a current regular member, one of the sponsors must not be related to the candidate(s).
  - D. Each Sponsor's endorsement must state how long they have been acquainted with the candidate(s) and that they will familiarize the applicant with Club Rules.
3.
  - A. Annual dues are determined by the Board, pursuant to the Bylaws.
  - B. Dues, initiation fees, and any other annual fees invoiced to new members upon being accepted into the Club must be paid and received by the Club Treasurer no later than the due date stated on the invoice.
4. When the membership limit is reached, the Membership Committee will maintain a waiting list of candidates who have successfully completed the application process. Candidates will be offered membership on a first-come basis, except as outlined in the Bylaws.

5. Membership is considered to be continuous for those in good standing who are current with payments for dues, assessments and fees.
6. Dues of those Regular Members and Junior Associates joining after September 1 will be credited to the following year's dues.
7. Any member may request the Board in writing for a leave of absence. The Board reserves the right to set the terms and conditions of such requests on an individual basis. The applicant will be notified in writing of the Board's decision within 60 days of receipt of the request.
8. The Initiation Fee, if previously paid, and the Membership Application Fee will be waived for members who resign(ed) in good standing and subsequently reapply for membership in the OBYC.

### **FEE SCHEDULE**

Fees and assessments are determined by the Board of Directors and are subject to change without notice.

1. Application Fee (non refundable) .....200.00 for each Regular Member.
2. Initiation Fee .....\$500.00 for each Regular Member  
.....½ due upon acceptance, ½ within 6 months.
3. Annual Membership Fee.....\$225.00 per each Regular Member.
4. Annual Junior Associate Fee..... \$112.50 per each Junior Associate.
5. Annual Student Sailor Membership Fee...\$30.00 per student
6. Late Payment and Late Fee Surcharge.....\$25.00.
7. Dock Space for Dinghy .....\$125.00 per season.
8. Kayak Storage Fee .....\$30.00 per season.
9. Private use of the facilities.....\$100 non-refundable deposit to reserve date;  
\$250 usage fee due prior to event.
10. Replacement of Keys .....If a member loses or misplaces his/her gas/ice  
or clubhouse key(s), there is a \$15.00  
per key replacement charge.

### **DOCK & WATERFRONT RULES**

1. Those who desire boat moorings in the anchorage area must submit an OBYC Mooring Application to the OBYC Water and Anchorage Committee. The layout of plans for and placement of all boat moorings in the anchorage is determined by the OBYC Waterfront and Anchorage Committee based on availability and appropriateness with final authorization by the Harbormaster of the Town of Harpswell.

The Waterfront and Anchorage Committee maintains a waiting list of current members who desire a change in their mooring location. Members wishing to move their mooring should contact the

Chairperson of the Waterfront and Anchorage Committee. Movement of moorings will be based on position on the waiting list as well as the size of the vessel. Such movement of moorings will be at the owner's expense.

2. New Moorings:

The member must submit a completed OBYC Mooring Application to the Waterfront and Anchorage Committee, who will determine the proper location for the mooring. The member must also complete an application with the Town of Harpswell and pay the appropriate mooring registration fee. The Town's Harbormaster has final approval of all mooring locations. If the new mooring is not installed professionally, documentation of inspection must be received by the Waterfront and Anchorage Committee before the mooring is used in any way.

3. Purchase of Existing Moorings:

The member must submit a completed OBYC Mooring Application to the Waterfront and Anchorage Committee, accompanied by a copy of a current mooring inspection report. The purchase of an existing mooring does not necessarily guarantee the right to use its present location. Placement will be determined based on the mooring's specifications, the size of the vessel, as well as consideration of any waiting list requesting movement of moorings (see #1 above).

4. Mooring Inspections: OBYC strongly encourages members to have their moorings regularly inspected by a qualified mooring inspector/servicer; to include annual surface inspections of the gear and a complete inspection by diving or removal on a periodic basis of not less than every three years, or more frequently if required by the Harpswell Town Ordinance. Proper maintenance of moorings is the responsibility of the mooring owner. OBYC assumes no liability for the condition of member-owned moorings.

5. Mooring Balls: All mooring balls must be marked with the following no later than July 1 of each year:

- A. Owner's Name
- B. Current Town of Harpswell Registration Sticker
- C. Registration # Permanently Marked

If a member is unable to affix the current mooring registration sticker by July 1, he/she should notify the Chairperson of the Waterfront and Anchorage Committee.

6. Abandoned Moorings:

A member's mooring accessed by the OBYC docks shall be considered abandoned unless it is currently registered with the Town and a valid permit number is clearly painted or burned on the mooring buoy. In addition, any registered mooring that is installed but unused for 365 days by the owner/member or any registered mooring that is not installed within 365 days of the date of registration shall also be considered abandoned.

When the OBYC Waterfront & Anchorage Committee has determined that a mooring is abandoned, it shall notify the owner of the abandonment and shall also notify the Harpswell Harbormaster who will tag the mooring. Unless the committee determines that there are justifiable extenuating circumstances that led to the abandonment, it shall request that the owner remove the mooring within fifteen (15) days of the date of the notice. If the mooring is not removed by the owner, OBYC may remove the mooring at the expense of the owner and without liability for such removal.

7. Floats: The front of the floats is to be kept clear for docking to load and unload boats.
- A. Any boat tied to the front of the floats must be manned at all times so that it can be moved quickly to clear a space for other boats wishing to load, unload, or refuel.
  - B. When docking activity is minimal, a boat may be left unmanned for a short period of time at the extreme southern float area.
  - C. The central float opposite the ramp to the dock is to be kept clear for persons wishing to refuel.
  - D. Children under the age of 10 must wear life jackets and must at all times when on the Club landing/pier, dock, floats, or in a Club-owned boat, either be accompanied by an adult or be currently enrolled in the Abbot Fletcher Sailing School and under instructor supervision.
  - E. Members and guests are not permitted to jump off any landing/pier or ramp railings.
8. Club Dinghies: OBYC encourages the use of its loaner club dinghies by members as an alternative to keeping a private dinghy at the floats. For this reason, OBYC keeps 5 dinghies (2 – 10' Puffins, 2 West Marine Tri-hulls, and 1 8' Puffin) available for club member use.

Guests are allowed in a club dinghy as long as accompanied by a qualified club member who is responsible for the operation of the dinghy.

Members and guests may not swim from a club dinghy. Further, club dinghies may not be used to tow people.

Two of these dinghies (Puffins) may be signed out for extended day use, such as when working on a boat at your mooring, or taking a dinghy to an island for day trips. These dinghies are identified by the numbers 1 & 2 on the bow. They should be tied on the shore side of the AFSS float where they will be out of the way. The sign out sheet will be in the kiosk on the dock landing. Signing out allows the club to know where its dinghies are. It is expected that club members will comply with this requirement.

Loaner dinghy policies:

- A. Two of the Puffin dinghies can be used for up to 12-hour periods. Usage could include leaving it on a mooring or taking one of them out to an island. One Puffin and the two West Marine dinghies should always be available for members' use to and from their moorings.
- B. Club members who would like to use a puffin dinghy for island visits have priority over those leaving it on a mooring. If the two loaner Puffin dinghies are out on moorings, a club member may take one of them off the mooring for their use out to an island.
- C. A calendar to reserve one of the club dinghies will be kept in the kiosk. Members may reserve a dinghy for day use on this calendar for usage as per the policies above.

9. Member Dinghies may be kept at the floats if space is available and upon payment of an annual fee established by the Board of Directors. Dinghy spaces at the floats are for those boats that are frequently used and are not intended as storage spaces for boats rarely used. Priority is extended to those assigned space the previous year and, where applicable, to maintain continuity in a family.

- A. Dinghies are to be kept either *in* the water south of the ramp in the designated area or *on* the floats within the area bordered by the yellow stripes on the southerly three floats. At no time should dinghies hang over the eastern side of the floats or enter into or encumber the designated passageway on the western side.
- B. The maximum allowed length of a dinghy kept on the floats is 9'0" feet. This is to allow for the maintenance of a three-foot walkway on the western side for safe access, while ensuring that the dinghies do not hang over the floats on the eastern side and obstruct access to those dinghies in the water.
- C. The maximum size of the dinghy allowed in the water is 12'0", overall, including the outboard.
- D. All hard plastic (fiberglass) dinghies are to have protective rub rails in good repair to prevent damage to other members' dinghies.
- E. Motors are to be kept in the down position to prevent damage to other dinghies.
- F. Dinghies are to have painters with a minimum length of 15 feet and are to be tied to the floats in such a way as to allow at least 12 feet of painter length between the dinghy and the floats. Stern lines are not permitted.
- G. All dinghies must have a current OBYC dinghy sticker placed on the inside of the transom (either left or right side). Each year, OBYC will provide a sticker to all members who pay the annual dinghy registration fee.
- H. All dinghies are to be maintained and used in accordance with applicable local, State and Coast Guard requirements, including, when needed, having a current State of Maine registration sticker clearly displayed on their hull.
- I. OBYC dinghy fees must be paid for the year before placing a dinghy on an OBYC float or in the water tied to an OBYC float.
- J. All boats shall be kept in good useable condition. This includes keeping them properly tied and bailed out so they will not damage neighboring boats.
- K. If the owner of a stored dinghy is not available locally to act promptly when needed, the owner should provide the Water and Anchorage Committee with the name of someone who can tend the boat on short notice. Dinghies are the owner's responsibility; please do not ask the Club to act in your behalf.
- L. Do not borrow or use a punt or dinghy, or any other property, of another Club Member without their express permission.

- M. No new aluminum skiffs will be permitted to tie up to the floats or to be on top of the floats after the 2009 season.
  - N. Any member transporting Club boats should check with their own insurance carrier to ensure that such transportation is covered.
  - O. The Waterfront and Anchorage Committee shall have the authority to segregate tie-up locations by type of dinghy, and shall have the authority to assign specific tie up spots to individual dinghies, if and as needed.
10. Heavy materials or objects must not be dragged on the ramp, floats, or docks.
11. Jet skis or similar powered watercraft are not welcome.
12. Kayak Storage: Upon payment of an annual fee, a dinghy/kayak permit sticker will be issued to members who may store their kayaks on the kayak rack, at their own risk. The sticker should be placed on the right exterior bow of the kayak. All kayaks must be removed prior to the date when floats are hauled in the fall.
13. Boating Safety: Members who have a boat moored in the anchorage are encouraged to:
- A. Comply with U.S. Coast Guard requirement that their boat registration number and current year's registration sticker be properly displayed on each side of the forward part of their boat, or that their boat have a valid U.S. Coast Guard Certification of Documentation.
  - B. Have their boat(s) inspected when the U.S. Coast Guard Auxiliary has scheduled visits to OBYC to conduct complimentary boat inspections.
  - C. Complete a Float Plan sheet before leaving the anchorage to indicate your planned destination and arrival/return time.

## **GROUNDS AND BUILDINGS RULES**

1. Children of Regular Members ages 10-21 may use Club facilities during daylight hours with parental permission. Those 22 and older should apply for Junior or Regular Membership in order to use the Club other than as a member's guest. Children under the age of 10 must be accompanied by an adult at all times.
2. Smoking is not permitted in the Clubhouse, restrooms, storage shed, or on the pier or floats.
3. Excessive noise (radio, singing, DJ's, etc.) must be restrained and not disruptive to the neighbors.
4. Functions must end no later than 10:00 PM

5. For Club Social events the following apply:

- A. The assigned hosts for the event may establish any reasonable special requirements for an event.
- B. Sign-up sheets are provided for most Club social events. Sign-up sheets will be removed by Thursday evening before the event, unless the membership is notified otherwise. Sign-up for Club social events is also provided on the OBYC website.
- C. The event hosts reserve the right to limit the attendance to those names on the sign-up sheet and the website.
- D. Members and guests who attend social events are encouraged to wear name tags during the event.
- F. If Club-owned tents are desired, it is the host's responsibility to set up the tents and to take them down within 48 hours of the event.

6. For private social events the following will apply:

*The Board of Directors believes that the Membership should be free to enjoy the Clubhouse and Grounds at all times. Rental of the Facility to Members for Private Functions will inevitably restrict that freedom. Therefore, Rentals for Private Functions are only permitted under the following guidelines, and at the discretion of the Board of Directors:*

- A. A "Private Function" is defined as any private event involving 21 or more people, and any event of any size during which a Caterer will prepare and/or serve a meal.
- B. Attendance at a Private Function is limited to a maximum of 125 attendees.
- C. The Requesting Club Member must be a Member in Good Standing.
- D. A "Hosting Club Member" is defined as the Requesting Club Member who has applied for, and received approval to Host a Private Function on a particular date at OBYC.
- E. Requests for Private Use of OBYC will only be considered for days/times when a Club Function is not scheduled.
- F. The Clubhouse and Grounds may not be utilized for Private Fundraisers, Political Events or Commercial Events of any sort.
- G. The Hosting Club Member assumes complete responsibility for all details of the Private Function, including proper conduct of all attendees.
- H. The Hosting Club Member agrees to take specific actions to minimize the interference of the Private Function with normal operations of the Club. Members may not be denied entry to the Club or the use of its amenities during a Private Function, including use of the bathrooms, porch and grills.
- I. For Private Functions with Attendance of 80 or more people, on Friday, Saturday or Sunday starting Memorial Day weekend through September 15th, a Parking Plan is



required with the Application to ensure that the event does not unduly interfere with Members' use of the Club. We encourage the Hosting Club Member to arrange for carpooling (4-5 people per car) to limit the number of cars that must be parked at the Club.

- J. The Hosting Club Member must be in continuous attendance during the preparation, function duration, and clean-up associated with the Private Function.
- K. Noise (music, radio, singing, DJ's, etc.) must be restrained and not disruptive to the neighborhood.
- L. All Private Functions must end by 10:00 p.m.
- M. Smoking is not permitted on Club Property, including on the Docks.
- N. Wedding Receptions or other life celebrations honoring a Family Member are limited to those for which the Bride, Groom, or Family Member being honored is an Immediate Member (parent, child, sibling, or grandchild) of the Hosting Club Member's Family.
- O. The Hosting Club Member must ensure that the clubhouse and grounds are cleaned immediately following the Private Function and before the Hosting Club Member departs the Club. For late evening Private Functions where this may not be possible, clean-up must be completed by 0900 hours the following day.
- P. The Hosting Club Member is responsible to remediate any damage that occurs during the Private Function. Such damage includes damage or loss of rented lapel microphones. The Club reserves the right to hire outside contractors for remediation and clean-up, at the Hosting Club Member's expense, if damage is not remediated or clean-up accomplished in a timely manner.
- Q. All paper products and other consumable supplies on the premises are not for Private Functions.
- R. The Club cannot guarantee there will be sufficient water supply to support a Private Function. The Hosting Club Member will be responsible to provide water for all purposes if the water supply is insufficient.
- S. At its discretion, the Club may require that the Hosting Club Member provide one or more Portable Potty/ies for significant events.
- T. No less than two weeks prior to the Private Function, the Hosting Club Member must provide a Certificate of Liability Insurance for the Event Date, including Host Liquor Liability, in the amount of at least One Million Dollars, with the Orr's-Bailey Yacht Club named as additional insured. If this Certificate is not provided, the Private Event will be subject to Termination, and the Deposit forfeited.
- U. Fees: A \$100 Non-refundable Deposit to reserve the date must accompany this application. The deposit will be returned if the Club denies the Application. An additional \$250 usage fee is due no less than two weeks before the event. There will be an additional \$50 fee if lapel microphones are to be used, payable on or before the event.
- V. The Club reserves the right to assess the Hosting Club Member additional charges if this Rental Contract is breached.

7. Due to safety and privacy concerns, the Club prohibits the operation of unmanned aerial systems, or drones, on or above Club property without the Club's prior written authorization. This prohibition includes drones used for filming or videotaping, as well as any drone use by

media or journalists operating above or within Club property. This prohibition extends to any devices launched or operated from Club property, as well as any launched from private property outside Club property.

Please contact a Board Member of the Building & Grounds Committee Chair if you have any questions or if you seek prior authorization to operate any such devices. Any authorized operation of drones on or above Club property will be governed by Federal Aviation Administration (“FAA”) rules and regulations, and local law enforcement, and will require, at a minimum, insurance coverage, indemnification, waiver of liability, FAA certification and a written flight plan.

In addition to the Board’s existing enforcement abilities, violation of this rule may result in confiscation of the equipment, and may also subject violators to liability, damages, and attorney’s fees.

## **CONTRACTS**

The Commodore or Treasurer has the authority to sign contracts for items in the current budget. Additionally, the Commodore or Treasurer may sign contracts for items not in the budget as long as the contract amount does not exceed \$5,000.

## **ABBOT FLETCHER SAILING SCHOOL**

The rules indicated below relate to the School and its activities. A copy of the rules of the Abbot Fletcher Sailing School (AFSS) may be obtained from the Chairperson of the AFSS or an AFSS staff member.

1. The AFSS shall determine its own rules, procedures and budget, approved by the Club’s Board of Directors. The rules must include the signing by the responsible student/parent of a General Release of Liability/Medical Release form.
2. Members of students’ families may observe classes as Club guests but are not privileged to use either the docks or the boats.
3. Club members are asked to respect the activities of the AFSS and not impede or distract from its program(s).
4. Select OBYC sailboats are available for members’ use at times when AFSS is not using them. Members must comply with the policies and procedures of the Adult Sailing Program and be approved by the Adult Sailing Committee Chair before using any of the OBYC boats.

## **ADULT SAILING PROGRAM**

The Rhodes 19 and Laser sailboats are available for members’ use when not being used by the

Abbot Fletcher Sailing School. OBYC members who use club sailboats are expected to have sailing knowledge and skills consistent with the sailboat(s) they will use.

### **Prerequisites for Use of Sailboats:**

1. Completion of Skipper's written background. Like any other place that rents or lends out sailboats, OBYC wishes to ensure that those who use the boats have the experience to operate and safely sail its boats.
2. Completion of an on-the-water orientation to the boat, including a sailing ability test if warranted. (Note: a club member sailing mentor will help new sailing members, and those whose skills are rusty learn to sail. Seasoned sailors who are familiar with the boat to be used will not require additional testing.)
3. Completion of the sailboat sign-out/return sheet that is kept near the telephone in the clubhouse. Boats may be signed out for 4 hours at a time, no more than 2 weeks in advance.
4. Use of sailboats is predicated on favorable weather conditions, namely no fog, excessive wind or storms. Generally, wind should be between 4 and 15 knots of wind. Below 4 knots will create conditions where the combination of light winds and tides will preclude being able to return to OBYC. Since sails on OBYC sailboats are not equipped with reef points, winds above 15 knots become problematic for docking and mooring. Attempting to sail in fog exposes sailors and boats at risk.

### **Expectations Upon Use:**

- Sailing within sight of OBYC at all times, within the boundaries specified herein. (Northerly side of Haskell Island to the south; High Head to the north).
- Sailing at all times according to the appropriate rules of good seamanship and making best efforts to avoid collisions or threats to the safety of the sailor(s) in the club sailboat or any other vessel.
- All sailors must wear USCG approved life jackets and any other required safety equipment.
- Members and guests may not swim from a club sailboat. Further, club sailboats may not be used to tow people.
- Guests are allowed in a club sailboat as long as accompanied by a qualified club member who is responsible for the operation of the sailboat.
- Returning sailboat and all parts to their assigned location after usage.
- Immediately reporting any damages or equipment failures to the Adult Sailing Committee member.
- Failure to adhere to any of the above terms may lead to revocation of the club dinghy usage privileges.
- Sailboats are not equipped with a motor. Sailboat users should be prepared to paddle if becalmed. Sailboats are equipped with a paddle(s). In the event that the operator misreads wind forecasts and the tide, paddles can be used to return the boat to the mooring or dock.
- Operator fully instructs crew on their role and safety matters (e.g. boom swings, etc.). Skippers are liable for damages to boats. Damages must be reported IMMEDIATELY upon return to OBYC.