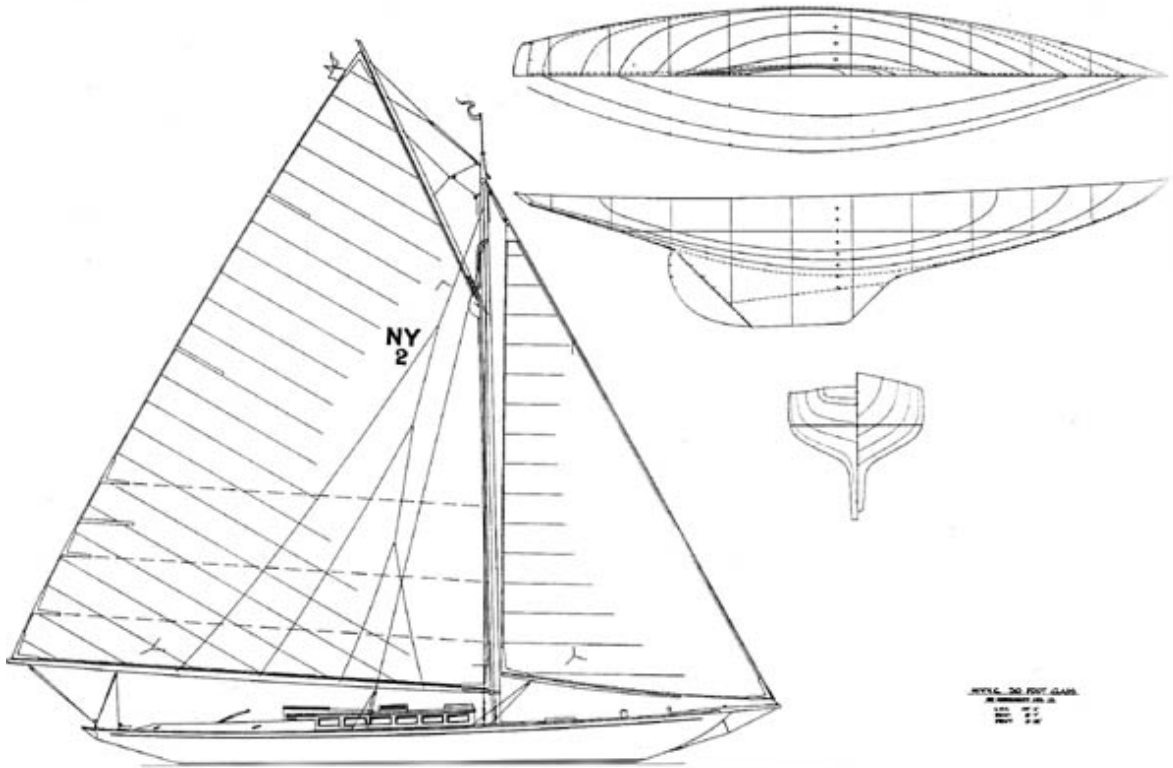


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NEW YORK THIRTY CLASS®



NEW YORK THIRTY (NY-30) CLASS ASSOCIATION CONSTITUTION AND BY-LAWS 2003

Class Constitution and By-laws

1. Name & Mission:

This organization shall be known as the “New York Thirty Class” or “NY-30 Class” as registered with the US office of Copyright and Trademarks. It’s mission is to organize, preserve, and govern the activities of the New York Thirty (NY-30) Class of yachts and their owners, for the continued historic preservation and display for the general public to enjoy.

2. Organization

- 2.1 The New York Thirty Class (hereafter called the Class) shall be governed by the Constitution and By-Laws stated herein and such further rules as may be adopted and / or amended by the Class on an annual basis.
- 2.1a The Class is registered as and will remain a Non-Profit Corporation (including foreign non-profit corporations) pursuant to section 7-6-11.1 of the General Laws of Rhode Island.
- 2.2 After the expiration of the initially appointed Board Members, the subsequent Board of Directors (hereafter called the Board) will consist of a minimum three (3) members of the Class who are (original HMCo.) yacht owners or their representatives. The term of office shall be minimum three (3) years, or until their successors are elected. A member of the Board will have a single vote.
- 2.3 At each subsequent annual meeting of the Class, one member of the Board will be elected for three (3) years. The same Board member may be reelected, or an existing owner from the Class may be elected to the Board at the annual meeting.
- 2.3-1 A Board member who resigns or otherwise leaves the Class will be replaced by an appointment of a Class Member by the remaining members of the Board and shall serve until the next annual meeting. The unexpired term of this Board Member will be filled by election of a Class Member to the vacancy at the Annual Meeting in addition to the regular election of a Board Member pursuant to paragraph 2.3.
- 2.4 The Board shall have the responsibility, general charge and management of the Class activities. The Board shall carry out the purposes of the Class as provided by these By-Laws. The Board shall appoint the Class Captain and shall delegate to the Class Captain the general charge and management of the Class. The Class Captain may also be a member of the Board.
- 2.5 The Board shall cause a general report of the affairs of the Class to be printed and distributed to the Class members at the end of each calendar year. The Board shall report at other times, if required by a vote of the Class as provided by paragraph 2.6-1.

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- 2.6 The Board shall meet at least two (2) times a year.
- 2.6-1 Special meetings may be called by order of the Class Captain, or one (2) members of the Board or (5) five members of the Class. No meeting of the Class shall be valid unless two (2) members of the Board, or one (1) member of the Board, including the Class Captain and 2/3's of the yacht owners or their signed proxies are present. Class members will be given notice of all meetings called.
- 2.7 In special instances where a stand has been taken against the Board's interpretation of the Class Rules, the petitioner may appeal to the NY 30 Class Members. Matters concerning the general charge and management of the Class are not subject to appeal beyond the Board.

3. Class Captain

- 3.1 The commanding officer of the Class shall be the Class Captain. He shall serve at the pleasure of the Board which position will be confirmed by the Board annually. The Class Captain shall manage the affairs of the Class, preside at meetings, appoint committees, authorize payments of indebtedness, keep records of correspondence, and perform the duties of the chief executive officer of the Class.
- 3.2 The Class Captain shall report directly to the Board concerning the activities of the Class on a regular basis as directed by the Board.
- 3.3 The Class Captain shall appoint a Class Treasurer who shall receive, deposit, and pay out funds of the Class as authorized, and provide administrative assistance to the Class Captain.
- 3.4 The Class Captain shall appoint a Class Measurer who shall respond to inquiries to measurement rules, and shall inspect sails, yachts and equipment as required.
- 3.5 The Board may appoint other Class Officers to perform functions, as it deems necessary.

4. Nominating Committee

- 4.1 There shall be a Nominating Committee consisting of three (3) active members of the Class. The Nominating Committee shall be appointed by the Board, but shall not include any current, elected Board members.
- 4.2 The Nominating Committee shall report the names of Active Class Members to be nominated for Board Membership at the forthcoming annual meeting before the end of the calendar year.

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5. Membership

- 5.1 An active member is a person who is the owner or designated co-owner of an actively sailed NY-30 Class yacht as recognized by the class in accordance with the By-Laws and classifications of the Class. Actively sailed yachts are defined as any NY-30 Class yacht, recognized by the class, that competed in 2 or more Class recognized events or regattas in the previous season. 5.2 An associate member is a person who is interested in furthering the objects of the Class and who has paid the current dues and assessments for associate membership.
- 5.3 An honorary member is a person upon whom the Class Members have bestowed membership. Honorary members shall not pay dues or vote.
- 5.4 Each registered yacht in the Class shall be entitled to only one vote in all matters put to a vote under these by-laws.

6. Dues

- 6.1 Active membership in the Class will be on a fee per yacht basis as determined by the Board and shall be payable on or before the first race of each year in which the yacht is entered.
- 6.2 Associate and Junior membership, approved by the Board of Directors of the Class -- will be on a fee per person as determined by the Board and shall be payable on or before June 1st of each year.
- 6.3 No Points or class recognition will be credited to a yacht until Class dues and other class assessments are paid.

7. Qualifying Requirements

- 7.1 The Constitution and By-Laws of the Class shall govern all Class races unless otherwise specified by the Board.
- 7.2 In order to qualify for any series, a yacht must enter the number of races prescribed for qualification by the sailing instructions, as approved by the Class Captain.
- 7.3 Any owner may allow another amateur helmsman to race his yacht in any official race and the race will be credited to the owner's score as appropriate. As originally prescribed, only two paid crew are permitted to race per yacht, and none shall helm during a race.

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8. Haul-Outs

- 8.1 During the life of an official racing season (mid May to mid October) a yacht may not be taken out or beached more than once every 28 days. The first haul-out during the racing season may be taken at the owner's option. Thereafter, 28 days in the water must elapse between haul-outs. There shall be no limit to the total amount of haul-outs during the official racing season. In the event of an accident requiring the haul-out of a yacht other than as scheduled above, full facts, in writing, must be submitted and approved by the Class Captain. If such an emergency haul-out is approved, it will be excluded from the 28-day haul-out rule, and future haul-outs shall date there from.

9. Sails and equipment

- 9.1 The purchase of sails and equipment shall be governed by the Class Association Specification, any amendments thereto, and as follows:
- 9.2 One sail may be purchased for each year of yacht use with a maximum of 4 (four) credits accrued at one time. The owner shall have the option to choose which sail he may buy, and from which sail maker he shall buy.
- 9.3 An owner shall not be forced to replace a previously legal sail because of a rule change.
- 9.4 It is the responsibility of each owner to provide measurements to be certified by the Class Measurer prior to the first race of each season, all qualifying sails and equipment he will use in racing. The measurements of sails and equipment he will be governed by the original NY-30 sail plans except as specifically modified herein or by an amendment to these By-Laws.
- 9.5 A yacht's inventory of sails may be used as long as they have been approved by the Class Measurer in accordance with Paragraph 9.4.
- 9.6 A damaged sail may be repaired by replacement up to 1/3 of its area in any one year as approved by the Class Captain. Such a replacement will be duly recorded by the Class Measurer by the yacht owner (1/3 re-cut rule).
- 9.7 The color of the NY-30 Class insignia "NY" and originally designated numerals on the mainsail and spinnaker shall be Black.

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10. Suspension or Expulsion

- 10.1 Any member may be suspended or expelled for cause, including any conduct, which, in the judgment of the Board is improper, prejudicial, or detrimental to the Class, at a regular or special meeting of the Board, by a simple two-thirds majority of the Board.
- 10.2 Charges may be preferred, in writing against a member by any other member, by the Class Captain and by the Board. Any member of the Class who chooses to prefer charges against another member must have written support from the Class Captain or one Member of the Board. If such charges are not upheld, the member preferring the charges shall be subject to an appropriate penalty as determined by the Board.
- 10.3 Any Board Member involved or a party to the proceeding outlined in paragraph 10.2 above shall be automatically disqualified. His position for proceeding shall be temporarily filled by an appointment of another Class Member by the remaining Board Members.

11. Annual Meeting

- 11.1 There shall be an annual meeting of members for the election of a member of the Board of Directors in accordance with paragraph 2.3 and other proper business of the Class unless otherwise, determined by the Board of Directors. The annual meeting shall be held as soon as possible after the completion of the sailing season.
- 11.2 The required quorum for the annual meeting shall be the same as that required by 2.6.1.

12. Amendments

- 12.1 The Class By-Laws may be amended at the meeting of the members in the notice of which such proposed amendment is set forth. Any amendment must be passed by 2/3's majority of the owners of actively sailed yachts or their signed proxies.

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13. Appointed Positions:

A. Responsibilities:

1. **Class Captain:** Shall preside at meetings, serve as Chair of the Decision Committee, appoint officers, maintain records, rule on procedure, provide communications to Class, and authorize payment of indebtedness for the class.
2. **Treasurer:** The Treasurer shall receive all dues and other monies paid to the Class, deposit the Classes' funds in banks or other financial institutions, maintain financial records, disburse funds as authorized by the Class Captain or Board, and preserve the assets of the Class.
3. **Class Measurer:** The Class Measurer shall determine the measurement procedures for the members' yachts and maintain records of such measurements on file.
4. **Class Sail Measurer:** The Class Sail Measurer shall determine the measurement procedures for the members' sails and maintain records of such measurements on file.
5. **Class Scorekeeper:** The Class Scorekeeper shall track, post, and maintain racing scores for the Class in accordance with the Sailing Instructions.

B. Eligibility:

An appointed officer shall be a current Active Member of the Class and have held that membership for a minimum of two consecutive years.

Members may hold more than one, but no more than three, positions as officers.

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14. Basic Rules and Definitions of NY-30 Class Yachts:

In order to qualify as a NY-30 Class Yacht, as recognized by the NY-30 Class Association, said yacht must meet the following criteria except including modifications specified herein. Approval of official recognition is to be voted on by the Class Board on an annual basis.

Yacht Specifications:

- A) To be eligible as members of the Class, all yachts- including restorations and replicas shall be constructed using the original building techniques, weight and materials in all aspects (except as modified below or approved by the Class Board) according to the original New York Thirty Construction Plans, Sail Plan, Sail Cutting Plan, Spar Plan and Hardware List/ Plans residing in the Hart Nautical Collection at the MIT Museum in Cambridge, MA.
- B) In no event shall the overall displacement be less than 18,000 pounds nor the ballast be less than 8800 pounds. The displacement may be no more than 23,000 pounds.
- C) The number of yachts recognized by the Class shall never exceed eighteen 18 as designated by the original class organization.
- D) Each yacht shall display their originally designated numbers and names except where previously modified providing the yacht was known by that name significant to its history for at least 15 years prior to 1950.

Allowable Modifications: (to be approved or modified on an annual basis by the Board)

The following general modifications are permitted for the safety and practicality of the NY-30 Class Yachts. Any modifications not specified below are not permitted and may infringe on a yacht's qualification as a recognized NY-30.

- A) An engine installed under the cockpit (and related tanks, fuel fillers, etc.)
- B) Bronze, manually operated winches for the mainsheet and jib sheets
- C) Dacron Sail materials
- D) Genoas of the following sizes: 110%, 135% and 150%
- E) Navigation electronics, lighting plumbing systems are permitted but should be installed to keep the original intent and feel.
- F) Interior modifications to suit owner's needs are permitted but should be installed to keep the original intent and feel.
- G) 3 strand white Dacron running rigging.

Specific Modifications not permitted:

Although many other modifications may be deemed by the Class Board to be dis-allowed, the following are specifically prohibited: Any form of cold-molded, resin, fiberglass, laminate, or carbon-fiber materials used for hull, rigging, sail or spar construction or coating techniques.

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Replicas:

The New York Thirty Class will authorize and recognize replica yachts built to the above specifications for the purpose of replacing those yachts currently lost.

These include:

<u>Sail Number</u>	<u>Name</u>	<u>Status</u>
3	Atair	Confirmed Lost
4	Maid of Meudon	Confirmed Lost
5	Pintail	Confirmed Lost
6	Dahinda	Confirmed Lost
17	Phryne	Confirmed Lost

Each authorized replica shall carry one of the original numbers, assigned by the Class, and corresponding name of one of the above lost yachts. Sail numbers 1 and 17 shall be assigned last; after all other yachts have been replaced.

Should any of the original vessels re-appear (1&17), then they will re-enter the class with their original names and numbers and the licensed replicas shall be re-assigned. If a replica has already been licensed at such time as an original re-appears, the replica shall be re-named and numbered as additional yachts. Only under this instance that one of the original yachts re-appears, after all other available replicas have been built, will the class recognize the re-naming and re-numbering of up to two (2) new sail numbers, listed as #19 and #20. Once all of the lost yachts have been replaced, or recognized no other replicas will be authorized.

For permission of the Class to build each of these authorized and recognized NY-30 Class replicas (referred to as a "license"), there will be a one-time fee payable to the Class (amount TBD by the board of directors, but shall be limited to no more than 10% of the current market value of a restored yacht or the agreed upon price of a completed replica, which-ever is higher at the time.) Said fee is due and payable in advance of initiation of construction with the remainder due and payable at completion of construction. If construction has not been started within one year of the license grant and / or completed within 3 years from that date, rights to said license will revert back to the New York Thirty Class Association and deposit fees forfeited.

No license fee will apply to the restoration of original New York Thirties as long as said restoration complies with above specifications and established C.I.M. requirements for restoration.

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V. Racing Schedule:

The RRS as well as any specific Notice of Race or Sailing Instructions governs all racing rules for each Series or Regatta.

The racing schedule will be completed annually by the Class Captain and submitted to the Board prior to February 1st for approval.

Unless changed via actions of the Board, the following represents the basic outline of the current annual racing schedule:

- 1) NYYC Annual Regatta (Newport – Late June)
- 2) Bi-Annual NYYC Race Week (Newport – Mid July)
- 3) Bi-Annual Robert Tiedemann Classic Weekend (Newport – July)
- 4) Annual Herreshoff Rendezvous (Bristol RI, -- Late August)
- 5) Classic Yacht Regatta (Newport -- Early September)
- 6) Greenport Classic Yacht Regatta (Mid September)