

TORREY PINES SAILING CLUB
STANDING RULES

ARTICLE I: MEMBERSHIP, FEES, DUES AND FINANCES

Section 1. Fiscal Year

The fiscal year of the CLUB shall be the calendar year.

Section 2. Membership

To join the CLUB the prospective member shall submit the following items to the Treasurer:

- Membership Application
- Signed Liability Waiver
- Payment for initiation and dues

Section 3. Dues and Fees,

Annual dues, initiation fees, Trial membership fees, and other fees, shall be established by the Board of Directors at their November or December meeting following a review of CLUB finances and goals for the next year. Annual dues will be applied towards prepaid sailing time. Dues and fees are not refundable.

Continuing Members. Annual dues are due and payable in the month of January. At a member's request, annual dues may be paid in two installments: one-half in January, and one-half in July **plus a small fee determined by the Board of Directors.**

New and Returning Members. New members shall pay an initiation fee. Returning members and membership applicants who are experienced sailors and who check-out as skippers without attending the beginner sailing class shall pay the dues for a six-month membership with the application. The six month membership starts the day the member completes the orientation check-out or the first refresher lesson, whichever comes first. The second installment of dues shall be prorated to the nearest day for the time remaining until the end of the fiscal year. A returning member is a CLUB member who left in good standing and has been off the membership roll for at least one year.

Trial Members. Inexperienced sailors who take the CLUB beginner class may join the CLUB for a special rate that includes initiation fee, five water lessons, a checkout, and a three months Trial membership. The applicant shall pay the established fees before the first water lesson. The three month Trial membership starts the day the member is checked out as a skipper, or the day the member receives the sixth water lesson, whichever comes first. During the three month Trial period the member will be given additional water lessons, as needed, at no extra charge. At the end of the three month Trial membership, dues for members who wish to stay in the CLUB, shall be prorated to the nearest day for the time remaining until the end of the fiscal year. Trial members who fail to complete six water lessons or checkout within 6 months of their first water lesson shall have their membership terminated, unless they extend the completion of the sixth water lesson or check-out for up to another 6 months by paying an extension fee established by the Board of Directors.

Section 4. Sailing Rates

All sailing rates shall be set by the Board of Directors. Any changes in the sailing rates will be published in the CLUB bulletin or e-mailed to each member. The sailing rate is the charge based on the sign out time or the reservation length, whichever is greater. All members are responsible for the sailing charges after reserving a boat unless small craft warnings, rain, or defective equipment prevent sailing. There is no charge when a reservation is canceled for these reasons, however, the skipper must notify the reservation chairperson and the Treasurer within five days. To avoid sailing charges when a reservation is canceled for other reasons, a member must notify the reservation chairperson 48 hours in advance or obtain a substitute skipper. A member's only recourse will be to offer an explanation to the Board of Directors, who may, at their discretion, suspend the owed fee. The minimum sailing charge and the minimum reservation time is either the day, racing, or evening charge last published in the CLUB bulletin.

Sailing credits can be earned for maintenance, instruction, and other duties performed by a CLUB member, as set by the Board of Directors and published in the CLUB bulletin.

Section 5. Failure to Pay Debts

Any member who fails to remain current in his/her financial obligations to the CLUB for sixty days after being notified in writing of his obligation, shall be considered not in good standing and shall have his/her sailing and voting privileges suspended by the Board of Directors. Reinstatement shall be at the discretion of the Board of Directors.

Section 6. Assessments

The Board of Directors shall have the authority to assess all Flag Members equally an amount sufficient to cover boat loan payments, or any other debts requiring service, in the event of insufficient sailing revenues.

Section 7. Disbursements of CLUB Funds

All disbursements of CLUB funds shall be made by check or voucher signed by any one of the following three officers: Commodore, Vice-Commodore, or Treasurer. Within sixty days one of the remaining two officers shall initial the check book entry or voucher for each check or voucher issued.

Members may make minor purchases up to a maximum of \$100 for boat repairs and **fuel** without prior approval. They will be reimbursed by the Treasurer after submittal of receipt. Purchases up to \$200 for CLUB supplies must be approved by a CLUB officer, Boat Captain, or Chief of Maintenance. Purchases over \$200 must receive advance approval by the Board of Directors.

Section 8. Racing Fees

Once an entrant has entered a race and been assigned a fleet, the entrant shall be responsible for payment of the sailing fees for the regatta unless a substitute skipper is obtained. The entrant's only recourse will be to offer an explanation to the Board of Directors, who may, at their discretion, suspend the owed fees. Log entry will be made by each skipper before or after he/she races. Entry fees and boat rental will be specified by the Board of Directors and will generally be a flat rate.

ARTICLE II: COMMITTEES

Section 1. Standing Committees

The following committees shall be standing committees within the CLUB: Maintenance Committee; Instruction Committee; Racing Committee; Reservations Committee; Social Committee; Membership Committee; Nominating Committee; and Special Committees set up at the Commodore's discretion.

Section 2. Committee Chairpersons

The Chairperson of each Standing Committee shall appoint members to the committee as required to assist them in the performance of their duties.

Section 3. Maintenance Committee

It shall be the duty of the Chief of Maintenance with the assistance of the Maintenance Committee and Boat Captains to establish standards for boat maintenance and storage, to coordinate the maintenance of the boats and equipment, and to arrange for repair, replacement and purchase of parts and equipment. Committee members and Boat Captains shall be allowed to buy or charge boat equipment and supplies at any marine supply store approved by the Board of Directors subject to the limitations of Article I, Section 7.

Section 4. Instruction Committee

It shall be the duty of the Chief of Instruction with the assistance of the Instruction Committee to formulate instructional policies for presentation to the Board of Directors, to coordinate the classroom and water instruction and to review and act upon requests for deviations from rules governing instruction. He/she shall prepare check-out procedures for approval by the Board of Directors and advise check-out personnel on the readiness of students. Check-out personnel shall be appointed each year by the Board of Directors.

Section 5. Racing Committee

It shall be the duty of the Chief of Racing with the assistance of the Racing Committee to submit to the Board of Directors a program for the season's racing and subsidiary rules governing races. He/she shall assume responsibility for the management of the racing program including the monthly assignment of racers and race committees, reporting race results and ruling on disputed protests.

Section 6. Reservations Committee

It shall be the duty of the Reservations Chairperson with the assistance of the Reservation Committee to receive requests to use the CLUB's sailboats, maintain reservation records, **post the reservations on the CLUB website Calendar as soon as they are accepted and post the reservation slip for the upcoming week on the Marina locker on Friday afternoons.**

Section 7. Social Committee

It shall be the duty of the Social Chairperson with the assistance of the Social Committee to arrange for and organize social functions as directed by the Commodore, including all general meetings.

Section 8. Membership Committee

It shall be the duty of the Membership Chairperson with the assistance of the Membership Committee to maintain an up-to-date membership list, issue keys to renewing and newly checked-out members, maintain an account of sailing fees charged by each member, issue bills when a member exceeds the amount allowed by the annual dues, furnish applications and CLUB rules and procedures to prospective members.

Section 9. Nominating Committee

It shall be the duty of the Nominating Chairperson with the assistance of the Nominating Committee to nominate candidates for elective offices.

Section 10. Special Committees

The Commodore may appoint special committees as deemed necessary or desirable.

ARTICLE III: GENERAL MEMBERSHIP RIGHTS AND RESPONSIBILITIES

Section 1. CLUB Burgee

CLUB members have the right to display the CLUB Burgee.

Section 2. Seniority

Members shall be numbered on the Roll of the CLUB in the order of their seniority.

Section 3. Transfers

Membership in the CLUB shall not be transferable.

Section 4. Resignation

Resignation of membership shall be by notification in writing to a CLUB officer. A member's financial obligations to the CLUB shall be discharged before his resignation will be recognized by the CLUB.

Section 5. Liability Waiver

Members shall sign and file with the Treasurer a "Waiver and Release of Liability and Assumption of Risk Agreement" when they join the CLUB.

Section 6. California Boater Cards

To comply with the California Boating Law, skippers shall obtain a California Boater Card, and file a copy of the Card with the Treasurer in accordance with the following schedule, based on their date of birth:

- By 1/1/2022, skippers 45 years of age or younger (Born 1/1/1977 or after)
- By 1/1/2023, skippers 50 years of age or younger (Born 1/1/1973 or after)
- By 1/1/2024, skippers 60 years of age or younger (Born 1/1/1964 or after)
- By 1/1/2025, all skippers regardless of age.

Note: The California Boater Card can be obtained as follows:

1. Apply for California Boater ID on the California website <http://californiaboatercard.com/applynow/> and pay \$10
2. Take free on-line California Boater course at <https://www.boatus.org/california/> or any other approved on-line course offered for free or for a small fee by other organizations. The course takes 3 to 4 hours to complete.
3. After you complete the course (you will receive a temporary certificate of completion when you pass the course)
4. You will receive a confirmation email from the state of California when your application is accepted and your card will arrive in the mail within 60 days.

ARTICLE IV: BOAT USAGE

Section 1. Skipper

A skipper is a Flag or Associate Member who has completed the course of instruction supervised by the Instruction Committee and has been certified as a Victory 21 skipper according to the check-out procedure approved by the Board of Directors and has been periodically recertified according to Article IV Section 5. No member under 16 years of age may be certified as a Victory 21 skipper. A member must be at least 21 years of age to skipper the CLUB's Newport 24, Catalina 25, and Catalina **30**. The above requirements may be waived by the Board of Directors provided the skipper has equivalent sailing experience. All skippers shall be familiar with the ABCs of California Boating, available on-line.

A member must have at least 20 hours experience as a skipper in a CLUB Victory prior to being checked-out on the CLUB Newport 24. To check-out on the CLUB Catalina 25, a member must have at least 35 hours experience as a skipper in a CLUB Boat with at least 20 of the required 35 hours as skipper of the CLUB Newport 24. To check-out on the Club Catalina **30**, a member must have at least 50 hours experience as a skipper in a CLUB Boat with at least 20 of the required 50 hours as skipper of the CLUB Newport 24 or Catalina 25. Equivalent sailing hours may be filed in a written petition with the Chief of Instruction who will make a recommendation for consideration by the Board of Directors.

Newport 24, Catalina 25, or Catalina **30** checkout will be by the boat captain, or another TPSC Member who is also certified on the Newport 24, Catalina 25, or Catalina **30**, respectively. Newport, Catalina 25, and Catalina **30** certifications are conducted separately and will require the skipper to demonstrate mastery of the following skills:

- Starting and control of the motor and knowledge of fuel requirements
- Leaving and returning to the dock in a safe manner in moderate to strong wind conditions
- Raising and lowering the main sail and furling and unfurling the jib
- Docking in public dock space
- Anchoring
- Understanding and ability to empty head
- Reefing of main and jib

- Use of radio
- Use of boat lights and night sailing requirements

Section 2. Sailing Privileges

Sailing privileges on CLUB boats shall be extended to all skippers in good standing. Sailing privileges shall not be extended to anyone who is not certified both as a skipper and as a member in good standing.

The sign-out log shall be signed by the responsible skipper before taking possession of any CLUB boat for sailing, racing, maintenance, instruction, or any other activity except regularly-scheduled maintenance parties.

A boat can be reserved on-line at sailtpsc.com or by contacting the Reservations Chair by phone or email. Reservations for the upcoming week (Saturday through Friday) must be made by noon Friday and will be posted on the Marina Locker on Friday afternoons.

A reservation is not required for day or evening trips. No skipper shall take a boat for which someone else has a posted reservation, but any unreserved boat may be taken by the first skipper to sign for it.

Reservations and a float plan are required for all overnight trips, whether within San Diego Bay or outside the bay. The float plan must be approved by a CLUB officer before a reservation may be made, and the approving CLUB officer must be notified by the skipper when the CLUB boat has been returned to the dock after the trip. The approving CLUB officer is responsible for notifying authorities if there has been no communication from the skipper within 24 hours after the scheduled return time indicated on the float plan.

Section 3. Ocean Sailing

No CLUB boat shall be sailed to seaward of Ballast Point unless the skipper is participating in a CLUB organized event or has been certified for ocean sailing by the Board of Directors. There are two ocean sailing certifications:

- basic, to sail up to 5 miles past Ballast Point and to Mission Bay
- extended coastal cruising, to sail within 25 miles of shore between Catalina Island and Ensenada.

Basic ocean sailing certification requires the skipper to have completed the U.S. Power Squadron Small Boat Safety Class (can be taken on-line at <http://www.americasboatingcourse.com>), or the basic coastal navigation course given by the U.S. Coast Guard Auxiliary, or other suitable course as approved by the Board of Directors, and to have logged 50 hours at the helm of CLUB sailboats or equivalent sailboats.

Extended coastal cruising certification requires the skipper to meet the basic ocean sailing requirements and successfully complete the advanced coastal navigation course given by the U.S. Power Squadron, U.S. Coast Guard Auxiliary, or other equivalent course approved by the Board of Directors. In addition, this skipper shall demonstrate capabilities of good seamanship and knowledge of: anchoring methods, checking for anchor drag, heavy weather and low visibility boat handling, practical man overboard recovery, VHF radio procedures, ability to read charts and use of GPS, and to have skippered or crewed on previous offshore cruises. In addition, this skipper shall have knowledge of the boat's condition, its system and through hull points, its inventory of equipment, emergency boat and steering repairs, docking without power, foul weather harbor selections, simple weather and tidal effects planning, watch keeping, preventing collisions, GPS navigation, provisioning, and first aid. To obtain an exception to these requirements, a member must file a written petition with the Chief of Instruction who will make a recommendation to the Board of Directors.

Section 4. Boat Use

CLUB boats are intended for the use of members who wish to sail. Living aboard a CLUB boat is strictly prohibited. A member and guests are permitted to stay overnight on a CLUB boat at the marina only when a reservation is made with the prior approval of a CLUB officer. The Reservations Chairperson shall notify marina security of the approved overnight occupancy.

Section 5. Sailing Requirements

All returning members must re-qualify through one or more check-out sails. **This requirement may be waived if the returning member has been off the CLUB membership roll for less than 3 years.** All members must demonstrate continued proficiency through day sailing, as a sailing instructor, participation in the racing program, or triennial check-out sails.

Sailing instruction will be provided pro-bono to current members in good standing who request a refresher class to reinforce their abilities and confidence.

ARTICLE V: SKIPPER RESPONSIBILITY

Section 1. Boats, Passengers and Equipment

Members are responsible for the conduct of their family and their guests when engaged in activities pertaining to the CLUB.

The member signing for a CLUB boat shall be responsible for the boat, passengers and associated equipment. The member signing for a CLUB boat shall remain with the boat at all times when it is underway, and shall be responsible for the boat when it is docked or at anchor away from the marina.

Section 2. Laws and Rules

A skipper of a CLUB boat shall have the full responsibility to obey the By-Laws and Standing Rules of the CLUB, the applicable marina rules, Federal and California boating laws, and the International or Inland Rules of the road which are applicable. A skipper who takes a CLUB boat into Mexican waters shall have full responsibility to comply with Mexican regulations, and shall carry on board the proper passports, permits, and papers for the boat as well as for all of its passengers.

The skipper is specifically responsible for fines levied by law-enforcement officials, including, but not limited to, fines for reckless or negligent boat operation, having knowledge of drugs aboard, operating under the influence of drugs or alcohol, discharging oil, or departing with defective, or without the required, safety equipment.

Safety equipment within the skipper's responsibility to check and replace prior to sailing are: a valid registration certificate, properly displayed registration (CF) numbers (**Note: the Catalina 30 is a Coast Guard Registered Vessel and does not have California Registration "CF" numbers**), PFDs of proper size and in good condition for each person on board, throwable PFD, charged fire extinguisher(s) (two are required on the Catalina **30**), horn or whistle, working navigation and anchor lights if sailing between sunset and sunrise, and unexpired distress flares.

Children under age 13 must wear a PFD at all times while on CLUB boats.

Section 3. Equipment Malfunction, Loss, and Accidents

Equipment Malfunctions. In order to expedite maintenance and maintain quality, a skipper shall report the malfunctions or deficiencies of CLUB equipment in his/her care through a maintenance report form left in the sign-out locker, or by a notation on the sign-out log, and by e-mail notification to the Maintenance Chairman. For any malfunction or deficiency which the skipper has reason to suspect may render a CLUB boat unsafe, the skipper shall leave a note indicating the boat is out-of-service in the sign-out locker, affixed to the boat key. The skipper shall notify the Chief of Maintenance or a CLUB officer within 48 hours. The Chief of Maintenance or an authorized member of the maintenance committee shall assess the condition of the boat, effect required repairs, and then remove the out-of-service note. No skipper shall take a CLUB boat marked out-of-service from the dock. It is the responsibility of the skipper to remedy any deficiencies in the safety equipment indicated in Article V, Section 2, before departure. Members are encouraged to make minor repairs that they are qualified to do. Expenses incurred for these repairs will be reimbursed according the Article I, Section 7.

Loss of Equipment. The skipper of record at time of loss shall report lost equipment, e.g., motors, winch handles, anchors, etc., by e-mail to the Maintenance Chairman. The skipper of record shall pay for replacement of lost equipment as determined by the Board of Directors, following review of the loss, corresponding replacement estimates, and evaluation of any extenuating circumstance. In any case, the CLUB skipper of record is only responsible for either replacement, or repair expenses up to \$500.

Accidents. A skipper involved in an accident must provide his/her name, address, and vessel registration number to other involved parties, provide assistance to any injured persons and, in case of death or disappearance, report the accident without delay to law enforcement officials.

The skipper, with help from the Commodore, must also make a written report of a boating accident to the California Department of Boating and Waterways, using the California Boating Accident Report Form available on line at www.dbw.ca.gov, when:

- A person dies, disappears, or is injured and requires medical treatment beyond first aid
- Total damage to all vessels involved and other property is more than \$500, or there is complete loss of a vessel.

This report must be made within 48 hours of the accident in cases involving a disappearance, death that occurs within 24 hours of the accident, or injury that requires medical treatment beyond first aid. In all other cases where a written accident report is required, the report must be made within 10 days of the accident.

A skipper shall report all accidents resulting in personal injury, damage to non-CLUB property, and loss or damage to CLUB property to a CLUB officer and the reservation chairperson within 24 hours followed by a written report to the Commodore within 48 hours. The skipper shall remain available, such that he/she may be contacted as needed by the Commodore, until the matter is resolved. The skipper shall also prepare all additional State or regulatory accident reports that may be required and shall assist in obtaining replacement or repair estimates as needed by the Board of Directors. The sailing privileges of a skipper involved in such an accident shall be suspended pending review of the circumstances of the accident by the Commodore. The Commodore may refer the matter to the Board of Directors for review at the next regular meeting. In such cases, a check-out sail will normally be required before the skipper's sailing privileges are reinstated by the Board of Directors.

In each case, the Board of Directors will review the accident reports, corresponding replacement or repair estimates, and any other liability claims. They will decide to collect these accident expenses from either negotiations with applicable parties, CLUB funds, a combination of these, or resort to using CLUB damage and liability insurance, or Skipper's homeowners or rental insurance (Note: a homeowners or renters policy typically provides full liability coverage for motorboats with up to a 25 horsepower outboard and sailboats less than 26 feet long). In any case, the CLUB skipper of record at the time of the accident is only responsible for replacement, repair, and liability expenses up to \$500, except that the skipper of record at time of the accident, who is not in good standing, who took out a boat he/she is not qualified to sail, or had an accident in the ocean without being ocean-qualified will be responsible for up to \$1,000 of the expenses.

Section 4. Unauthorized Use of CLUB Property

CLUB property shall not be borrowed for non-CLUB or other unauthorized use.

ARTICLE VI: CONDUCT INJURIOUS TO THE WELFARE OF THE CLUB

Unbecoming conduct on the part of members and/or guests may be a cause for action by the Board of Directors. A member may have his/her sailing privileges and his/her right to vote revoked or suspended by vote of the majority of the Board of Directors for conduct injurious to the welfare of the CLUB. Reports of alleged misconduct received from other boat owners, Harbor Police, U.S. Coast Guard, marina operators or a written complaint of one or more members shall be investigated by the Board of Directors. A member may have his/her sailing privileges suspended by a CLUB officer pending a hearing on the reported misconduct at the next regular meeting of the Board of Directors. CLUB officers shall take all necessary steps to safeguard individual CLUB members' rights to a fair hearing. Such member shall be notified of the date of the next meeting of the Board and shall have the right to appear before the Board to defend him/herself. If no current address for a member is on file with the CLUB and the member cannot be contacted otherwise, notification posted in the sign-out locker shall be deemed sufficient. The Board shall investigate the circumstances connected with such alleged misconduct of a member, and if in their opinion the charges are sustained, they may suspend or revoke the CLUB privileges of the member.

ARTICLE VII: CONDUCT OF MEETINGS

All business at Membership, Board and Committee meetings shall be conducted in harmony with the principles contained in "Robert's Rules of Order, Revised" except in cases of conflict with the Articles of Incorporation, the By-Laws, or the Standing Rules.

ARTICLE VIII: CLUB DOCUMENTS

Each member shall be provided with a copy of the Torrey Pines Sailing Club By-Laws and Standing Rules. Dated pages, including the amended portion of these documents, shall be distributed to each member within a reasonable time after a change has been adopted. CLUB Operating Procedures will be distributed to the membership as they are revised.

ARTICLE IX: AMENDMENTS TO THE STANDING RULES

Amendments to these Standing Rules shall be adopted with a two-thirds vote of the Flag Members voting following the publication and distribution of the proposed amendment to all CLUB members. Amendments may be originated by the Board of Directors or by a petition of twenty percent (20%) of the Membership. No amendment shall be in effect until the complete text of the amendment as adopted has been published.

ARTICLE X: BOARD OF DIRECTORS RESPONSIBILITY

The Board of Directors shall decide, by a simple majority of those present, the proper action to be taken on any issues brought before the Board for which there is no specific action mandated by the By-Laws or the Standing Rules.