



FAIRWIND YACHT CLUB
marina del rey ■ channel islands



FAIRWIND YACHT CLUB

BYLAWS

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ARTICLE I Name

The name of this organization shall be Fairwind Yacht Club, hereinafter called the Club.

ARTICLE II Objectives

The primary objectives of the Club shall be: to promote the sport of Corinthian and amateur sailing; to provide Membership a Fleet of suitable boats, to provide instruction in the art of sailing; to foster sailing and boating safety; to sponsor sailing-related cruise and social activities for Members and their guests; and to achieve the foregoing at the lowest reasonable cost consistent with the Club's non-profit 501(c)(7) status.

ARTICLE III Membership Classes (Last Amended 18 Dec 2025)

Club Membership shall consist of the following five (5) classes:

- 1) A REGULAR MEMBER shall be any person, aged eighteen or older, duly approved by a Membership Secretary at time of application. Said application shall be made in writing upon a Board-approved form and include all dues, bonds, and fees paid, as required.
- 2) A LEAVE OF ABSENCE (LOA) MEMBER shall be any former Regular Member in Good Standing duly approved for inactive status by the Executive Board or a Harbor Committee, acting upon his or her written application.
- 3) An HONORARY (HON) MEMBER shall be any person duly designated by the Executive Board or by a Harbor Committee to confer an honor upon such person.
- 4) A BOAT OWNER (BO) MEMBER shall be any person, aged eighteen or older, who owns a boat, and duly approved by a Membership Secretary at time of application. Said application shall be made in writing upon a Board-approved form and include all dues, bonds, and fees paid, as required.
- 5) A CREW MEMBER shall be any person, aged eighteen or older, who desires only to sail as a Crew Member but not as a skipper, duly approved by a Membership Secretary at time of application. Said application shall be made in writing upon a Board-approved form and include all dues, bonds, and fees paid, as required.

ARTICLE IV Membership Rights and Obligations (Last Amended 18 Dec 2025)

Members of Good Standing in each Membership class described in Article III are those Members who are not Suspended, who have fully paid all bonds, and who are not delinquent on their dues and fees, as described in Standing Rules Section II, for more than thirty (30) days in the current fiscal quarter. Dues and fees are due on the first day of each calendar quarter for all Membership classes. Members shall be obligated to pay their designated bonds, dues, and fees on time, and to conduct themselves as supporters of the Club's objectives. Members who have been Restricted from the privileges of reserving and skippering Club boats are not Suspended, and are still of Good Standing if all financial obligations have been met.

Members of Good Standing in each Membership class have the right to attend and speak when recognized at Membership Meetings, to attend Club Open Houses and Work Days, to crew aboard Club boats, if invited to do so by the skipper, and the right to access the Club website and Membership Roster, provided that access is authorized for Club purposes only.

Only Regular Members of Good Standing have the right to make motions and vote at Membership Meetings, the right to run and be elected to Club office, the right to serve on Club committees and as Boat Chiefs, if so appointed, the right to be trained and checked out on Club boats and other assets, and the right to reserve and skipper Club boats on which they are checked out and pay applicable bonds, dues, and fees, all subject to the current Standing Rules.

Leave of Absence (LOA) Members may regain Regular Membership status by application to their Harbor Committee without sponsor, but with the payment of current bonds, dues, and fees required of other Regular Members, if such Member has been a Leave of Absence Member for one year or longer. If the Leave of Absence Member has been away for a period less than one year, upon returning to Regular Membership, the Member shall pay a reinstatement fee equal to the dues for one fiscal quarter for the Membership class to which the Member is returning to Regular Member status. This fee, plus bonds and dues, must be paid before restoration to Regular Membership shall occur.

Crew Members, Boat Owner (BO), and Honorary (HON) Members shall have no bond obligations. Honorary Members shall also have no dues or fees. The Executive Board (but not a Harbor Committee) may terminate Honorary Membership status at any time for any reason. No Boat Owner, Crew, HON, nor LOA Member has the privilege of training, reserving, nor skippering a Club boat. These Members can attend and speak at Membership Meetings, but they may not make motions, nor vote on motions, nor be elected to Club office, nor appointed to any committee. Such privileges are reserved only for Regular Members of Good Standing.

ARTICLE V Membership Termination or Suspension

(Last Amended 27 Sep 2025)

Such sums as might be due Members because of their termination or resignation shall be offset by such sums as the Members owe the Club. If the sums owed exceed the sums held by the Club for a Member, then the Board shall have discretion to proceed further to collect the debt owed the Club by a Member. The Board may suspend or, after thirty (30) days grace period following a notification in writing to a Member, may terminate a Member:

- 1) who is delinquent in dues for more than thirty (30) days from the first day of the fiscal quarter, or
- 2) who is delinquent in bond requirements for more than thirty (30) days from the first day of the fiscal quarter, or
- 3) for reasonable cause.

A decision of the Board to suspend or terminate a Member may be appealed by the Member at the next General Meeting of the Membership following notice of termination. Such appeal shall be included on the regular agenda notice for such meeting. A majority vote on the question of the suspension or termination by the Members present at the meeting shall be final. The Club, through action of a Membership Secretary, after thirty (30) days grace period following notice, must terminate any Member, unless good cause is shown, who is delinquent in dues or fees for more than sixty (60) days from the first day of the fiscal quarter, and who has been sent a termination notice. Any former Member, including a Member who was terminated for nonpayment of bonds, dues, or fees obligations to the Club, shall be treated as an applicant for new Membership for the purposes of reinstatement. A Member who was terminated for cause, other than for financial indebtedness, shall not be permitted to be reinstated to any class of Membership.

ARTICLE VI Governing Body

(Last Amended 27 Sep 2025)

The Governing Body of the Club in its day-to-day operations and policy decisions is the Executive Board which shall consist of the Commodore, CIH and MdR Port Captains, CIH and MdR Rear Commodores, CIH and MdR Fleet Captains, CIH and MdR Membership Secretaries, Treasurer, and Secretary. These eleven officials shall be called the Executive Board.

Local issues related to each harbor shall be managed by Harbor Committees in CIH and MdR who shall have spending authority up to \$10,000 for maintenance and other purposes (excluding the purchase of Boats).

Each Harbor Committee shall consist of the Port Captain, Membership Secretary, Fleet Captain, and Rear Commodore of that harbor, and the Port Captain shall serve as Chair. The Port Captain may select other Members to serve on the Harbor Committee, but the Executive Board must approve any such selections.

"Local Issues" include, but are not limited to, (1) permitting use of boats by other organizations, (2) deciding when boats must be at the Home Port (for Open Houses and Work Days), (3) incident reporting and resolution, (4) disciplinary issues and grievances, (5) boat-specific training requirements, (6) appointments of Trainers and Instructors, (7) maintenance expenditures up to \$5,000, (8) appointment of a Boat Selection Committee (BSC), (9) managing slip agreements, and (10) selecting local vendors.

ARTICLE VII Elective Offices

The elective officers of the Club shall be the FYC Commodore, the CIH Port Captain, the MdR Port Captain, the CIH Rear Commodore, the MdR Rear Commodore, the CIH Fleet Captain, the MdR Fleet Captain, the CIH Membership Secretary, the MdR Membership Secretary, the Treasurer, and the Secretary.

ARTICLE VIII Term of Elective Offices

The term of elective officers of the Club shall be for one year and shall coincide with the fiscal year of the Club, which is 1 Oct through 30 Sep.

ARTICLE IX Elective Offices Voting Procedure

(Last Amended 26 Mar 2026)

An election shall occur during the fourth quarter of the fiscal year for all elective offices of the FYC Executive Board. All elected Members shall assume their offices on 1 Oct and serve through 30 Sep. The election shall be organized and managed by a standing committee called the Election Committee, comprised of at least three Members in Good Standing who are appointed by the Board and include representation from both Harbors. Sitting Board Officers and candidates for office shall not be appointed to the Election Committee.

All voting in the election shall be conducted by electronic means. At a General Membership Meeting in the second quarter of the fiscal year, the Election Committee shall present procedures, protocols, and regulations that concern electronic voting to make the election fair and free from improper influence. Then, the committee must ensure that all steps in the timeline (below) are executed as required to solicit and produce a slate of candidates for office, to make their qualifications known to Membership, to implement the voting process, and to collect and certify the voting tabulations. The Election Committee, or their designee, shall present the results of the election at the final Membership Meeting in the last quarter of the fiscal year, or directly to Membership by email, or both.

In accordance with the timeline (below), the Executive Board shall initiate the election process by inviting Regular Members in Good Standing willing to serve to self-nominate, or to nominate other Regular Members, by submission of their names to the Election Committee. No Member may be run for more than one office. If a Member is nominated for more than one office, the nominee must decide on one office prior to the deadline for submission of nominations. Otherwise, the first nomination shall apply. No write-in candidates shall be permitted.

During the submission of nominations, candidates may compose a Candidate Statement as the primary conveyance by which nominees outline their qualifications for the offices they seek. The Election Committee shall publish a slate of candidates, along with their Candidate Statements, on the Club website and, optionally, also by direct broadcast email to Regular Members in accordance with the timeline (below).

No Member, including the candidate Members themselves, may use the Fairwind Yacht Club Membership Roster, nor the Club website email broadcast capability, to advocate for or against any specific candidacy without the permission of the Executive Board.

After publication of all Candidate Statements, the Election Committee shall prepare and dispatch to the Membership an electronic ballot with a defined deadline for response. The ballots presented shall include all candidates. Only Regular Members in Good Standing are eligible to vote. Accordingly, ballots will be sent to NCOs, Small, Medium, and Large Boat Class Members, and not to Boat Owner, Crew, Honorary, and LOA Members.

The results of the ballots identifying the winning candidates and voting tallies shall be certified to be consistent with the requirements enacted by the Election Committee and approved by Membership, and then presented by the Election Committee to the Membership at the Membership Meeting. The election results shall remain confidential within the Election Committee until that time. The new slate of elected Executive Board Officers will be sworn in to the Roy Niebuhr Oath of Office during the Membership Meeting by the Commodore, a Board Member or appointee.

If there are more than two nominees for any Office, the Member who receives more than 50% of the ballots cast shall be declared the winner. If no nominee receives more than 50% of the votes cast, there shall be a run-off election organized by the Election Committee between the top two candidates. If necessary, the incumbent shall remain in office until a winner emerges by a simple majority from the run-off election.

The timeline (below) lists deadlines when all steps of the FYC election of the Executive Board shall transpire, either by a specific calendar date, or at the specified GMM General Membership Meeting of the specified FYQ Fiscal Year Quarter:

By 12/01	Deadline for the Executive Board to appoint an Election Committee, if one is not already standing
At the FYQ2 GMM	Deadline for the Election Committee to present electronic voting procedures and protocols to Membership
By 07/01	Deadline for the Executive Board to send a Notice of Elections and Call for Nominations to Membership
By 08/01	Deadline for the Election Committee to post the Initial Slate of Candidates to the Club website
By 09/01	Deadline for the submission of candidate nominations and Candidate Statements to the Election Committee
By 09/05	Deadline for the Election Committee to publish Candidate Statements and photographs to the Club website or by email
By 09/10	Voting begins after the Election Committee sends out ballots to Regular Members of the Membership
At 11pm 09/20	Voting ends
At 11pm 09/22	Deadline for the Election Committee to complete certification of the Election
At the FYQ4 GMM	Day of the Membership Meeting, the Election Committee presents Election results to Membership in person or by email
On 10/01	The newly elected Members assume their respective offices and begin their Club service though 09/30

ARTICLE X Duties of the Executive Board

(Last Amended 6 Aug 2020)

All officers, when elected to the Governing Body of the Club, also called the Executive Board of Directors as defined in Article VI herein, shall pledge or affirm the FYC Roy Niebuhr Oath of Office to obey the Bylaws, the Standing Rules, and uphold all other practices and stipulations stated within the Oath.

The Commodore shall preside at all Executive Board and Membership Meetings, and shall maintain a knowledge of the Club's activities. The Commodore shall serve as an ex officio Member of all committees (except for the Nominations Committee), shall have voting rights on all the committees, but not count toward the quorum requirements. The Commodore shall oversee Club-wide strategic planning and any community outreach. The Commodore shall report the Club's achievements in writing at the conclusion of the term of office.

The CIH Port Captain shall be a Member of Channel Islands Harbor, shall preside at all committee meetings of that harbor, and shall oversee the operations of that harbor, the Fleet Captain, the Membership Secretary, and the Rear Commodore of that harbor.

The MdR Port Captain shall be a Member of Marina del Rey Harbor, shall preside at all committee meetings of that harbor, and shall oversee the operations of that harbor, the Fleet Captain, the Membership Secretary, and the Rear Commodore of that harbor.

The CIH Rear Commodore shall be a Member of Channel Islands Harbor, responsible for the maintenance of CIH boats and equipment, and shall appoint and oversee all Boat Chiefs in that harbor.

The MdR Rear Commodore shall be a Member of Marina del Rey Harbor, responsible for the maintenance of MdR boats and equipment, and shall appoint and oversee all Boat Chiefs in that harbor.

The CIH Fleet Captain shall be a Member of Channel Islands Harbor, responsible for the correct operation of CIH boats and equipment, shall appoint Level-1 Trainers and Level-2 Instructors, and be responsible for all aspects of sail training in that harbor.

The MdR Fleet Captain shall be a Member of Marina del Rey Harbor, responsible for the correct operation of MdR boats and equipment, shall appoint Level-1 Trainers and Level-2 Instructors, and be responsible for all aspects of sail training in that harbor.

The CIH Membership Secretary shall be a Member of Channel Islands Harbor and responsible for the Membership records of all CIH Members.

The MdR Membership Secretary will be a Member of Marina del Rey Harbor and responsible for the Membership records of all MdR Members.

The Treasurer shall maintain a set of accounting records, one checking account in a major bank approved by the Board, a savings account, if directed to do so by the Board, be responsible for tax, license, and other government reports, shall collect all monies including dues, and shall make the current records and accounts available to any Regular Member or Executive Board Member at meetings. The Board shall establish reasonable audit controls to insure the integrity of these functions.

The Secretary shall maintain the official book of Club minutes, and shall record the minutes of each meeting of the Executive Board and each Membership Meeting.

The Executive Board shall appoint Regular Members of Good Standing to any committee or post as they deem proper to conduct Club business and activities that may include, but are not limited to, a Grievance Committee, a Nominations Committee, a Newsletter Editor, an Elections Committee, a Bylaws and Rules Committee, a Club Webmaster, and any other committee or post that serves across both harbors.

Each Harbor Committee shall appoint Regular Members of Good Standing at its harbor to any committee or post as they may deem proper to conduct harbor business and activities that may include, but are not limited to, Assistant Fleet Captains, Assistant Rear Commodores, a Cruise Committee to arrange Club cruises, a Fleet Surgeon to advise on health-related issues, a Grievance Committee, a Race Committee to manage racing, a Reservation Committee to monitor reservations in the Club's scheduling system, a Safety Committee to investigate accidents, incidents, to promote and promulgate safety, and any other committee or post that serves within a specific harbor.

It shall be understood that each Executive Board Member is given a position of trust and responsibility by Membership and that Membership has a reasonable expectation that Board Members will discharge their duties with the highest regard for the Club's welfare. Conversely, each Board Member shall have the reasonable expectation that every Club Member will obey the Club Bylaws and Standing Rules and support their actions to promote the Club's welfare on behalf of the Membership.

ARTICLE XI Recall of Officers

All Board Members are subject to recall from office. Upon petition to the Board by twenty percent of the Regular Members of Good Standing, the Board shall declare an election agenda item for the next following Membership Meeting, which must take place before the next following Board Meeting. Written notice to the Membership shall be made to include the office affected and the person named. The Board shall indicate that nominations for the office and immediate voting thereon shall follow the recall voting if the Board Member challenged is in fact recalled. If there are no nominations, the presiding officer shall appoint a Regular Member of Good Standing to the vacant office, but in no event shall the recalled officer be appointed to any office during that fiscal year.

ARTICLE XII Executive Board Meetings (Last Amended 26 Mar 2026)

At least six (6) of the Executive Board Members shall meet at least once per fiscal quarter, either virtually or in person, at a time agreed upon. If in person, the physical location will be designated by the Board.

ARTICLE XIII Executive Board Quorums (Last Amended 14 Sep 2019)

The Executive Board shall attain quorum when a majority of Board Members are present at a Board Meeting. If no Board Member holds more than one office, then a majority is six (6) Executive Board Members present.

ARTICLE XIV Executive Board Attendance

An Executive Board Member may be terminated from the Board by the Board, and another Regular Member of Good Standing appointed, if a Board Member fails to attend two consecutive Board Meetings without approval of the remainder of the Board or the Commodore.

ARTICLE XV Eligibility for Elective Office

Only Regular Members in Good Standing may be nominated for and hold an elective office and must remain in Good Standing once so elected.

ARTICLE XVI Membership Meeting: Agenda Items and Bylaws Changes**(Last Amended 26 Mar 2026)**

The Club shall hold at least one Membership Meeting per fiscal quarter, either virtually or in person, at a location and time designated by the Executive Board in accordance with Bylaws Articles XII, XIII, XVII, and XVIII. Such location and time shall be announced by the Board in writing to Membership not later than three (3) days before the Membership Meeting and the announcement must contain any agenda items known at the time of announcement.

These Bylaws may be amended by a two-thirds vote of all eligible Regular Members who attend any regular or special Membership Meeting at which a quorum is present, provided the proposed amendments have been stated in the Notice of Meeting and sent to each Member of the Club at least ten (10) days before the meeting. The foregoing requirements shall not prevent or restrict the consideration of any secondary amendments to the proposed amendments, provided these amendments are within the scope of the subject of the original amendments.

The Board may initiate proposals for Bylaws changes, additions, or deletions by written agenda notification to the Membership. Any Regular Member may propose changes, additions, or deletions to the Bylaws by petition to the Board individually, and the Board shall have discretion whether to present it or the Board's own proposals to the Membership. Any petition for Bylaws changes, additions, or deletions presented with signatures of a least ten percent of the Regular Members of Good Standing, shall be put on the Membership Meeting agenda by the Board. Other agenda items shall be at the discretion of the Board, but any other item may be taken up as new business at the Membership Meeting, excepting those items requiring special notice as stated herein, if a majority of Members present votes to do so. Members may vote only at Membership Meetings.

ARTICLE XVII Membership Meeting: Quorum and Presiding Officer

A Membership Meeting has attained a quorum if at least ten (10) percent of Regular Members, including six (6) Board Members, are present. The presiding officer at the Membership Meeting shall be the Commodore, if present, or any other Board Member present in the order set out under Article VI "Governing Body" of these Bylaws.

ARTICLE XVIII Notice of Meetings**(Last Amended 26 Mar 2026)**

All Board Meetings and Membership Meetings shall be called by means of written or electronic notice. Such notice shall contain all the agenda items known at the time of notice and shall be postmarked or time-stamped no later than the time in the table below prior to the meeting:

3 Days' Notice	For a General or Special Membership Meeting
3 Days' Notice	For a General or Special Membership Meeting with an Agenda motion to amend a Standing Rule
10 Days' Notice	For a General or Special Membership Meeting with an Agenda motion to amend a Bylaw
10 Days' Notice	For a General or Special Membership Meeting with an Agenda proposal for the Club to borrow money
10 Days' Notice	For a General or Special Membership Meeting with an Agenda proposal involving bonds, dues, or fees
10 Days' Notice	For a General or Special Membership Meeting with an Agenda proposal for a Boat Selection Committee procedure
20 Days' Notice	For a General or Special Membership Meeting with an Agenda proposal to recall an officer

If a meeting is considered to be of an emergency in nature, email or telephone notice may be used exclusively. It shall be understood that any business transacted at Membership Meetings without proper formal written notice is subject to review at the next regular meeting of the Board or Membership, whichever occurs first.

In the Bylaws, a written communication shall be taken to mean any form of mail, email, electronic communication, facsimile transmission, or other common forms of transmission of written words, intended to facilitate communication between parties within the Club. Members who do not have access to computer communication shall be informed through other conventional means.

ARTICLE XIX Vacancy of Office

Should any elective officers, other than the Commodore, be unable to fulfill their duties as outlined in Bylaws Article X, the Board shall select replacements from Members of Good Standing. The replacements shall remain in office until the originally elected officers can resume their duties or until the next fiscal year, whichever comes sooner.

Should the Commodore be unable to discharge his or her duties, the Board shall appoint a Member of Good Standing into that position. The Secretary shall act as Commodore until this appointment has been made. The appointee shall remain in office until the originally elected Commodore can resume his or her duties or until the next fiscal year, whichever occurs sooner. The originally elected Commodore shall be reinstated as soon as he or she can once again fulfill the responsibilities of the office.

ARTICLE XX Standing Rules

The Club shall establish Standing Rules. Said Standing Rules may be suspended temporarily for emergency action by the Board, which must show cause at the next General Meeting.

ARTICLE XXI Dues, Fees, Bonds, and Boat Use

(Last Amended 30 Jun 2025)

The bonds, dues, and fees required of all Members may depend upon the type of Membership they hold and the boat level they sail, if any. Such bonds, dues, and fees, as described in Standing Rules Section II, in effect at the date of these amended Bylaws shall be recorded in the Club minutes and become official. The Executive Board shall be authorized to adjust dues annually, up to a maximum of five percent, effective 1 October, and to update the dues amounts in Standing Rules Section II (B) accordingly. Any larger adjustment shall require approval of the Membership by a simple majority. Any changes, additions, or deletions may be proposed by either the Board or a Member at a Membership Meeting. However, written notice that bonds, dues, and fees, on the agenda is required in all instances to ensure that all parties affected may have the opportunity to present their views and vote on the matter. The boat use regulations in effect at the time of these amendments to the Bylaws shall be recorded in the minutes and remain in effect until changed by the Club Membership and duly approved by Membership after written notice that boat use is an agenda item and the nature of the proposed change, addition, or deletion.

ARTICLE XXII Membership Financial Responsibility

(Last Amended 14 Sep 2019)

Any Member who reserves and uses a Club boat shall be responsible for the first \$1,500 of damage or loss to a Small Boat, the first \$2,500 of damage or loss to a Medium Boat, and the first \$3,500 of damage or loss to a Large Boat, except for Mariah where the responsibility shall be \$5,000. This includes damage or loss to the boat, Club property, equipment, and the property of others for which the Member or the Club shall be held responsible, any of which is caused during the period of a Member's reservation. This responsibility shall not apply to Trainers and Instructors while providing instruction to another Member, provided the reservation was made as a Training reservation. Additionally, Members who fail to report an incident where they collided with another boat or caused damage or loss to Club property or the property of others may be subject to a penalty of \$250 for failing to report the incident. This shall include striking any natural or other object above or below the waterline including the seabed.

ARTICLE XXIII Capital Expenditures

Capital expenditures of the Club up to \$10,000 shall be at the discretion of the Board, provided solvency of the Club is not thereby affected. With respect to the purchase of Boats, this limit is reduced to \$7,500, provided the Board takes a poll of the Membership before purchasing a boat. Purchase of any boat shall not be authorized unless the details thereof are on the agenda for the Board Meeting, acting thereon.

ARTICLE XXIV Borrowing

The Club may borrow money upon the recommendation of either Harbor Committee. A minimum of ten (10) days written notice prior to the next following Membership Meeting, at which time a majority vote of the eligible Membership, shall be required.

ARTICLE XXV Fiscal Year

The Club fiscal year will begin on 1 October of each year and end on 30 September of the following year.

ARTICLE XXVI Robert's Rules of Order

All meetings of the Club shall be governed by the procedures and provisions set forth in Robert's Rules of Order, Newly Revised. In the event of a conflict between the Club's Bylaws or Standing Rules and Robert's Rules of Order, the Club's Bylaws or Standing Rules shall prevail.

ARTICLE XXVII Indemnification of Directors and Officers

The Club will defend and indemnify its present and former Board directors and officers and the heirs, estates, or representatives of each such person, for the reasonable expenses incurred by any of them, including payment of attorney's fees, in the defense of any proceeding arising out of alleged misfeasance or nonfeasance in the performance of their duties.

The Club will pay such sums as may be required to satisfy a judgment or fine rendered or levied against any such person for an act alleged to have been committed while such person was a director or officer of the Club, provided that individual was acting in good faith and according to what he or she reasonably believed to be within the scope of his or her authority, and for a purpose that he or she reasonably believed to be in the best interests of the Club or its Members.

ARTICLE XXVIII Indemnification of Instructors and Trainers

The Club will defend and indemnify any Member qualified by a recognized organization that has established standards for sailing training and authorized by the Board to undertake the training of Members and the heirs, estates, and representatives of each such Member, for the reasonable expenses incurred by any of them, including payment of attorney's fees, in the defense of any proceeding arising out of alleged negligent act or omission occurring while that Member is engaged in training other Members of the Club while aboard a boat owned and/or operated by the Club and checked-out to the Member.

The Club will pay such sums as may be required to satisfy a judgment or fine rendered or levied against any such Member for any negligent act or omission alleged to have been committed while such person was engaged in such training activities. In such an event, the Board shall have the discretion to assess fault against the Member being trained at the time of the incident giving rise to the liability consistent with Club policy regarding incidents and grievances.

Article XXIX Hold Harmless Clause

(Last Amended 27 Sep 2025)

Each Member shall release, hold harmless, and indemnify the Club, its Directors, Officers, Managers, Agents, other Members, and Volunteers, whether or not presently serving, from any and all claims, lawsuits, demands, causes of action, liability, loss, damage, expenses, including reasonable attorneys' fees and costs incurred, and/or injury, of any kind whatsoever, (including without limitation all claims for monetary loss, property damage, equitable relief, personal injury, and/or wrongful death), now and in the future, whether brought by the Member, or by the Member's heirs, successors, executors, administrators, assigns, or any individual, or another entity, or imposed by a court of law, or by administrative action of any federal, state, or local governmental body or agency, arising out of, in any way whatsoever, any acts, omissions, or negligence by the Member, or the Club, its Directors, Officers, Agents, Members, and Volunteers.

Article XXX Certification by Commodore and Secretary

(Last Amended 1 Oct 2026)

I, Bruce Gale, am the duly elected and presently serving Commodore of Fairwind Yacht Club, a California corporation, and

I, Peter Shames, am the duly elected and presently serving Secretary of Fairwind Yacht Club, a California corporation, and

we do hereby certify that the foregoing constitute the Fairwind Yacht Club Bylaws as of 1 October 2026.

Signed:

Signed:

Bruce Gale

Peter Shames

Bruce Gale
Commodore

Peter Shames
Secretary