

**YACHT CLUB AT WEST POINT
West Point, New York**

CONSTITUTION

Revision 5, 1 November 2014

ARTICLE I -- NAME AND PURPOSE

Section 1. The name of this organization shall be the Yacht Club at West Point hereinafter referred to as the Club. The club is located at West Point, New York.

Section 2. This Club is established as a private organization under the provisions of paragraph 2-1a(3), AR 210-1, dated 14 September 1990, and exists on this military installation with the written consent of the Superintendent, USMA. The Club will operate as a self-sustaining private association and will receive no support, assistance, or facilities from the US Army or from non appropriated funds except as provided in AR 210-1. The Club shall be operated by individuals not acting within the scope of their official capacity as officers, employees or agents of the United States Government. This Club is not an instrumentality of the United States Government.

Section 3. The purpose of this Club shall be to encourage the sport of boating, to promote boating safety and the science of seamanship and navigation, and to provide and maintain a suitable boat basin and/or anchorage for the recreation and use of its members, their spouse and guests.

ARTICLE II -- GENERAL PROVISIONS

Section 1. An individual or member of the Club will not be personally liable for tortious or negligent conduct of the Club or its members unless the individual member authorizes, assents to, participates in, or otherwise ratifies such conduct. However, a member is presumed to have ratified the conduct of officers and members of the Club authorized by specific provisions of the Constitution and Bylaws. An individual member will be personally liable for tortious or negligent conduct which he or she commits or in which otherwise participates.

Section 2. If the assets of the Club are not sufficient to meet the organization's contractual liabilities or to pay other debts owed by the Club, all members, regardless of office will be equally liable for such liabilities or debts and will pay them in equal shares. However, an individual member of the Club will not be personally bound on any contract entered into by the Club unless said member has ratified the contract. Since members of the Club are required to have read and assented to its Constitution and Bylaws, which state the authority of the officers, a member will be held to have ratified a contract lawfully entered into or a debt lawfully incurred by an officer of the Club on its behalf, unless the member has previously disapproved the contract or debt.

ARTICLE III -- MEMBERSHIP

Membership shall be open to the following:

a. All military, cadet, civilian instructors, government employees and contractor personnel assigned to the United States Military Academy with a government ID, and their spouse whom are the sole owners of a boat.

b. All active duty or retired military personnel maintaining a permanent residence in the vicinity of West Point, and their spouse whom are the sole owners of a boat.

c. Employees of the Federal Government who have retired from employment at the United States Military Academy and their spouse whom are the sole owners of a boat.

ARTICLE IV -- OFFICERS

Section 1. There shall be elected annually a Commodore, Vice Commodore, Rear Commodore, Fleet Captain, Web Captain, Quartermaster, Secretary, and Treasurer or a combined Secretary/Treasurer. The right to hold elective office shall be limited to members in good standing.

Section 2. The officers shall be elected in accordance with the procedures prescribed in the Bylaws and shall serve a term of one year, or until their successors have been elected and installed.

Section 3. In the event an office becomes vacant, the Commodore shall appoint a replacement to serve until the next general meeting at which time a successor shall be elected.

Section 4. The officers will be responsible for the operation of the Club in accordance with this Constitution and Bylaws and appropriate regulations of HQ, DA and HQ, USMA.

ARTICLE V -- FUNDS

Section 1. The primary source of funds shall be from membership dues, fees, and assessments as provided for in the Bylaws.

Section 2. The Club shall at no time appropriate or authorize the obligation of money in excess of funds on hand or subscribed.

Section 3. In the event of dissolution of the Club, residual assets shall be donated to a Government instrumentality at the United States Military Academy, subject to the approval of the Superintendent, USMA. In the event liabilities exceed assets at the time of dissolution, such liabilities shall be prorated among the members of the club.

Section 4. The club shall use its funds to purchase equipment in support of Club Operations, moorings, floats, and refreshments for social events, workdays, and board meetings.

ARTICLE VI -- BYLAWS

Standing operating procedures, policies and such internal controls as may be desired by the Club membership or required from time to time by regulations, HQ, USMA, shall be contained in the Bylaws.

ARTICLE VII -- AMENDMENTS

This Constitution may be amended by a majority vote of the membership present at a regular meeting or at a special meeting specifically called for such a purpose. Signed proxy statements may be counted to achieve a majority vote. Amendments will become effective upon approval of the Superintendent, USMA.

ARTICLE VIII -- ADOPTION

This Constitution and the Bylaws shall become effective upon ratification by a majority vote of the membership present and voting, and upon approval of the Superintendent, USMA.