



PORT DALRYMPLE YACHT CLUB INC.

By-Laws

2023

Version 1.2

1. Introduction

These By-Laws have been enacted pursuant to the Constitution of the Port Dalrymple Yacht Club Inc. ("the Club").

2. Affiliation

The Club shall be affiliated with Australian Sailing and any other recognised body as may be deemed necessary by the General Committee.

3. Preliminary

Words and headings in these By-Laws have the same meaning as words and headings of the Constitution of the Club.

The overall management and control of the business and affairs of the Club is vested in the General Committee consisting of the Flag Officers and Committee Persons who are elected by the members.

Unless otherwise decided by the General Committee the detailed management of Club affairs will be conducted by the Executive consisting of the:

Commodore
Vice-Commodore
Rear-Commodore
Secretary/Treasurer
Immediate Past Commodore (by agreement)

4. Duties of Commodore

It shall be the duty of the Commodore to preside at all Executive, Special, General and Annual Meetings and ensure compliance with the Constitution and By-Laws. The Commodore shall be an Ex-Officio member of all Committees as necessary.

5. Duties of Vice-Commodore

It shall be the duty of the Vice Commodore to assist the Commodore in the discharge of his duties and in the absence of the Commodore to officiate in their place.

The Vice-Commodore shall be an ex-officio member of the Sailing Committee and act as chairperson of this committee.

6. Duties of Rear-Commodore

It shall be the duty of the Rear Commodore to assist the Commodore in the discharge of his duties and in the absence of the Commodore or Vice-Commodore to officiate in their place.

The Rear-Commodore shall be an ex-officio member of the Works Committee and act as chairperson of this committee.

7. Sailing Committee

- (1) The Sailing Committee shall consist of the Vice Commodore as chairperson, a representative from each sponsored Class racing within the Club elected by the Class Owners concerned, and up to three other members who shall be appointed by the Executive. The Class representatives shall be known as the "Fleet Captains" of the Class.
- (2) The Sailing Committee shall conduct and control all sailing activities and be responsible for the scheduling and organising of events; the appointment of Race Officers, Handicappers, Safety Boat crews and other on water support persons; the setting of courses and calculation of results; and the allocation of prizes.
- (3) All races and events shall be conducted in accordance with the Racing Rules and other prescriptions of Australian Sailing.
- (4) The duties of the Race Officer shall be in accordance with the requirements as set in (3) above. These shall include, but not be limited to, arranging the necessary race signals, starting the race, taking finishing times, determining whether to postpone, shorten or abandon a race, noting protest signals and receiving protest forms, and noting any breach of the Rules or Regulations which they may observe, or which may be brought under their notice.
- (5) The Sailing Committee shall appoint whenever necessary a three-person protest committee to hear and conduct any protest arising from any racing conducted by the Club. The appointed protest committee members shall have appropriate experience and/or accreditation and may include persons from other Clubs.

8. Works Committee

- (1) The Works Committee shall consist of the Rear Commodore as chairperson and up to five other members appointed by the Executive.
- (2) The Works Committee shall be responsible for managing all matters relating to the maintenance and improvement of the Club property, facilities and equipment.

9. Social & House Committee

- (1) The Social & House Committee shall consist of the Commodore as Ex Officio member, a Chairperson and at least three other members as shall be appointed by the Executive.
- (2) The Social & House Committee shall be responsible for managing all matters relating to the canteen, bar and social activities of the Club.

10. Other Committees

The Executive is empowered to establish other committees for particular purposes as may be deemed necessary and appoint applicable persons as members of any such committees.

11. Attendance at General Committee meetings

No Member or any other person shall be permitted to attend General Committee meetings unless they have been expressly invited to attend by the Executive.

12. Procedure for nomination of new members

- (1) All applicants seeking nomination for Membership of the Club must be proposed and seconded by either a Senior Member, Life Member, or Young Member of the Club as specified in the Constitution. Each proposer and seconder must have been a Member of the Club for not less than two years immediately preceding such proposal.
- (2) The form of application for Membership will be prescribed by the Executive and will be signed by the applicant except than an application form for a Junior Member will be signed by a parent or guardian.
- (3) In the event that an applicant for Membership has not been personally known to the proposer and seconder for at least twelve months the applicant shall meet with a member of the Executive prior to their application proceeding.
- (4) Following receipt of such an application, the General Committee will consider the acceptance or rejection of the application at the next General Committee meeting. The acceptance or rejection of the application is by secret ballot and the result of the vote is determined by simple majority. In no case is the General Committee required to give any reason for the rejection of an application.

13. Insurance

- (1) Members shall insure and keep their yachts and equipment insured against any loss, damage, injury or death occasioned by the use of any of the Club's facilities including but not limited to berthing, slipping, storage and competition, or the use of the vessel and its equipment however caused and will keep the Club indemnified and saved harmless from any claim.
- (2) The amount of such insurance including legal liability insurance shall be at least \$20 million or such other amount as determined by the Committee. Members shall provide evidence of insurance cover as required.

14. Club burgee

The Club Burgee shall be Royal Blue with a white cross with the letters P,D,Y,C in each of the four cartons. Members shall only fly the Club Burgee on yachts on the Club Register.

15. Club badge

The Club Badge shall be a miniature Burgee.

16. Club property

Members damaging any article or property of the Club shall pay for the repair or replacement as determined by the Committee. The Club premises shall be used in a clean and orderly manner. Members or their employees working on the Club premises shall promptly clean up any waste, spillage or scraps they have made. Members are not permitted to leave gear, sails, spars or other personal equipment in storage areas or on floors unless authorised to do so by the Committee.

17. Use of club address

No Member shall give or use the address of the Club, or use the fact that they are a Member of the Club in any advertisement or enterprise (sporting or otherwise) for business purposes

18. Papers and placards

No paper or placard, written or printed, shall be posted in the Club without the sanction of the Secretary.

19. Conduct of employees

The conduct of any employee of the Club shall in no instance be made a subject of personal reprimand by any Member of the Club. Any feedback from a Member regarding an employee or the Club must be made to the Commodore.

20. Employees not to be sent out of the club

No employee of the Club, unless authorised by the Commodore, shall be sent out of the Club House upon any errands, or for any other purpose, under any pretence whatever.

21. Smoking

In accordance with the Public Health Act 1997, smoking is not permitted in any area of the Clubhouse or the off the beach rigging area in front of the Clubhouse whilst this is being used for sailing activities.

22. Alcohol

No alcohol other than that provided by the Club shall be kept or used on the licensed premises of the Club.

No persons under the age of 18 years shall be supplied with alcohol by the Club or consume alcohol on its premises.

The operation of the Club Bar shall at all times be conducted in accordance with the applicable provisions of the *Liquor Licensing Act 1990* and associated pronouncements.

23. Feedback, suggestions or complaints

Any feedback, suggestions or complaints should be made to the Commodore in writing.

24. No liability for loss

Neither the Club nor any Official of the Club shall be responsible for any loss or damage to any article brought by a Member or guest on to the Club's premises.

25. Dress in the clubhouse

The general dress standards in the Club House require dress to be neat and tidy. Footwear should be worn at all times.

On race days, dress rules shall be relaxed to include racing/sailing attire until 1900 hours

The following are not permitted upstairs in the Club House at any time:

- Wet sailing clothes and footwear
- Dirty work footwear
- Swimwear

26. Collections and raffles

No collections or raffles shall be made without the approval of the Secretary.

27. Payment of membership fees and accounts

All Members are to pay their Membership fees and any other accounts promptly and within the specified terms.

28. Dogs

Dogs are not permitted inside the Clubhouse. The sole exception to this rule shall be a guide/assistance dog accompanying an impaired person. All dogs whilst on Club property or facilities must be on a leash and remain under the control of the owner. Should any dog foul on Club property or facilities then the owner is responsible for removing the offending material immediately.

29. Designated parking

Reserved Car Parks shall only be occupied by the designated Club Officer or Volunteer

30. Club Rescue boats

Rescue Boat skippers and crews shall be subject to such rules and regulations that shall be determined by the Committee from time to time, including adherence to all applicable MAST Regulations and relevant guidelines issued by Australian Sailing.

No person shall drive a Club Rescue Boat unless that person holds a current motorboat licence issued by MAST or equivalent State authority and has satisfied the Committee that the person is capable of handling such craft.

31. Tender dinghy storage

Storage spaces are available in the designated racks for tender dinghies owned by Senior, Life, Young or Junior Members of the Club, on application to the Secretary.

Tender Dinghies not occupying a storage rack shall not be left on the apron in front of the storage racks.

32. Off the beach dinghy storage

Storage spaces are available for off the beach dinghies owned by Senior, Life, Young or Junior Members of the Club, on application to the Secretary.

All dinghies must be stored in the allocated space in accordance with instructions from an Official nominated by the Club and all gear, such as spars, etc. must be stored in an orderly manner.

Hoses, trolleys and any other Club equipment must be replaced neatly after use.

33. Trailer park storage

Designated storage spots are only available to Senior, Life, Young or Junior Members of the Club on application to the Secretary with an annual fee being payable. Casual storage is available at an alternative monthly rate. Application for a designated storage spot shall be made to the Secretary with allocation subject to availability.

34. Boat Register

The Club shall maintain a Boat Register to enable oversight for purposes of safety, security and other responsibilities. All boats (ie yacht, motor boat or trailable boat) owned by a Club member and either participating in races run by the Club, occupying the Club trailer park or the Club controlled mooring area shall be entered in the Boat Register. Other boats owned by members may be entered at the owner's request.

The minimum particulars entered in the Boat Register shall be the name of the boat, sail or registration number, boat description and owner's name.

35. Club jetty and pontoons

The use of the Club Jetty, pontoons and berths is restricted to Members or guests of the Club for the purposes of picking up and putting ashore of passengers or crew, loading of stores, day maintenance, purchase of fuel (see below), or preparation for races.

Overnight short-term stays are permitted, subject to availability, but must be booked with the Club Bosun. A daily fee shall apply after the first night.

At all times, the designated fuel berth must be kept free for that purpose and the designated 40-minute limit on the loading berth must not be exceeded.

On race days, competing yachts will be using the jetty facility and wherever possible vessels not competing should limit time alongside.

It is not permitted to run on, or fish from, the Club jetty or pontoons.

36. Fuel berth and facilities

The designated fuel berth, bowser and associated facilities are at all times under the absolute control of the Club Bosun, or other person as may be authorised by the Executive.

Fuel is available for purchase by both Club Members and the wider boating public. All bookings for fuel must be made with the Bosun.

The person in charge of the boat being re-fueled must obey all directions of the Bosun and any applicable safety signage.

37. Member mooring regulations

The Club administers all moorings in the designated area in front of the Club ("the Club controlled mooring area") on behalf of MAST.

- (1) Mooring positions are allocated at the sole discretion of the Club after taking into account the length and draft of the boat, and available space.
- (2) All mooring positions in the Club Controlled area may only be occupied by a Senior, Life, Young or Junior Member of the Club.
- (3) All mooring positions controlled by the Club shall not be sold, leased, loaned or traded without prior permission in writing from the Club. The Member owns, and is responsible for, the physical mooring tackle and shall remove it if it is not transferred or sold in conjunction with an approved re-allocation of the mooring position.
- (4) Only one mooring position is permitted per boat.
- (5) All moorings shall be checked and repaired bi-annually and the General Committee advised accordingly in writing. If a club member fails to comply with bi-annual inspection (and necessary repairs) they may at the discretion of the General Committee, be asked to vacate the Club mooring area.
- (6) Mooring buoys shall be 200mm diameter minimum and be clearly marked at all times with the allocated mooring number.
- (7) (a) Maximum strop length 2.5 metres from main buoy.
(b) Strops longer than 2.5 metres shall be weighted to take up slack when not in use.
- (8) Any member with a distant mooring position who wishes to move closer to the Clubhouse, should make written application to the General Committee for reallocation. Applications will be put on a waiting list and allocated a new position when a suitable position becomes available.
- (9) Subject to the above requirements, all mooring positions are registered with MAST and the registered holder must pay the relevant annual registration fee directly to MAST in the first instance.

38. Club moorings

The Club holds some moorings within the Club controlled mooring area which are available for short term use by Members and visitors. Application for the use of these moorings shall be made to the Club using the Mooring Booking Form.

39. Club courtesy dinghy

The Club courtesy dinghy is provided for members to enable them to access their boats in the Club controlled mooring area, in lieu of using their own tender. Accordingly, any use must be limited to either an immediate return to the jetty with the members boat or a brief inspection of the boat for no more than a few minutes. All persons occupying the courtesy dinghy are required by law to be wearing an approved life jacket/PFD.

40. Live aboards

The maximum number of persons permitted to live aboard vessels within the Club controlled mooring area, or slipway, shall be determined by the Committee together with any charge for the ongoing use of the Club facilities.

41. Marine toilets & holding tanks

Under no circumstances is it permitted to discharge marine toilets or holding tanks within the controlled mooring area and jetties of the Club.

42. Slipway and hard stand

(1) The Vessel owner desirous of using the PDYC slipway shall complete the SLIPWAY BOOKING FORM (including the information regarding insurance on the vessel which is mandatory) and negotiate with the Bosun as to the cradle to be used, the date of intended slipping and the number of days the vessel will be on the slip. Once the booking is confirmed cancellation can be made at least one day prior (weather conditions excepted) otherwise the owner will be charged for the haul out.

(2) Vessel owners must prepare the cradle to suit their vessel and assist the Bosun in locating the cradle ready for the slipping prior to the designated time of slipping. This includes the location of support straps (which are mandatory both fore and aft except for power boats), cross arms and/or blocks as necessary for the particular vessel. All fin vessels must use springs to secure the vessel from moving backwards as soon as practicable after the vessel has been properly positioned on the cradle and definitely before the vessel is entirely removed from the water. All slings, crossbars and/or supports are to remain in place for the entire duration the vessel is on the slipway. Slings / Ratchet Straps must be secured to cradle arms with shackle and or safety ring engaged on ratchet strap.

(3) Only the Bosun, or his delegate, shall operate the winch and will be the person in charge of the slipping process at all times (this may include returning the vessel to water if not sitting correctly on cradle).

(4) The vessel owner, or delegate, shall be responsible for their own vessel and use the slipway and equipment at their own risk.

(5) Vessel owners, club members or other persons using the slipway or equipment in an improper or negligent manner shall be liable for any accident or damage caused to the slipway, equipment or other vessels.

(6) The maximum vessel gross weight including allowances for fuel, water and stores/equipment is 10 tonnes. This weight is not to be exceeded under any circumstances.

(7) Power boats and launches with long keels and shallow draft may utilise blocks to raise the bed height of a cradle but these blocks must be properly secured to the cradle to the satisfaction of the Bosun. Any blocking of more than one layer must be crib stacked (i.e. 90° to layer below)

(8) Jacking up or immobilising of the cradle with a vessel on it is not permitted.

(9) Vessel owners and/or their assistants must remove marine growth, antifouling paint or any contaminate only in the designated area and at all times comply with the requirements as laid down by the Environmental Protection Agency as they apply to the Boat Repair and Maintenance Guidelines (a copy of the current guidelines is available from the Bosun upon request). It is the vessel owner's responsibility, once the vessel is in the designated area, to immediately wash with fresh water the cradle, traverse and slip after cleaning down the hull. A fee will be charged to the owner if the area is not left clean and tidy.

(10) Metal grinding, abrasive blasting and/or spray painting will not be permitted unless proper screening is in place to protect other vessels on the slip and those measures are in accord with the guidelines of the Environmental Protection Agency. Any such work is not to be carried out without the written approval of one of the Committee.

(11) Non-members must pay for slipping prior to relaunching by credit card or cash-no exceptions.

(12) Once the vessel is returned to the water the cradle is to be thoroughly washed down and returned to the position nominated by the Bosun.

(13) Any damage to cradles, traverse, winch rails or equipment is to be reported to the Bosun immediately.

(14) A fee will be charged for power usage if the Bosun deems that such usage is in excess of normal usage.

(15) Vessels occupying the slipway beyond the agreed period may be subject to a 50% surcharge on the specified daily rate.

43. Member access key

A member Access Key is available to members on application to the Bosun. The member Access Key provides access to the ground floor amenities, trailer park gate and club courtesy dinghy. A deposit will be required. The member Access Key must be returned to the Bosun on cessation of membership.