



NORTH CHANNEL YACHT CLUB  
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## Issue Briefing Note<sup>1</sup>

To: NCYC MC  
From: LTR  
Date: 2021-01-18  
Re: Summer Dockage Program Issues

1. **THE ISSUE:** What protocols and principles should apply to the Summer Dockage Program to ensure transparency and fairness to members?
2. **HISTORY & DISCUSSION:**
  - 2.1. The By-laws were amended to allow for a number of slips at the finger docks to be allocated to members for full time occupancy.
  - 2.2. This program is administered by the MC.
  - 2.3. The By-law provision is as follows:

*Schedule A 1.13 At its discretion, the Management Committee may in each year designate a limited number of slips on the finger docks for summer rental to members or transient boaters on such terms and at such rates as the Management Committee may deem advisable.*
  - 2.4. The Rules also contain provisions which address the use of Dockage as follows:

### 3 ARTICLE III – DOCKAGE:

- 3.1 *Dockage at NCYC is limited and is on a first come first served basis.*
- 3.2 *Vessels are NOT left at the dock unattended overnight except as follows:*
  - 3.2.1.1 *If there is a problem with the vessel that prevents it being safely returned to the mooring or the vessel is part of the special summer dockage program; [amended AGM 2015]*
  - 3.2.1.2 *Each member is granted one week following launch of the vessel at the dock for rigging and commissioning. However, the vessel should be removed to a mooring as soon as possible; [amended AGM 2015]*
  - 3.2.1.3 *If the vessel is being commissioned or provisioned for an extended voyage away from the Club of at least 3 months;*
  - 3.2.1.4 *At the end of the boating season, when there remain only 15 or fewer vessels in the water, vessels may be left at the dock and need not be returned to a mooring. [Added AGM November 28, 2009];*

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<sup>1</sup> C:\Google Drive\NCYC\NCYC\0 Management Committee\2021\2021-01-19\2021-01-18 NCYC Briefing Note re Summer Dockage.docx

**3.2.1.5 The Management Committee grants an exception of up to one week. [Added AGM November 28, 2009].**

**3.2.1.6 Vessels left unoccupied at the dock after June 15th are to pay a fee of \$10.00 per night. [added AGM 2017]**

- 3.3 If a vessel must be left unattended overnight at the dock, the member makes prior arrangements with the Fleet Captain.[amended AGM 2015]**
- 3.4 The Club may rent or lease some slips for summer dockage purposes as determined by the Management Committee from time to time. Such slips as are designated for this purpose are not to be used by members except when no other slips are available, and then only for short term dockage while loading or unloading their vessel. The slip locations are to be assigned by the Fleet Captain. [Amended AGM 2017]**
- 3.5 Vessels are not left connected to Club electrical supply, either at dock or in the boatyard while the member is not on the premises.**
- 2.5. The number of summer dockage slips was set by the MC at 4 reserved slips. There was no limit imposed with respect to transient or casual member use.
- 2.6. The fee was set at \$450.00 for seasonal summer dockage [i.e. for 4 slips] and \$■ per day for transient or casual member use.
- 2.7. The Fleet Captain has been responsible for assignment of the slip locations. [See Rule 3.4] The practice has been for there to be 2 reserved slips on the East Finger Docks and two on the West Finger Docks. Members were asked to express interest by December 31<sup>st</sup> for the next sailing season. The slips were assigned by the FC in January of each year to allow time for the Treasurer to include charges in the member's annual fees invoice.
- 2.8. There is some ambiguity in the wording of that provision: Does the Fleet Captain assign only which slips are to be used for these purposes, or does the Fleet Captain also allocate such slips to the individual member who will use such slip? What criteria were to be used by the FC in performing these duties was left up to the discretion of the FC. The absence of specific provision potentially put the FC in an awkward position if conflicts arose.
- 2.9. For the 2021 summer sailing season there are, for the first time, more applicants for a summer dock than there are allocated slips – i.e. 4 reserved slips and 7 or 8 members who are requesting a slip. It is not clear whether all those members are seeking a full-time reserved slip or whether some are seeking simply a weekly or monthly dockage allocation.
- 2.10. Because some members were allocated and paid for a reserved slip for the 2020 sailing season, but did not launch for Covid-19 related reasons or otherwise, a question has arisen with respect to what principles should apply. Can the member simply ask for the reservation and fee to be applied to the 2021 season or should the member be required to reapply and be considered along with all other members who apply for the 2021 season?

2.11. At the 2020-12-15 MC Meeting, there was some discussion of the these issues. In order to focus that discussion, it was decided that a draft resolution would be drafted for consideration by the MC.

2.12. The suggested resolution of these issues follows below.

- 3. PROPOSED RESOLUTION:** It is proposed that the Rules be amended by deleting the current Article 3.4, which would be noted as “Deleted by resolution of the MC dated ■ and a new Article 3.10 substituted as below” and then adding a new Article 3.10 as follows:

3.10 Schedule A Section 1.13 of the By-laws provides that “At its discretion, the Management Committee may in each year designate a limited number of slips on the finger docks for summer rental to members or transient boaters on such terms and at such rates as the Management Committee may deem advisable.” The Management Committee has adopted the following provisions to govern this Summer Dockage Rental Program:

3.10.1 There will, in each boating season be a limited number of slips allocated for rental on a full season or casual basis.

3.10.2 There will be 3 classes of slips identified:

3.10.2.1 Full Season Reserved Slips identified and designated as reserved to specific members;

3.10.2.2 Full Season Unreserved/Undesignated Slips - i.e. the member has the right to a slip, but has to accept any empty slip on a day to day basis and cannot expect that the same slip be available each time or that any slip be available;

3.10.2.3 Casual Slips available for members and/or transient boaters for a daily/weekly/monthly fee on a first come first served basis.

3.10.3 Members wishing to rent a finger slip for part of all of the summer boating season must submit a Summer Dockage Rental Application Form to the Secretary by March 31 of that year.

Late submissions will only be considered for slips which become vacant during the boating season or casual slips.

3.10.4 Applications will be reviewed by the Fleet Captain who will consider the number and type of applications and then make a written report and recommendation to the MC as to the number and location of:

3.10.4.1.1 Full Season Reserved Slips;

3.10.4.1.2 Full Season UnReserved Slips;

3.10.4.1.3 Casual Slips;

3.10.5 The MC will consider the FC’s report and then determine the number and class of Summer Dockage Slips for the season. and publish the decision to the membership.

- 3.10.6 If there are more applicants for a class of Summer Dockage Slips than there are slips made available by the MC, such slips will be allocated to the applicants by lottery at the Spring Planning Meeting or such earlier or later time as the MC may determine.
- 3.10.7 With respect to Reserved Slips:
- 3.10.7.1 The successful applicants are required to meet to determine which of the Reserved Slips will be designated to each member.
- 3.10.7.2 If they cannot agree on the designation, then slips will be allocated on a lottery basis with the first member name drawn given first choice and so on until all slips are designated.
- 3.10.7.3 Members with Reserved Slips:
- 3.10.7.3.1 May leave their vessel at the slip unattended, but must unplug shore power cords from the pedestal when away from their vessels and any member may unplug a shore power cord from an unattended vessel.
- 3.10.7.3.2 May switch slips between themselves as they might agree.
- 3.10.7.3.3 May **NOT** transfer the Reserved Slip to another member.
- 3.10.7.3.4 Must release the slip back to the MC if they no longer wish to have a reserved slip in which case they will have their fee refunded on a pro rata basis and the MC will then allocate it to another member using the above process as a guideline and for a pro rata fee.
- 3.10.7.3.5 Use of the slip is granted on a seasonal basis only and cannot be carried over to the next season, whether or not the member has made use of the slip.
- 3.10.7.3.6 When all other slips are occupied, a member or transient boater may use a reserved slip on a casual basis but **MUST** relinquish the slip to the reserved member immediately upon request by removing their boat to a mooring or to anchor.
- 3.10.8 With respect to Full Season UnReserved Slips:
- 3.10.8.1 Members who have such slips:
- 3.10.8.1.1 May occupy any unoccupied slip [except a Reserved Slip] at any time during the season for any length of time without payment of any further fee
- 3.10.8.1.2 Do **NOT** have the right to insist that the same slip be their “usual” slip and other members are not required to respect any such unofficial designations.

- 3.10.8.1.3 May leave their vessel at the slip unattended, but must unplug shore power cords from the pedestal when away from their vessels and any member may unplug a shore power cord from an unattended vessel
- 3.10.8.2 No refund or rebate is made because a member has not been able to find a slip on any one or more occasions.
- 3.10.9 With respect to Casual Slips:
  - 3.10.9.1 Members with Casual Slip privileges:
    - 3.10.9.1.1 Must notify the Fleet Captain in person or my email or other electronic communication means of their intention to leave their vessel unattended at a slip and the duration of their unattended occupation once known;
    - 3.10.9.1.2 Must accept any slip designated by the FC for their use and must move or remove their vessel if required by the FC;
    - 3.10.9.1.3 Pay a fee of \$10.00/day or part thereof including both the first day and the last day upon being invoiced by the Treasurer following the FC notifying the Treasurer of the use by the member;
    - 3.10.9.1.4 Are not entitled to more than 30 days of such use of slips over the Boating Season.
- 3.10.10 With respect to Slips generally [other than Reserved Slips]:
  - 3.10.10.1 Members must remove all personal equipment such as shore power cords, bumpers, steps, etc when leaving the slip and must not “squat” on the slip by leaving such items behind.
  - 3.10.10.2 Any such items may be removed at the owners risk by the Fleet Captain or that officers designated substitute.
  - 3.10.10.3 Such equipment will be removed to the White House for retrieval by the member at a later time and may be designated as abandoned in accordance with NCYC rules.
- 3.10.11 Summer Dockage fees will be invoiced by the Treasurer separately from annual membership fees. Members who are allocated Reserved Slips are not authorized to use such slips until invoiced fees have been paid in full.
- 3.10.12 Any dispute as to the application of any of the above [except as to fees] may be determined by the MC or by the executive officers by majority vote at a meeting of the executive called for that purpose, but any direction given by the FC will be followed until such time as the dispute is resolved.
- 3.10.13 Any dispute as to fees will be determined by the MC at a meeting called for that purpose.