



FAIRWIND YACHT CLUB
marina del rey ■ channel islands



FAIRWIND YACHT CLUB

STANDING RULES

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SECTION I Responsibility of Members

(Last Amended 21 Sep 2024)

- A. Club Members may be a skipper in command of a boat only after passing an on-the-water checkout and a written examination. To skipper a Club boat for cruising, a cruise checkout is also required.
- B. Members who take out any boat from Club berths or protected harbors when Small Craft Advisory signals are displayed or broadcast on NOAA Weather Channel may be subject to disciplinary action.
- C. In the event that a skipper experiences an incident which results in damage to the boat or in which the boat makes any potentially damaging contact with any other boat, or with any floating or fixed object (including the sea floor), then, in addition to noting the incident in the log, the skipper shall report it to the Rear Commodore of the harbor responsible for the boat and/or the Boat Chief via text, e-mail, or telephone, within 24 hours of returning to its slip. A full incident report shall be provided to the Rear Commodore of the harbor responsible for the boat within 72 hours of returning to its slip by using the Incident Report Form posted on the Club website. Failure to do so will constitute a failure to report and be deemed a Class 3 Incident in addition to any other incident caused by the operation of the boat.
- D. Members should observe all rules and regulations necessary to promote safety and equitable use of boats and equipment including the Rules of the Road. A Member must make a written report on any problems with a boat. In the event of an accident involving a Club boat, a Member must make reports required by law to the proper authorities, (e.g. USCG, California Department of Boating and Waterways, or Harbor Patrol), and to the Rear Commodore and Safety Chair of the harbor that is responsible for the boat.
- E. To be considered for joining the Membership, a prospective Regular Member is requested to attend either an Open House, a Work Day, a Membership Meeting, or be recommended by a Member. When approved to join the Membership, a Volunteer Mentor for the new Member may be requested.

SECTION II Fees, Dues, and Bonds

(Last Amended 1 Oct 2026)

- A. Boat sizes for dues, bonds, reservations, and boat usage are defined as follows:
 - 1) Small Boats are defined as sailboats not outfitted for cruising under 30 feet in length overall (LOA).
 - 2) Medium Boats are defined as sailboats outfitted for cruising under 32 feet in LOA in MdR and under 32.5 feet in LOA in CIH. CIH Medium Boat Members are not permitted to skipper MdR Large Boats.
 - 3) Large Boats are defined as sailboats 32 feet in LOA or longer in MdR and 32.5 feet in LOA or longer in CIH.

B. Membership dues are itemized on the following schedules:**1) Regular Membership Dues:**

<u>Boat Level</u>	<u>Dues Schedule</u>
Small Boats	\$ 160 per fiscal quarter if NCO not checked out \$ 160 per fiscal quarter if checked out
Medium Boats	\$ 320 per fiscal quarter
Large Boats	\$ 480 per fiscal quarter

2) Other Membership Dues:

<u>Membership Type</u>	<u>Dues Schedule</u>
Crew Member	\$ 65 per fiscal quarter
Leave of Absence Member	\$ 65 per fiscal year or part thereof
Boat Owner Member	\$ 65 per fiscal year or part thereof
Honorary Member	\$ 0 per fiscal year or part thereof

3) Club dues are non-refundable.**C. Bonds are itemized on the following schedules:****1) Regular Membership Bonds:**

<u>Boat Level</u>	<u>Bond Schedule</u>
Small Boats	\$ 250 total if NCO not checked out \$ 250 total if checked out
Medium Boats	\$ 500 total
Large Boats	\$1000 total

2) Other Membership Bonds:

<u>Membership Type</u>	<u>Bond Schedule</u>
Crew Member	\$ 0 total
Leave of Absence Member	\$ 150 total (minimum)
Boat Owner Member	\$ 0 total
Honorary Member	\$ 0 total

3) Club bonds are refundable.

- D. Additional fees are itemized as follows: the entry fee for Regular or Crew Membership is \$300 and includes the dues through the quarter in which Membership application was approved. There are no entry fees for Boat Owner or Honorary Memberships.
- E. For Regular Members, the Small Boat Level bond, Section II (C)(1) above, is payable concurrently with the application. Additional bonds for Regular Members are payable prior to training at the next boat level, as shown in the Bond Schedule. Upon change in status from Regular Member to Inactive Member, upon written application to the Board, the Member shall receive the refund of all bonds, with the exception of that amount equal to the bond for the boat level to which the Member intends to return (less any dues outstanding).
- F. Boat Owner and Leave of Absence Membership status are available for Inactive Members, if requested in writing to the Membership Secretary of their harbor. Leave of Absence (LOA) Members must maintain a minimum bond as per Section II (C)(2) above. LOA Members returning to Active status shall return at a boat level where an opening exists, but not higher than the previous boat level attained in the Club and must pass another boat checkout at the returning boat level in accordance with Section I (A) above.
- G. When Regular Members are authorized to advance to the next boat level, they shall start paying the dues of that next boat level starting with the next quarter after the move up. Regular Members may qualify for a higher boat level at any time, except as noted in Section II (J) below. No Members may skipper a boat at a boat level higher than the one for which they pay dues and bonds.
- H. A penalty for late payment of dues equal to ten percent (10%) of the amount due will be imposed on Members for dues received more than thirty (30) days late. As provided in Bylaws Article V, Members may be terminated for being more than thirty (30) days delinquent in dues.
- I. Fees for the use of fuel will be set by the Board to cover replacement of fuel used on each outing, based on hours and minutes of engine use. The skipper will be responsible for placing the correct amount in a "kitty" aboard each powered boat.
- J. Regular Members may elect to move to a lower boat level at any time by making a written request to the Membership Secretary of their harbor. Members who wish to move back up to their previous higher boat level may do so, provided that no more than one (1) year has elapsed since moving down to the lower level, a vacancy exists at the higher level, and the Harbor Committee approves the request. If approved, Members must pay a reinstatement fee equal to the difference in dues between the lower and higher boat levels for the period spent at the lower boat level (rounded up to the nearest quarter). If there is a waiting list at the higher boat level, Members who wish to return to that level shall be placed at the bottom of said waiting list. If more than one (1) year has elapsed since moving down to the lower boat level, the standard move up request procedure of Section IV (E) shall apply, in addition to the sailing currency requirements of Section IV (E)(5). The intent of this rule is to discourage temporary moves to lower boat levels in Low Season, followed by moves back up to higher boat levels in High Season.

SECTION III Reservations

(Last Amended 21 Sep 2024)

- A. Only Regular Members of Good Standing may make a reservation for a boat. A Regular Member is entitled to bring as many private guests aboard as is prudent under the circumstances. However, Club boats may not be used for the purpose of advancing the interests of any other organization without the express approval of the Harbor Committee responsible for the boat. The use of Club boats "for hire" is expressly forbidden at all times. No Member shall benefit financially through the use of Club boats owned, or otherwise maintained, by Fairwind Yacht Club with these exceptions:
- 1) Members may request, not require, guests to contribute their pro rata share of the expenses attributable to the use of the boat, consistent with United States Coast Guard, and other, regulations.
 - 2) The use of Club boats shall be permitted to certify Club Members who intend to acquire a professional instructor credential, by special arrangement with the Harbor Committee responsible for the boat. All administrative costs and professional fees incurred by a professional American Sailing Master Instructor, who may also be a Club Member, shall be borne entirely by instructor candidates. Club Members who successfully obtain an instructor credential are expected to participate in the education of Regular Members of Good Standing in partial fulfillment of their voluntary (uncompensated) contribution to the Club in the form of sailing and safety education.
- B. Smoking is permitted only in outdoor areas of the boats. The reserving Member is responsible for the proper disposal of all smoking debris (including cigarette butts) and other refuse, as well as cleaning and securing the boat as trained.
- C. Members may only make a reservation for a boat after they have been checked-out on that specific boat.
- D. Members who reserve a boat, and are more than sixty (60) minutes late to appear, lose the right to the reservation should another Member (as an alternate skipper) be there to take the boat. The alternate skipper may use the boat for the length of the forfeited reservation and whatever time afterward that the alternate skipper reserves on-line.
- E. All reservations are made on-line. Only one cruising and one day sail reservation are permitted on the on-line reservation system for any one Regular Member at any one time. The term "day sail" applies when the boat will be taken out and returned to its slip, usually on the same day, but no longer than 24 hours later. The term "cruise reservation" applies when the boat is away from its home port for one or more overnights. In the case of excess reservations from a Member, the Fleet Captain or Reservation Chair will delete the excess reservations beginning with the reservation date furthest in the future. The Member will be notified by telephone or e-mail of any reservations so deleted. Reservation abuses shall be brought to the attention of the Harbor Committee responsible for the boat.
- F. Members may make a "Day of Use" on-line day sail reservation if a boat is not reserved, even if they have another future day sail reservation in the Scheduling System. A "Day of Use" reservation is defined as a reservation made within the same calendar day (0000 to 2400).
- G. Reservations for the purpose of instructing or checking out other Members, will not count toward the number of reservations a Member may have. Only Members designated as Level-1 Trainers or as Level-2 Instructors by the Fleet Captain may make training reservations.

- H. When Members make a cruise reservation, they must also file a Float Plan with the Fleet Captain of the harbor responsible for the boat prior to the scheduled start time of the reservation in the Scheduling System. This requirement is not open to subjective interpretation, like if a boat ends up not leaving its slip. Failure to file a Float Plan is a Class 3 Incident under Section VIII Discipline. Unless otherwise approved in advance by the Harbor Committee responsible for the boat, Members may reserve a boat for not more than seven (7) consecutive days during the High Season months of Jun, Jul, Aug, Sep. Cruises up to twelve (12) consecutive days are permitted during the Low Season, 1 Oct through 31 May. Low Season cruise reservations may consume no more than two weekend days. Boats must be returned to their home harbor after all cruise reservations. One or more Members may not make consecutive, separate reservations to circumvent this requirement without the express approval of the Harbor Committee responsible for the boat.
- I. All boats must be at dockside on Open House days, which are the second Saturday of each month in Marina del Rey and the third Sunday of each month in Channel Islands Harbor. All boats are used for community sailing or training until 4:00pm. All boats in Marina del Rey must be at dockside on Tuesday morning Work Days until noon for maintenance purposes. The Harbor Committee responsible for the boat shall have the discretion to waive the rule with respect to Open House days. Either the Harbor Committee or the individual Boat Chiefs shall have discretion to waive the rule with respect to Tuesday Work Days. However, a Boat Chief may not waive the rule for two consecutive Tuesday Work Days without the consent of the Harbor Committee.

SECTION IV Boat Use: Rules and Qualifications**(Last Amended 21 Sep 2024)**

- A. New Regular Members enter the Club at the Small Boat Level. Boat Owner, Honorary, or LOA Members who were Regular Members and wish to return to Regular Membership may do so, but only into boat levels for which they are already qualified (checked out) and if openings exist at those levels. Returnees who have been away for more than one (1) year shall be subject to sailing currency requirements of Section IV (E)(5), bond obligations of Section II (F), and dues obligations of Section II (G) of these Standing Rules. If Members are returning to the Small Boat Level and a waiting list exists (i.e. new Member applicants), returnees shall be placed at the top of said waiting list. If Members are returning to the Medium or Large Boat Levels and a waiting list exists, returnees shall not be given priority over Regular Members already on said waiting list. Returnees may apply to be placed simultaneously on any or all waiting lists of boat levels for which they already qualify.
- B. Members may not train at a higher boat level until an opening exists, or is imminent, within said boat level, nor until the increased bond payment is made, as determined by the Membership Secretary of the harbor responsible for the boat level, and the Treasurer.
- C. The Fleet Captains will determine, subject to Board approval, the prerequisites and requirements for advancing to, and training on, boats at the next Membership level. These include, but are not limited to, whether skippering a specific boat underway (i.e. not just reserved), will accrue time toward the required number of hours as skipper, as well as the number, identity, and the order of boats upon which Members must check out, as stipulated in the Training Requirements Matrix. The Fleet Captains shall publish these prerequisites and requirements to the Membership, and they are subject to change as boats are commissioned or decommissioned, or as otherwise deemed necessary by the Board.

- D. The Fleet Captains will determine, subject to Board approval, the prerequisites and requirements for training on specific boats within the fleet. These include, but are not limited to, the order of boats on which training is conducted, the minimum hours underway (i.e. not just reserved) before a Member may sail a boat single-handed, and whether skippering a specific boat will accrue time toward the required number of hours as skipper to advance to the next boat in fleet, in the order stipulated in the Training Requirements Matrix. The Fleet Captains shall publish these requirements to the Membership. These prerequisites and requirements are subject to change as boats are commissioned or decommissioned, or as otherwise deemed necessary by the Harbor Committees.
- E. Members wishing to move up to the next higher boat level can apply in writing to their harbor Membership Secretary once eligible. The Membership Secretary will notify the applicants when an opening exists. In addition to any requirements contained elsewhere in these Standing Rules and in the Training Requirements published by the Fleet Captains, eligibility and requirements for move up are as follows:
- 1) Members wishing to move to the Medium Boat Level must be checked out on at least two boats at the Small Boat Level and, before beginning training at the Medium Boat Level, must have completed thirty (30) hours underway (not anchored, docked, moored, nor rafted) across a minimum of ten (10) day sail reservations on different days as skipper of Small Boats, and meet the requirements of Section IV (C). If requested by the Member, the Fleet Captain may reduce the requirement for a qualified Member if the request is so approved by the Harbor Committee.
 - 2) Members may train upon and then, after checkout, skipper boats at the Medium Boat Level, once they have moved up, subject to the order specified by the Training Requirements Matrix published by the Fleet Captains. A Member's training and checkout must be completed on each specific boat at the Medium Boat Level before a Member may skipper that boat.
 - 3) Members wishing to move to the Large Boat Level must be checked out on at least two boats at the Medium Boat Level and, before beginning training at the Large Boat Level, must have completed 60 hours underway (not anchored, docked, moored, nor rafted) as skipper of Medium Boats, and meet the requirements of Section IV (C). If requested by the Member, the Fleet Captain may reduce the 60-hour requirement for a qualified Member if the request is approved by the Harbor Committee.
 - 4) Members may train upon and then, after checkout, skipper boats at the Large Boat Level, once they have moved up, subject to the order specified by the Training Requirements Matrix published by the Fleet Captains. A Member's training and checkout must be completed on each specific boat at the Large Boat Level before a Member may skipper that boat.
 - 5) Members who have not skippered a minimum of four (4) hours in their boat level within any 12-month period shall lose their sailing privileges until checked out again by the Fleet Captain or by the Fleet Captain's appointed Level-2 Instructor.
 - 6) In all cases within this subsection, it is incumbent on Members to provide documented proof to their Level-1 Trainer and Level-2 Checkout Instructor that they are qualified to advance into a new boat level and shall skipper boats in that level in the specific order stipulated in the Training Requirements Matrix. Misrepresentation of qualification shall be deemed a Class 3 Incident.
- F. If a Fleet Captain deems that a Member requires remedial training, then that Fleet Captain may, with the approval of the Harbor Committee, restrict the Member's reservation privileges until the training has been completed to the Fleet Captain's satisfaction.

- G. A maximum of twenty (20) Regular Members per boat is permitted in the Small Boat Membership, and eighteen (18) Regular Members per boat is permitted at all other boat levels. Temporary increases in the maximum number permitted may be made by the Harbor Committee for their harbor but will expire after nine months unless extended by Membership after required notification. Members on waiting lists to move to another boat level in one harbor are not permitted to circumvent the list by pursuing boat level vacancies in the other harbor. The maximum number of Regular Members in each harbor is limited to 320, independent of all boat loading numbers.
- H. Members are permitted to sail Club-owned boats in races, but not for money. However in case of collision or other incident occurring during a race, the Harbor Committee may require the Members involved to take responsibility for the costs incurred for Club boats and/or other boats. Further, Members shall immediately indicate by appropriate means that they intend to file a protest with race officials at the first opportunity, and thereafter do so, following an incident resulting in damage to any boat or injury to any person, and make all reasonable efforts to have the damage or injury evaluated at soon as possible.

SECTION V Floating Fund

(Last Amended 21 Sep 2024)

- A. The purpose of the Floating Fund is to provide for additions to, or replacements of, Club fleet boats, including the boat sales tax and initial commissioning, as well as redemption of promissory notes, and refund of Membership bonds.
- B. The annual income to the Floating Fund shall consist of the sum of:
 - 1) Twenty percent (20%) of the dues collected.
 - 2) All interest earned by the Floating Fund.
 - 3) All income from the sale of fleet boats including equipment and gear.
 - 4) All proceeds from the sale of bonds and promissory notes.
 - 5) All special transfers from the General Fund to the Floating Fund at the discretion of the Board.
- C. The percentage of dues that is added to the Floating Fund shall be reviewed annually.
- D. Notwithstanding (B) above, the Floating Fund shall maintain a minimum of \$5,000 for refund of bonds.
- E. Capital outlays from the Floating Fund shall be limited to additional and replacement boats with equipment and gear and shall also include capital outlays to meet new legal requirements. Replacement of sails, motors, electronics, and other pieces of equipment and gear shall not, however, be from the Floating Fund.

SECTION VI Procedure for Acquisition of Additional or Replacement Boats

(Last Amended 21 Sep 2024)

- A. Whenever a Harbor Committee (HC) determines that it has sufficient funds and resources to acquire an additional or replacement boat or boats to mitigate Member demand to enter a boat level that is at full capacity, or to meet boat loading requirements, or to replace an older boat, or a boat with high maintenance costs, or to enhance its fleet, it shall do so by the following procedure:
- B. Select a committee: the HC responsible for acquiring a boat will establish a committee comprising no less than three (3) Members of Good Standing, known as the Boat Selection Committee (BSC). Experience on a prior, successful BSC is preferred for the Chair of the Committee.
- C. Preferences of Club Members: the BSC shall devise a questionnaire to be sent to all Members to serve as a non-binding poll that will gather Member preferences of the parameters of the boat(s) to be acquired. In the questionnaire, Members shall provide their (a) name, (b) affiliated harbor, (c) boat level, (d) preferences in the areas of cruising comfort, performance, rigging, instrumentation, boat LOA, make and model, and (e) other factors and features that the BSC deems relevant, such as roller-furling sails, etc. The HC shall approve the questionnaire prior to its distribution. The BSC shall evaluate the results of the poll, present them to the HC, and recommend continuing with a thorough financial analysis or not to make a boat purchase at this time and stop the procedure.
- D. Effect on Club finances: if the procedure continues, the BSC shall make a preliminary survey of the boat market to determine costs, establish availability of any slips, demonstrate that the capital expenditure, including sales tax and an allowance for commissioning of approximately \$1000 for each year in the estimated age of the boat, and, if applicable, offset of income from an existing boat sale, can be supported by the Floating Fund, cash on hand in the General Fund, plus additional promissory notes from Members if necessary. Should such notes be assumed, they must be repaid from the harbor's Floating Fund within 24 months, and such repayment must be shown never to reduce that Floating Fund to below \$5000. It must also be demonstrated that the additional recurring expenses for the acquired boat(s), including slip fees, insurance, and maintenance costs, can be conservatively supported by the harbor's General Fund. If all these factors can be demonstrated successfully, the BSC shall then survey the boat market more thoroughly, establish the prices of tentative boat candidates, and the value an existing Club boat may bring in sale or trade.
- E. Recommendation: the BSC shall submit a recommendation to the HC to purchase the particular kind of boat(s) preferred by survey of the Membership. The recommendation may be approved, modified then approved, or rejected by the HC. Upon approval, the HC, supported by the BSC, shall present to the Executive Board, the Membership poll findings, its recommendation to purchase, the proposed financial arrangements, the impacts upon the harbor's Floating and General Funds, with all due considerations and demonstrations of sound financial standing, and the effects on boat loading and Membership levels. Upon approval by the Executive Board, all this information shall be forwarded to Membership at least ten (10) days in advance of the next scheduled Membership Meeting, or one called by the Board especially for the purpose of obtaining Membership approval of the proposed procurement and any authorization for the issuance of promissory notes, if so required.
- F. Membership consideration and approval: after a discussion of the proposed HC recommendation, the Membership shall vote "Yes" or "No" on the recommendation. A "Yes" vote by a simple majority of the votes cast at a Membership Meeting where a quorum of the Membership is present shall approve the HC recommendation. The Board shall then authorize the Treasurer to prepare financial arrangements to facilitate the purchase of the kind of boat(s) approved by the Membership and meeting the financial constraints.
- G. The BSC conducts a boat search: the BSC begins or continues its search for the kind of boat(s) voted approval by the Membership.

- H. The BSC presents the desired boat(s) to the HC: the BSC presents the boat candidate(s) it wants to survey, subject to sea trial, and subsequently purchase, to the HC to place under contract. The HC approves or rejects the boat candidate(s). If approved, the HC shall sign the purchase agreement contract, authorize a good faith, earnest money deposit (typically 10% of the boat purchase price) to be held by a third party in an escrow account, and direct the BSC to arrange a boat survey and sea trial.
- I. The HC reviews the boat survey and sea trial: the BSC presents the results of the boat survey and sea trial to the HC along with its recommendation for the HC to authorize and complete the boat purchase or cancel it and continue on to another boat candidate.
- J. Boat purchase and commissioning: after HC grants approval, the boat is purchased and commissioning begins. The Rear Commodore shall appoint a Boat Chief to assist the BSC in the commissioning process. When a boat has been fully commissioned, and the BSC is confident that the boat is seaworthy and ready to join the fleet, the BSC will so certify to the HC. When the HC accepts certification, the HC will instruct the BSC to assist the Fleet Captain in creating a Manual of Operations for the boat, as well as assisting in all activities necessary for docking, registration, insurance, and to commence training and check out of Members to sail the new boat.

SECTION VII Incidents, Grievances, and Code of Conduct

(Last Amended 29 Mar 2025)

- A. All actions of the Executive Board, Harbor Committees, or their agents, involving an Incident, Grievance, or Code of Conduct violation, will be conducted in a confidential manner as required by *Robert's Rules of Order, Newly Revised*, and to avoid litigation. Outcomes will not be made known to the General Membership, except that general facts and circumstances may be used for either educational or training purposes, without disclosing names, dates, or other identifying information.
- B. Boat Accidents and Other Incidents
 - 1) In the event of an accident or other incident, the Port Captain or representative shall do a brief investigation. If the incident is of a minor nature, there is no dispute about the facts of the situation, and the incident can be resolved in an informal manner, the Port Captain will so resolve the accident or other incident and report the outcome to the Harbor Committee.
 - 2) If the accident/incident cannot be so resolved, the Harbor Committee will investigate the situation. The potentially responsible Member will be given an opportunity to review all information involving the accident/incident and respond to it in writing. The Member may also request to appear before the Harbor Committee at a date and time set by the HC. The Harbor Committee shall make a final determination as under the guidelines for Discipline in Section VIII. These findings and the final HC determination may be appealed by the Member to the Membership at the next scheduled General Membership Meeting.

C. Grievances

- 1) In the event that a Member has a grievance with another Member, including a Club Officer, regarding a Club-related activity, the Member must file a written report to the appropriate Harbor Committee or the Executive Board within fourteen (14) days of the incident giving rise to the grievance. The procedure to address the grievance is as follows:
 - a) If a Grievance Committee is not already appointed, one shall be appointed by the Harbor Committee for disputes between Members of the same harbor, or by the Executive Board for disputes between Members of different harbors. The committee shall have a minimum of three (3) unbiased Members, including the Chair, no more than one of whom may be a Member of the Harbor Committee or Executive Board, as the case may be.
 - b) The grievance shall be forwarded to the Grievance Committee who shall then notify the accused Member for an opportunity to respond. Oral complaints will not be given credence and will not be investigated nor acted upon.
 - c) The grievance shall state:
 - 1) The specific nature of the grievance with all supporting evidence, statements, and all other relevant information.
 - 2) The specific outcome desired, showing a reasonable relationship of how the outcome would address the grievance.
 - d) The Grievance Committee shall address the complaint within thirty (30) days of receiving the grievance, contact all relevant parties, collect any additional information, and provide a written report to the Harbor Committee or Executive Board with a description of their reasoning and a recommendation for resolution or dismissal of the grievance.
 - e) No Member of an appointed FYC committee or position shall use the grievance procedure against an elected Officer of the Executive Board or a Harbor Committee that appointed the committee or position due to a personal disagreement over the proper execution of the sworn duties of said elected Officer.
- 2) The Harbor Committee or Board shall review the report and recommendation of the Grievance Committee, and then approve it, not approve it, or modify it.
 - a) If approved, a copy of the report shall be sent to the two parties directly involved with the grievance.
 - b) If not approved or modified, the Harbor Committee or Board shall transmit its findings to the Grievance Committee and the two parties directly involved.
- 3) The Harbor Committee or Board approval process may be conducted outside of a formal Harbor Committee or Board Meeting to facilitate timely responses to grievances as needed, such as via e-mail, conference call, or other voting methods. If the entire Harbor Committee or Board is not able to participate, a majority of the Harbor Committee or Board will suffice to approve the action. If the accused Member, does not agree with the decision of the action, it may be appealed to Membership at the next scheduled General Membership Meeting.

D. Code of Conduct

- 1) Members are required to conduct themselves in a responsible manner, to uphold the Club's values of decency, sportsmanship, and respect for the well being of others. A Member shall not be deliberately offensive to fellow Members, neighbors, vendors, or contractors and shall refrain from using abusive language, or from any act of verbal, physical, or threatened violence.
- 2) If any Member of the Club, including Board Members, believes another Member has breached the Code of Conduct, a charge of the violation can be brought following the grievance process outlined in this section.

SECTION VIII Discipline

(Last Amended 29 Mar 2025)

Definitions

Laws: include those established by federal, state, municipal, and local governing bodies.

Rules: include those established by FYC stated in the Club Bylaws and Standing Rules, United States Coast Guard regulations, and local marina rules where FYC boats operate.

Procedure: a required set of actions described in the Boat Log Sheets, Training Requirements, the Members Handbook, Boat Chief Notices, special announcements, and past customs and practices.

Written Warning: issued by any Harbor Committee or Executive Board Member with the approval of the Harbor Committee or Executive Board to a Member with a copy in the Member's file.

Restriction: restricts a Member's privileges of reserving and/or skippering Club boats.

Suspension: suspends all of a Member's Club privileges for a limited period of time.

Termination: the end of Membership that may include the forfeiture of bonds in lieu of fines and lost revenue.

Class 1 Minor Incident

- A Procedure or Rule violation not involving risk to people or property with little or no inconvenience to other Club Members.
- Examples: not completing a Log Sheet, not replacing boat covers, not returning boat equipment to the proper place.

Class 2 Minor Incident

- A Procedure or Rule violation not involving risk to people or property but with significant inconvenience to other Club Members, or repeated Class 1 Incidents.
- Examples: returning a boat 30 minutes or more into another Member's reservation, leaving significant amounts of trash on a boat, not emptying holding tanks, not contributing to a boat kitty, not cancelling a reservation, disturbing other yacht owners or residents in the marina, negligent failure to refuel a tank that is half empty.

Class 3 Major Incident

- A Procedure, Rule, or Law violation involving risk to people, misuse of FYC property, assets, or repeated Class 2 Incidents.
- Examples: failure to file a Float Plan, taking a boat out in hazardous weather conditions, leaving the helm unattended on auto-helm, failing to reef sails in high wind conditions, not reporting an accident or damaged equipment, conducting private business with FYC assets, unauthorized use of the Club Roster, misrepresentation of sailing qualifications to a Trainer or Checkout Instructor.

Class 4 Major Incident

- A Procedure, Rule, or Law violation involving serious risk or real loss to people, property, or FYC assets, or repeated Class 3 Incidents.
- Examples: damage to a Club boat due to negligence, altercations while at FYC facilities, or while on property used by FYC, actively engaged as skipper or crew while being impaired by alcohol or drugs whether legal or illegal.

Discipline Progression Matrix

One or more Class Event citations can be noted into a Member's Club file depending upon the nature and severity of the incident or infraction:

Accident, Incident, or Infraction Event	Warning	Fine	Skipper Restriction		Discipline Progression Cascade
			Minimum	Maximum	
Class 1 Event 1	X				
Class 1 Event > 1 Year Since Prior Event	X				Move Class 1 Event 4 to a Class 2 Event
Class 1 Event < 1 Year Since Prior Event	X	\$0 - \$100	0 Days	14 Days	Move Class 1 Event 4 to a Class 2 Event
Class 2 Event 1	X		0 Days	28 Days	
Class 2 Event > 2 Years Since Prior Event	X		0 Days	28 Days	Move Class 2 Event 4 to a Class 3 Event
Class 2 Event < 2 Years Since Prior Event	X	\$0 - \$200	0 Days	28 Days	Move Class 2 Event 4 to a Class 3 Event
Class 3 Event 1	X		14 Days	56 Days	
Class 3 Event > 3 Years Since Prior Event	X		14 Days	56 Days	Move Class 3 Event 3 to a Class 4 Event
Class 3 Event < 3 Years Since Prior Event	X	\$0 - \$300	14 Days	56 Days	Move Class 3 Event 3 to a Class 4 Event
Class 4 Event 1	X		4 Weeks	16 Weeks	
Class 4 Event > 4 Years Since Prior Event	X		4 Weeks	16 Weeks	Possible Termination
Class 4 Event < 4 Years Since Prior Event	X	\$0 - \$400	4 Weeks	16 Weeks	Possible Termination

Section IX 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 Standing Rules as of 1 October 2026.

Signed:Signed:*Bruce Gale**Peter Shames*

Bruce Gale
Commodore

Peter Shames
Secretary