

## **CLUB RULES AND REGULATIONS**

Rules and regulations are for the protection and benefit of all members and guests. These rules have been established to assure safe and sanitary operation of the Club's facilities.

Parents, children, and guests are required to observe all rules and regulations of the Club. The Club Manager lifeguards and other employees are responsible for the enforcement of these rules without prejudice. Please make their job easier by following their direction. Failure to comply with these rules could be sufficient cause for immediate suspension of club privileges for the offending member at the discretion of the Club Manager, and may also be considered sufficient cause for cancellation of Club membership by the Board of Directors.

### **A. ENTERING CLUB GROUNDS**

1. Drive slowly and park in designated areas only.
2. Place all bikes and scooters in the bike area.

### **B. GENERAL RULES**

1. Members must identify themselves at the entrance and show identification if so requested; all members and guests of members will be signed in by the employee stationed at the desk.
2. A "Membership Family," for purposes of a Beachwood club membership, is defined as those individual family members permanently residing at one household at a particular address. Adult children aged 24 years and younger, who are permanently living at such address, are deemed members of the Membership Family. Adult children aged 25 and over, whether or not permanent residents of a Membership Family household, may use the club under the rules established in paragraph B.3 below. For purposes of this subsection, an adult child's age shall be the child's age on the date the club opens for general swimming and tennis use in a particular calendar year. At the club's discretion, the Beachwood Board or staff may ask Membership Families to provide proof of age and residence via a driver's license or student ID, and/or provide a photograph, for any individual purported to be a member of a Membership Family for verification purposes.

3. Members must sign and pay cash for guest's fees at the office. Guests must be accompanied by the sponsoring member at all times. A member may bring the same guest to the Club no more than three (3) times in a calendar month.

Guest fee policy as established:

Weekdays	\$4.00 per person \$15.00 per family
Weekends and Holiday	\$5 per person \$15.00 per family

(Weekends are from 4pm Friday through close on Sunday.)

4. Special membership situations:

- A Membership Family may purchase a baby sitter pass from club management for \$20 per calendar year season, which pass belongs to the Membership Family to use with any babysitter of such Membership Family. The individual using such baby sitter pass to gain access to the club must be doing so in the capacity as a baby sitter of the Membership Family, and, as such, the Membership Family's children must accompany the baby sitter during the baby sitter's use of the club.
- A Membership Family may purchase a houseguest pass from club management for \$20 per consecutive seven day period. The houseguest using such houseguest pass to gain access to the club must do so in the capacity as a houseguest of the Membership Family, and, as such, a member of the Membership Family must accompany the houseguest(s) during the houseguest's use of the club.
- Where a non-club member individual is a divorced parent of a child, and where such child and the individual's ex-spouse are members of the same Membership Family, such individual may use Beachwood as a guest of such child's Membership Family club membership solely where such individual accompanies such child under the rules established in paragraph B.3 above.

5. Non-member persons using the tennis courts for private lessons shall pay the established daily guest fee before using the club. Such non-member shall not use the tennis courts in this manner where such use would prevent a club member from using the tennis courts.
6. Use of the facilities for private parties is encouraged. A member must sponsor the party and be present at all times. All party dates must be cleared in advance with the Club Manager so as not to conflict with a previously scheduled event at the Club. Current guest fee policy shall apply for all non-members attending a private party. Note, the party must take place during scheduled hours of operation; the club will not extend regularly scheduled hours of operation in order to accommodate parties.
7. Any unusual situations pertaining to guest privileges should be submitted to the Club Manager for consideration.

8. There are no facilities for checking valuables. Do not bring them to the pool. The Club is not responsible for any loss or damage to personal property and will not reimburse any member or guest for any loss.
9. All children under 9 years of age using any portion of the pool must be accompanied by an adult member.
10. All swimmers must wear a swim suit. No clothes or cut-off jeans are allowed in the pool at any time.
11. Use of the kiddie pool is restricted to children under 6 years of age and must be properly supervised unless special permission is obtained by the Club Manager.
12. Youngsters using float devices in the pool must swim with an adult.
13. During primetime ( after 5:00 p.m. on weekdays and on weekends or holidays), Lanes will be exclusively intended for lap swim only. During this time, adults ( age 16 and over) shall have priority use of the lap lanes.

#### **C. POOL HOURS**

1. Pool hours will be established by the Club Manager with the approval of the Board of Directors.
2. The pool may be closed at the discretion of the Club Manager for reasons of health, weather, or repair.

#### **D. SAFETY RULES**

To ensure the safety of all BeachWood members, the following rules will be enforced:

- NO...**
- Running on pool deck
  - Diving over others
  - Sliding
  - Climbing of fences
  - Dunking
  - Boisterous conduct
  - Pushing

#### **Diving Area Controls:**

The diving area is for recreational use. Any special use must be cleared in advance with the club manager.

- No goggles are allowed on the diving boards
- No loose Jewelry is allowed on the diving boards.

- No flotation devices are allowed on the diving boards.
- No footwear is allowed on the diving boards
- Only swimmers with appropriate swim attire are allowed on the diving boards.
- No diving or jumping toward the side of the pool.
- No hanging on the diving boards.
- No swimming in the diving area except to return directly to the pool side.
- No diving or jumping unless the area is clear.
- Any diver under the age of 9 must be supervised by a parent, or guardian, while using the 3 meter board.
- All divers must demonstrate competence to a lifeguard in order to use either diving board.
- Forward dives only, no twists, back, or inward dives.
- No throwing of objects to divers.

**E. HEALTH RULES**

1. Persons with skin rashes, sores, abrasions, bandages, or infections shall not use the pool.
2. All bathers must shower before entering the pool.
3. No food, drinks (except bottled water), or smoking allowed in the deck area.
4. No individual glass containers or glasses are allowed anywhere on BeachWood property.
5. No children in diapers in the main pool.

## F. TENNIS COURT RULES AND REGULATIONS

1. **Hours:** The tennis courts are open for play from 6AM – 11PM everyday during the season.
2. **Reservations and Sign Up.** a) Members may reserve a court daily on a first come first serve basis **in person** using the sign-up board located by the tennis office. No permanent court or advanced reservations are allowed. Special events can be authorized by the Tennis Professional and Tennis Committee on a case by case basis. b) Singles can be reserved for one hour and doubles for 1 1/2 hours except as defined below. c) Adults have priority over children under 18 years of age after 5:00 PM Monday – Friday. d) Courts may be assigned for group instruction, mixers, and tournaments as determined by the Tennis Pro/Staff or Committee. e) These activities supercede the normal sign-up procedure
3. **Tennis Instruction:** The Tennis Staff has priority to use two courts for private lessons at anytime during the season. Group lessons and clinics may require additional courts at certain times that will be posted by the Tennis Staff on the sign – up board. The Tennis Pro/Staff has the discretion to utilize all courts for large groups of lessons and clinics.
4. **Attire:** Members and their guests must wear proper tennis attire. Swimsuits, bare feet, flip flops/sandals or the like are not permitted. Shirts must be worn at all times.
5. **Guests:** Members are required to sign in their guest at the front desk. The guest fee is as reflected in section 3 above.
6. The tennis Professional/Staff and the Tennis Committee have the responsibility and authority to enforce these rules.

**BY-LAWS OF  
BEACHWOOD RECREATION ASSOCIATION, INC.**

**ARTICLE I**

**NAME OF CORPORATION**

The name of the corporation shall be Beachwood Recreation Association, Inc.  
(hereafter, the "Association").

**ARTICLE 11**

**PURPOSE OF CORPORATION**

The purpose for which the Association is formed is to promote the health and general welfare of its members; to construct, own and operate a swimming pool, tennis courts and other recreational facilities; and to conduct other appropriate activities in the County of Oakland and State of Michigan for the use of its members and their families.

**ARTICLE III**

**PRINCIPAL OFFICE AND RESIDENT AGENT**

**Section 1.** The registered office of the Association shall be located in Oakland County, Michigan and shall be designated by the Board of Directors. The Association shall maintain a Post Office Box at the Troy Post Office which shall be the primary mailing address of the Association.

**Section 2.** The resident agent of the Association shall be designated by the Board of Directors and shall maintain a residence at the registered office of the Association.

**ARTICLE IV**

**COMPOSITION OF BOARD OF DIRECTORS**

**Section 1.** The Association shall be managed by a nine-member Board of Directors. No two Directors shall reside at the same home address.

**Section 2.** At the annual meeting of active members of the Association, four Directors shall be elected on even numbered years for a term of two years and until their successors shall have been duly elected and shall have qualified. Five Directors shall be elected during the odd-numbered years from among the active members for a term of two years and until their successors shall have been duly elected and shall have qualified.

**Section 3.** Any member of the Board of Directors who shall cease to hold active membership in the Association automatically shall cease to be a member of the Board of Directors.

**ARTICLE V**

## **BOARD OF DIRECTORS**

**Section 1.** Consistent with these by-laws, the Board of Directors shall manage the affairs of the Association, and in particular, but without limitation, the Board may:

- (a) make and amend rules for the regulation of use of Association property; and, appoint and remove such officers, clerks, agents, servants or employees as it may deem necessary and fix their duties and compensation.
- (b) Establish and implement standards and procedures for reviewing and approving applications for membership in the Association; provided, that all conditions, standards and procedures for reviewing and approving such applications shall be impartially applied and shall make no reference to gender, race, creed, or national origin.
- (c) Fix and impose penalties for violation of these by-laws and rules of the Association.
- (d) Elect from the Board of Directors a President, Vice President, Secretary and Treasurer. Beachwood Board members shall have yearly dues waived for each year of service on the board. If for some reason a Board member does not complete their term, their dues will be prorated on a monthly basis starting on November 1 and they will be obligated to reimburse that amount to Beachwood Recreation Association. Board members upon election to the board shall have guest fees waived during their service on the board.
- (e) Create such other offices as may be necessary and appoint one or more members who may but need not be members of the Board.
- (f) Appoint Committees and define the powers and duties of the same.
- (g) Appoint members of the Association to fill vacancies on the Board until the next annual meeting of the members of the Association.
- (h) Nominate successor members of the Board of Directors, provided, however, that independent nominations to the Board may be made from the floor at the time of the annual meeting of the Association members.

**Section 2.** The Board of Directors shall designate the bank or financial institutions in which the funds of the Association shall be deposited and determine the manner in which checks, drafts and other instruments for payment of funds of the Association shall be executed. However, the Board of Directors shall always require that at least two officers sign all checks, drafts or other instruments for the payment of money in excess of \$1,000 drawn in the name of the Association.

**Section 3.** The Board of Directors shall cause the books of the Association to be audited annually by auditors who shall not be members of the Board, and the report of the auditors shall be available to the members at all times.

**Section 4.** The Board of Directors shall meet at least once a month during the months of January, February, March, April, May, June, July, August, and September, and at such other times and intervals as they may deem necessary. Five members of the Board shall constitute a quorum, but if at any meeting there shall be less than a quorum present, a majority of those present may adjourn the meeting and set another time and place for the adjourned meeting.

**Section 5.** The Board of Directors, by a vote of any five Directors, may borrow money or pledge the credit of the Association, issue its promissory notes or bonds, and mortgage the property of the Association.

**Section 6.** At any meeting called for that purpose, the active members of the Association may remove from office, or terminate the employment of, any Director, Officer, Agent or Employee with or without cause, by a vote of not less than a majority of the entire active membership.

**Section 7.** To the maximum extent permitted under Michigan law, every person now or hereafter serving as a Director, Officer or employee of the Association shall be indemnified and held harmless by the Association from and against any and all loss, cost, liability and expense that may be imposed upon or incurred by him or her in connection with or resulting from any claim, action, suit, or proceeding, civil or criminal, in which he or she may become involved as a party or otherwise, by reason of being or having been a Director, Officer or employee of the Association, whether or not a Director at the time such loss, cost, liability or expense shall have been imposed or incurred. As used herein, the term "loss, cost, liability and expense" shall include, but shall not be limited to, counsel fees and disbursements and amounts of judgments, fines or penalties against, and amounts paid in settlement by any such Director, Officer or Employee.

## **ARTICLE VI**

### **OFFICERS**

**Section 1.** The Officers of the Association; President, Vice President, Secretary and Treasurer, shall be elected annually by the Board of Directors from among its members, and shall hold office until the end of the first meeting of the Board of Directors following the annual meeting of the Association or until their successors shall be elected and shall have qualified.

**Section 2.** The President shall preside at the meeting of the Association and of the Board of Directors; shall be the chief administrative officer of the Association; shall appoint (subject to confirmation by the Board of Directors) all standing and special committees and designate the chairperson thereof; and shall be an ex-officio member of all committees.

**Section 3,** The Vice President shall assume the duties of the President in the absence or disability of the President. The Vice President shall act under the direction of the president and shall have general and overall responsibility for overseeing the maintenance of the buildings and grounds of the Association.

**Section 4.** The Secretary shall send out notices of the meetings of the Association and of the Board of Directors, shall keep the minutes, and attend to correspondence pertaining to this office. The Secretary shall also perform such other duties pertaining to the office as may be required by the Board of Directors.

**Section 5.** The Treasurer shall attend to keeping the accounts of the Association, collecting its revenues, and paying its bills as approved by the Board of Directors or other agency authorized by the Board to incur them. The Treasurer shall deposit funds of the Association received in the name of the Association in such depository or depositories as may be authorized by the Board. The Treasurer shall also perform such other duties as may be required by the Board. The Treasurer shall be bonded at the expense of the Association in an amount that will adequately protect the assets of the Association. The Treasurer shall furnish an annual financial report at the annual meeting and such other financial reports as may be required from time to time by the Board.

## **ARTICLE VII**

## **MEMBERSHIP AND DUES**

**Section 1.** The Association membership shall consist of no more than 400 family units, each consisting of the permanent members of one household. Eligibility for membership shall be subject to such limitations in relation to place of residence as are required by applicable laws, rules and ordinances in relation to the facilities. Membership is conferred by payment of a membership and an initiation fee (both of which are set by and may be changed by the Board of Directors), and by approval of application for membership as provided in these by-laws. Once membership is established, continued membership shall be conditioned upon payment of annual dues as prescribed by the Board of Directors. Each family unit shall be entitled to one vote in membership meetings.

**Section 2.** The annual dues of members shall be fixed from time to time by the Board of Directors in such amounts as shall be reasonably estimated to meet the operating expenses and obligations of the Association.

**Section 3.** Any member of the Association may upon written resignation as described in Article VII redeem his membership fee at any time. However, such withdrawing member shall be liable for a portion of the current year's dues unless such resignation is received by the Association prior to the first day of May.

**Section 4.** If any member shall cease to comply with any condition of membership, his membership shall be redeemed as hereinafter provided. Any member may, for cause and after having been given an opportunity for a hearing, be suspended for a period of not exceeding three months by a vote of six members of the Board of Directors at any meeting thereof, or expelled by a unanimous vote of the entire Board. Cause of suspension or expulsion shall, in general, consist of repeated violation of these by-laws or of the rules of the Association. Suspension of privileges for periods not to exceed three weeks may be imposed without a hearing as prescribed in applicable rules adopted by the Board in accordance with these by-laws.

**Section 5.** Use of the premises is a privilege conferred upon members of the Association who are in good standing, have paid their current year's dues and abide by the Rules and Regulations of the Association as set by the Board of Directors.

- (a) All Association members whose current dues are paid shall be accorded the facilities of the Association subject to the Rules and Regulations which shall be posted at all times in the Association locker rooms or such other place as shall be prominent and convenient.
- (b) Upon payment of dues, a system of identification approved by the Board of Directors shall be made available to all members which shall be used to restrict access to Association property.
- (c) Guests may use the Association facilities subject to the Rules and Regulations.
- (d) Any property of the Association broken or damaged by a member or guest shall be promptly paid for by such member or by the member who sponsored the guest. No person shall take any articles belonging to the Association.
- (e) The Association assumes no responsibility, and members of the Association or their guests can have no claims against the Association, for loss or damage to property of members or guests which may be brought into or left in the Association buildings or on the grounds.
- (f) The Association assumes no responsibility, and members or their guests can have no claim against the Association, for any accident or injury to any person.

## **ARTICLE VII**

## **REDEMPTION OF MEMBERSHIP**

**Section 1.** If any member of the Association wishes to redeem membership, in the Association, that member shall notify in writing the Treasurer or such other person as the Board shall designate in accordance with the following. Upon receipt, the notice shall be clearly marked with the date it was received, and the Treasurer shall acknowledge receipt of such notice to the member. A list shall be maintained of all members who have sent such notice.

- (a) A member may simply notify the Treasurer of resignation from the Association effective as of a date certain, and the Treasurer shall promptly refund to that member the amount of the membership fee paid by that member upon joining the Association less any amounts owed by the member to the Association for dues or otherwise.
- (b) A member selling his principal residence may offer membership in the Association to the purchaser of that member's principal residence. If the purchaser wishes to purchase the membership, the seller (member) must give timely notice of such intention to the Treasurer prior to giving notice under (a) above. The purchaser wishing to become a new member of the Association must submit a membership application to the Treasurer and pay the then current membership fee and initiation fee to the Association. The Association will not refund the membership fee to the selling member until it has received the full membership fee from the purchasing member.
- (c) Except where membership in the Association is transferred with the sale of a members principal residence, transfer of membership to a new member shall occur as follows. A list shall be maintained in chronological order of all applicants wishing to join the Association. The applicant of the longest standing shall be offered the membership. Upon payment of the then current membership and initiation fees, the applicant shall succeed to the membership of the withdrawing member and the Association shall remove the name of the resigning member from the rolls of the current members of the Association.

- 1. No payment to an outgoing member shall be made unless or until there is an application to succeed to the membership of the outgoing member, but the outgoing member shall not be obligated to pay dues assessed after giving notice to the Treasurer as provided above.
- 2. Any payment in redemption of an outgoing member's membership fee shall be subject to deduction in the amount of the aggregate of the outgoing member's liabilities and obligations to the Association.

## **ARTICLE IX**

### **MEETINGS**

**Section 1.** A meeting of the Association members shall be held after September 1st and before December 1st of each year, at such place and time as the Board of Directors may determine. The annual meeting shall be for the purpose of electing Directors and presenting committee reports, presenting an annual budget, membership reports, and for the transaction of such other business as may be indicated in the notice or may be brought before it.

**Section 2.** Special meetings of the Association members may be called by the Board of Directors. Also, upon written request of ten members to the Secretary, stating the purpose therefore, a special meeting shall be called by the Secretary within thirty days.

**Section 3.** Notice of the annual meeting shall be given by mail to the members at least 10 days, but not more than 60 days, prior to such meeting. Special meetings of the Association members may be held upon five days' notice by

mail to all members. The notice shall state the purpose for which the special meeting is called, and no other business shall be transacted thereat.

**Section 4.** Only active members shall be entitled to vote at meetings of the Association members. Proxies may be used for any business requiring a vote. Proxies must be in writing and recorded with the Secretary prior to the meeting. A proxy shall indicate on its face the specific issues for which the proxy is granted. Only active members may serve as proxies. Voting may be by voice, but ten members, including those represented by proxy, shall have the right to demand voting by roll call.

**Section 5.** Twenty percent (20%) of the active membership, in person, or by proxy, shall constitute a quorum at all membership meetings.

**Section 6.** Whenever in these by-laws notice to members is required, the mailing of such notices by bulk mail to the last known address of the members shall constitute adequate notice.

**Section 7.** Whenever any notice is required to be given by law, under the provisions of the Articles of Incorporation or by-laws of the Association, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated thereon, shall be deemed equivalent to the giving of such notice, and the presence of such member at a meeting shall constitute waiver of notice.

**Section 8.** Meetings of the Board of Directors shall be held as set forth in Article V Section 4.

- (a) The Board of Directors shall hold its first meeting following the annual meeting of the members in each year as promptly as practicable.
- (b) The Board of Directors may, by resolution, establish from time to time a schedule of its meetings and rules for the conduct thereof.
- (c) Special meetings of the Board of Directors may be called by the President and shall be called by the Secretary upon the request of two members of the Board.
- (d) Notice of regular and special Board meetings shall be mailed to each member of the Board at least five days before the date of the meeting.

## **ARTICLE X**

### **AMENDMENTS**

**Section 1.** Amendments to these by-laws may be made at an annual meeting or at any other regularly called meeting of the membership at which a quorum is present by a majority vote of the active members present in person or by proxy at such meeting. The membership at large may call for a vote or an amendment to the by-laws through a petition in writing to the Secretary of the Association which is signed by at least fifteen percent(15%)of the active members. The Board of Directors shall be required within thirty days after receipt of said petition to set a time and place for a meeting. Notice of a proposed amendment to these by-laws must be mailed to each active member at least ten (10) days and no more than sixty (60) days before any meeting at which amendments are to be presented.