

PLY~MAR SWIM & TENNIS

C L U B

RULES & REGULATIONS AND BY-LAWS

**PLY-MAR SWIM & TENNIS CLUB
P.O. BOX 182 • PLYMOUTH MEETING, PENNSYLVANIA**

PLY-MAR SWIM & TENNIS CLUB, INC.
P.O. BOX 182
PLYMOUTH MEETING, PENNSYLVANIA

RULES AND REGULATIONS

**GOVERNING USE OF THE CLUB FACILITIES,
POOLS, AND TENNIS COURTS AND
GUEST REGULATIONS AND FINANCIAL RULES**

Adopted April 27, 1988

Amended January, 2015

Amended May, 2018

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PLY-MAR SWIM & TENNIS CLUB, INC.

I. OPERATING RULES

The following rules are for the protection and benefit of all club members and their families and guests. They have been set up to assure safe and sanitary use of Club facilities. Parents are requested to caution their children to observe all rules and to obey instructions of the Club Manager and other Club employees. Any failure to comply with these rules shall be considered cause for immediate suspension of the offending member for a period from one (1) to (7) days, and can also lead to expulsion from the Club. Members are expected to act in accordance with the best interest of the Club.

Parents are responsible at all times for their children's conduct and safety. Parents of any child receiving a warning will be contacted by the Club Manager.

A. CLUB HOURS AND ADMISSION

1. Club hours will be determined by the board of directors. The hours will be established at the annual meeting in March of each year. The Club hours will be published in the opening mailing and posted at the Club each season.
2. Hours may be ended on certain nights at the discretion of the Club Manager.
3. No children under the age of 9 will be admitted unless accompanied by a Club member 16 years of age or older.
4. All children under the age of 13 (as of June 1 of the current year) will be required to leave the Club at 5 p.m. unless accompanied by a Club member 16 years of age or over.
5. A ten minute notice will be given in advance of closing time. All persons must leave the enclosed area not later than 15 minutes after the Club closes.

B. HEALTH & SAFETY

1. All members, including children, and their families and guests use the pool and other Club facilities at their own risk.
2. Use of the baby pool is limited to children under 48" in height, each of whom must be **ACCOMPANIED BY AN ADULT AT ALL TIMES.**
3. Use of the pool may be refused to anyone with colds, coughs, inflamed eyes, skin abrasions, skin infections or similar disorders and to those wearing bandages.

4. Running, wrestling, tag, ball playing, etc. are forbidden on the concrete deck. Pushing or throwing anyone into the pool is prohibited. Roughhousing in the pool is also prohibited. These kinds of activities are dangerous to all involved.
5. Only one person is permitted on the diving board at one time. A person may dive from the board only after the previous diver has reached the ladder.
6. Diving or swimming under the boards is prohibited. Divers must swim clear of the boards upon completion of the dive. The diving well must be entered only from the boards and left only at the ladder.
7. All floating aids, including but not limited to water rings, suits and inner tubes are prohibited in the main and intermediate pools. The use of facemasks and snorkels are also prohibited in the main and intermediate pools. Flippers, water balls and goggles may be used only at the discretion of the Club Manager or life guard. Small floating aids and small non-metal, non-breakable toys are permitted in the baby pool only.
8. Smoking of any tobacco products is not permitted on Club property.
9. The pool deck must be clear of chairs and other obstructions at all times. Club chairs only are permitted around the baby pool.
10. The swimming lane in the main pool is for lap swimming only. Swimmers are to enter and leave the swimming lane only at either end thereof and may not stop in or cross over the lane at any time.
11. No breakable containers of any kind, including but not limited to glass bottles and beverage containers are allowed inside the Club area at any time. No metal or breakable plastic toys are allowed in any pool area.
12. Any injury to any person on the Club grounds must be reported to the office immediately.
13. The guards are present for your protection. Talking or loitering at their stands is strictly prohibited.
14. Hanging or placing clothes, towels or any other personal belongings either on the fences or on the flower bed walls is prohibited.
15. Only folding chairs, playpens and portable cribs of light construction, each of which fold flat for storage, are permitted in the storage building.
16. Chairs and other permitted articles must be stored neatly in the storage racks provided for that purpose in the storage building. Failure to observe this rule will result in denial of storage privileges. Stored items must be removed from the Club before the end of the swim season. Items left after the season may be disposed of by the Club manager.

17. No person shall be admitted to the inner office except on specific Club business.
18. Children who are not toilet trained must wear properly fitting swim diapers in the water and are limited to the baby pool only. Removal of the diaper for entry into any pool is strictly prohibited.
19. Parking – The traffic pattern in the parking areas is one way at all times. The traffic pattern in each parking lot is in the counter-clockwise direction. Thus, right hand turns from the driveway are made immediately upon entering the parking lot, while left hand turns into the lower lot must be made into the lane near the refreshment stand. Do not park in prohibited areas. Parking is prohibited on the main driveway to the club at any time.
20. No electrical device, including cell phones, tablets, radios, hair dryers, etc., may be connected to any Club receptacle without the express permission of the Club Manager.
21. Loitering and playing are strictly prohibited at all times in the locker rooms and snack bar.
22. Playing, skateboarding, bike riding and loitering are strictly prohibited at all times in the parking area.
23. Use of Pools
 - a. Members under the age of 13 who have not passed a swimming test are permitted to swim only in the shallow half of the intermediate pool unless they are accompanied by a responsible adult who is dressed in swimming attire, subject to the prohibition of subparagraph d, below.
 - b. Red Band – Members under the age of 13 who demonstrate to a life guard that they can swim one (1) length of the main pool will be given a red bend. Good stroke is not necessary. Wearing the Red Band entitles a member to swim anywhere in the intermediate pool and in the 3' to 4' deep area of the main pool.
 - c. Black Band – Members under the age of 13 who demonstrate to a life guard that they can swim two (2) lengths of the main pool (the first must be a crawl stroke with consistent breathing and maintenance of stroke) and jump off the diving board and swim to the ladder will be given a black band. In the alternative, members under the age of 13 who demonstrate to a life guard that they can swim four (4) lengths of the main pool (regardless of stroke) and jump off the diving board and swim to the ladder will be given a black band. Wearing the black band entitles the member to swim anywhere in the intermediate and main pools.
 - d. The use of the diving well is limited to those swimmers with a black band.
 - e. Swimmers may use the diving well when divers are not present. Members seeking to use the diving boards are given precedent in the use of the diving well.

All swimmers must clear the diving well if a member wishes to use the diving boards.

- f. The use of the swimming pools by guests 13 years of age and under will be restricted according to their swimming ability.

II. GENERAL RULES

A. All members are subject to the following rules. Members are responsible for their guests and the compliance of the following rules by their guests.

- 1. Each member must scan their card at the front desk before entry to the Club is permitted. If a member is unable to present his/her card, the member must check-in with a Club employee at the front desk before entry to the Club is permitted.

UNDER NO CIRCUMSTANCE IS YOUR MEMBERSHIP CARD TRANSFERABLE TO ANYONE ELSE. ANY SUCH TRANSFER WILL BE CONSIDERED A SERIOUS BREACH OF CLUB RULES AND SUBJECT TO SUSPENSION AND/OR EXPULSION.

2. Food & Beverage

- a. No food of any kind will be permitted on the concrete deck adjacent to any of the pools or in any of the bathrooms.
- b. Due to the limited number of picnic tables, picnic tables in the picnic area may not be reserved for later use. Picnic tables may be occupied only when actually preparing for and consuming a picnic meal.

c. Snack Bar Area

- i. Use of the covered patio is reserved for those members purchasing food or drink from the Club snack bar or at the discretion of the snack bar manager.
- ii. Use of the covered patio's tables is reserved for food consumption only. Card games and other games are not prohibited on these tables.
- iii. Members and their guests eating at the snack bar area are expected to clean up upon leaving the area, including disposal of all trash and return of any snack bar receptacles.

3. Waste material must be put in the containers provided therefore. Throwing waste objects into the pools and generally littering the Club grounds shall be basis for the suspension of Club privileges.

4. No pets shall be permitted any time within the Club grounds.

5. Persons under the influence of illicit drugs and/or intoxicated will be denied admission to the Club grounds.
6. The Club is not responsible for loss or damage to personal property. Valuables should not be brought on Club grounds.
7. Possession or use of illicit drugs on Club property is strictly prohibited and violation will be grounds for immediate expulsion.

III. GUEST REGULATIONS

A. ADMISSION

1. Guests must be accompanied by a sponsoring member, 13 years of age or older. Guests must enter the Club through the main entrance of the office and must register and pay the guest fee upon entering the Club. Admission is limited to bona fide guests and will be denied to persons seeking frequent entry in lieu of membership. **A MEMBER WHO BRINGS A GUEST TO THE CLUB MUST STAY WITH THAT GUEST AT ALL TIMES WHILE HE OR SHE IS ON THE CLUB GROUNDS. WHEN THE MEMBER LEAVES THE CLUB GROUNDS, THE GUEST MUST LEAVE WITH THAT MEMBER.**
2. Guest Fees
 - a. Non-swimming adult guests accompanied by a member will be admitted to the Club grounds upon payment of the prescribed fee. Such guests are not entitled to use the Club recreational facilities, nor shall they be in bathing attire at any time.
 - b. Guests entering the Club as noted in subsection (a.) above may be relieved of payment of the fee if, upon registration, they indicate an intention to restrict the duration of their visit to one (1) hour or less.
 - c. Parents of adult members who do not use the Club recreational facilities and who are not in bathing attire will be admitted without payment of any fee.
 - d. Adult guests of member will be admitted without payment of a fee as spectators at special athletic events (e.g., swim meets, tennis tournaments, etc.).
3. Guests accompanying visiting athletic teams will be admitted as spectators without charge.

B. HOUSE GUESTS

1. Each member 13 years of age and older is permitted to purchase one or more house guest passes (non-transferable) for bona fide house guests. A house guest is defined as one who resides in a member's home for a period of time not less than three consecutive days. Such passes will permit full use of the Club's facilities by the house guest for a period of one week at the prescribed fee.

C. GENERAL

1. Members are responsible for acquainting their guests with all Club rules and are responsible for the conduct of their guests.
2. Members who violate the foregoing guest regulations may lose all guest privileges for the season, and may be subject to suspension from the Club under Section 12.7 of the Club By-laws.

D. SPECIAL GROUPS

1. The Club facilities can, in certain cases, be made available to members and their guests (adult or children) for private functions after regular pool hours. The charge for any such event will ordinarily be \$50, plus the cost of necessary pool personnel. Application for such special use shall be made, in writing, to the Board of Directors.
2. Members using the Club facilities under the above arrangement will be responsible for the conduct of their guests, and such guests must comply with all Club rules.

IV. FINANCIAL RULES

A. ANNUAL DUES

1. MEMBERS MUST PAY MINIMUM DUES FOR EACH CLUB OPERATING SEASON FOR SO LONG AS THEY OWN STOCK IN THE CLUB. "Minimum dues" are defined as the amount of dues payable for either a "single membership" (the holder of one share of stock) or a "family membership" (the holder of two shares of stock), as such terms are more completely defined in Section 7.2 of the Club By-laws. Under no circumstances will any member be granted a respite from the payment of dues for any operating season.
2. Failure to pay annual dues by the date specified for payment will result in the assessment of a late penalty on the delinquent member, the amount thereof to be fixed by the Board of Directors from time to time. Late penalties and annual dues must be paid in full before members may use the Club facilities.
3. Dues payable for those dependent children of family members who will use the Club facilities must be paid in full before said children may use the Club facilities. The amount thereof will be fixed by the Board of Directors from time to time. Such children are defined as those who have or will attain the age of two (2), but will not reach the age of twenty-three (23) by June 1 of the current year.
 - a. No membership charge is made for children who have not reached the age of two (2) by June 1 of the current year.
 - b. Single children of members who have or will reach age twenty-three (23) by June 1 of the current operating year must acquire stock in the Club to continue to enjoy membership privileges. If they have previously enjoyed membership privileges,

children will be given priority in acquiring stock and will not be charged an initiation fee, provided, they join the Club before reaching their thirtieth (30) birthday. Where the parents of child applicants still retain Club membership, no initiation fee will be charged, regardless of age.

B. STOCK REDEMPTION

1. Members wishing to resign from the Club and redeem their stock must notify the Financial Secretary in writing, enclosing the stock certificate or requesting an affidavit of lost certificate. Such notice must be directed to the Club at Box 182, Plymouth Meeting, Pennsylvania 19462 and must be received on or before January 31 of any year in order to insure that dues will not be assessed for that year, in accordance with By-Laws 12.1 and 12.2.
2. Members wishing to resign from the Club who give notice of their intention to do so after January 31 but before May 1 may be required to pay dues for the season, dependent on whether the Club is able to secure a replacement member for the season.
3. Members wishing to resign from the Club who give notice of their intention to do so after May 1 shall be required to pay dues for the season.
4. In the event payment of dues or any penalty is required of a resigning member as described above, the amount thereof will be deducted from the stock pay value and the balance remaining will be remitted to the resigning member.

V. TENNIS RULES

The following rules have been set up to assure fair and equitable use of the tennis facilities of the Club by those entitled to the use of such facilities under Club rules. The success of the tennis program depends on compliance with these rules by all members.

1. Tennis courts will be available for use throughout the year. Keys will be issued upon request for a nominal charge to provide access to the courts during the non-swimming season. **THE KEY IS NOT TRANSFERABLE. MEMBERS MUST LOCK BOTH THE TENNIS COURTS AND THE MAIN GATE WHEN LEAVING IF THE COURTS ARE NOT IN USE.**
2. During the swimming season the gates to the tennis courts will be opened and locked by Club personnel.
3. Only tennis players will be permitted on the courts and, except for formal clinics, not more than four (4) players will be permitted on any one court at any time.
4. Junior members (under sixteen (16) years of age by June 1 of the current year) may have their playing time restricted on Saturdays, Sundays and holidays at any time or after 5 p.m. on weekdays if adult members are waiting to use the courts. An

- exception to this rule will be made for those junior members having full-time employment which would prevent playing during regular junior member hours.
5. Proper tennis attire is required at all times. Playing attire shall include tennis shoes, shorts or skirts, and shirts. Bathing suits may not be worn on the court.
 6. The Club reserves the right to schedule a limited number of special events and to restrict use of the courts for such purposes. Advance notice of at least 48 hours shall be given of such events by posting a copy of the notice in the Club office.
 7. Guests:
 - a. All of the above rules are applicable to guests.
 - b. During the swimming season, the use of the tennis courts will be extended to Club guests subject to the payment of the regular guest fee at the Club office.
 - c. During the off-season (any day when the Club is not open) or when play is complete prior to operating hours during the season, payment of the guest fee for any day must be remitted to the Club by the member bringing the guest, and such payment shall be made to the Club on or before the opening day of the current operating season.
 - d. Guests will be permitted on the Club courts only when playing with a member.
 8. Restrictions on use of courts (off-season):
 - a. Play is on a first-come, first-serve basis.
 - b. If others are waiting to play, play is restricted to one (1) hour.
 - c. Players may not be “bumped” from a court by those waiting to play so long as there is an open court.
 9. Restrictions on use of courts (Club operating season):
 - a. All play is on open time basis.
 - b. Play is on a first-come, first-serve basis.
 - c. Play is restricted to one (1) hour when players are waiting.
 - d. Persons wishing a court must place their name on the waiting list. This may only be done by the individual personally.
 - e. If an individual whose name is on the waiting list plays before his name is reached, that name will be removed from the waiting list.

- f. Those waiting to play must first use an open court rather than selectively bumping players whose playing time may have expired.
 - g. On weekends and holidays, persons who have played two (2) times on any given day (from 9 a.m. on) may not again place their names on the waiting list or play on that day unless and until everyone who is waiting and wishes to do so has played at least two (2) times.
10. Failure to comply with the foregoing rules may result in suspension of revocation of tennis privileges.
11. NO BEVERAGES OF ANY KIND, EXCEPT FOR PLAIN WATER, MAY BE BROUGHT INTO THE TENNIS COURT FENCED AREAS AT ANY TIME. THESE DRINKS, IF SPILLED, SEVERELY DAMAGE THE COURT SURFACE.

VI. ALCOHOL RULES

- The Club allows members and guests age 21 and over to “bring-your-own” alcoholic beverages to the pool during approved hours. This is intended to allow adults to drink moderately and responsibly while being sensitive to the fact that this is a family club. All members and their guests will keep in mind that this policy is a privilege and not a right; abuse of the policy may result in the immediate suspension and/or expulsion, and the possibility of banning all alcohol from the Club facilities in the future.
- 1. No glass containers may be brought into the Club at any time.
 - 2. Wine bottles, beer bottles, decanters and anything else in the sole opinion of the manager on duty that he/she considers as hazardous are strictly prohibited.
 - 3. Any broken glass must be reported to a lifeguard, attendant or manager immediately.
 - 4. Only members and guests of legal drinking age, 21 and older, are allowed to consume alcohol. Members and guests shall provide proof of age upon request of the manager or staff.
 - 5. No employee or contractor may consume alcohol while on duty.
 - 6. No alcohol may be sold on the premises by anyone.
 - 7. Consumption is permitted only after 5pm on weeknights and on weekend afternoons only in moderate amounts.
 - 8. No kegs, including mini- or pony-kegs, may be brought onto the premises.
 - 9. Alcohol consumption is prohibited during swim and dive meets.

10. Alcohol may only be consumed on the grass areas of the Club and in the Snack Bar. Alcohol may not be consumed in any of the pools, on decks, in changing rooms, in the office, in the parking lot, on the tennis courts or anywhere inside the baby pool fence.
11. Parents may not consume alcohol when directly overseeing their children swimming, with a red band in the deep end of the main pool or in any pool without a band.
12. Drinking games or anything similar that promote excessive consumption are prohibited.
13. The manager on duty, in his/her sole discretion, shall determine whether a member or guest is intoxicated.
14. Once determined to be intoxicated, such person(s) may not consume any more alcohol and other members and guests may not supply that person with alcohol.
15. Anyone that appears to be drunk, boisterous or unruly, in the sole opinion of the manager on duty, will be told to leave the premises with an appropriate designated driver.
16. Those who do not promptly leave when told to do so will be considered as trespassing.
17. The Board has authorized the Staff to have the Police remove individuals from the Club if they fail to promptly leave when told to do so.
18. Intoxicated members who have been asked to leave the club will receive a minimum 7-day suspension. Intoxicated guests will be barred from entering the Club for the remainder of the season.

The Club has a zero-tolerance policy for the violation of these alcohol rules. It is up to the Board to determine if a violation of the rules is severe enough to suspend or revoke the offender's membership for a period of time in the season, or for the remainder of the season. It is also the Board's discretion to determine if said member(s) will be allowed to rejoin in a subsequent year, and under what terms, based on the severity of their transgression.

Alcohol must be consumed responsibly and members and their guests assume all risks associated with consumption.

PLY-MAR SWIM & TENNIS CLUB, INC.
P.O. BOX 182
PLYMOUTH MEETING, PENNSYLVANIA

(Amended and Restated)

BY-LAWS

Ply-Mar Swim and Tennis Club, Inc.

Adopted 1957

Amended March 30, 1987

Amended April 27, 1988

Amended April, 1994

Amended May 8, 2018

(AMENDED AND RESTATED)
BY-LAWS OF THE
PLY-MAR SWIM & TENNIS CLUB, INC.

ARTICLE I – NAME

Section 1.1. The name of the Club shall be PLY-MAR SWIM & TENNIS CLUB, INC.

ARTICLE II – PURPOSE

Section 2.1. The purposes for which the Club is formed are to build, maintain and operate swimming pools, tennis courts, recreational areas and related recreational facilities for the benefit of its members, and in connection to maintain and operate a club affording social enjoyment.

ARTICLE III – GOVERNMENT

Section 3.1. The management of the Club shall be vested in a Board of Directors consisting of fifteen (15) certificate holders of the Club.

Section 3.2. At each Annual Meeting of the certificate holders of the Club, five directors shall be elected for a term of three years, or until their successors have been chosen.

Section 3.3. Any member of the Board of Directors who shall cease to be a certificate holder of the Club shall cease to be a member of the Board of Directors, and his position on the Board declared vacant, on and as of the date of termination of his certificate holding.

ARTICLE IV – BOARD OF DIRECTORS

Section 4.1. Consistent with these By-Laws, the Board of Directors shall:

- a. Transact all club business;
- b. Make and amend rules and regulations governing the use, by members and guests, of Club facilities, and rules and regulations relating to dues, fees, charges and other financial matters;
- c. Appoint and remove agents, employees and representatives of and for the Club, and fix each of their respective duties and compensation;
- d. Elect members of the Club;
- e. Fix, impose and collect penalties for violations of the By-Laws and the Club rules and regulations;
- f. Elect Club Officers in accordance with the procedures established in the By-Laws;
- g. Confirm Committee appointments and define the powers and duties of Committees;
- h. Fill any vacancy in the membership of the Board of Directors until the next Annual Meeting of the Club; and
- i. Designate the bank or banks or other investment media in which funds of the Club shall be deposited, and designate those officers of the Club authorized to sign checks

of draft for payment of money drawn in the name of the Club; provided, however, that at least two such signatures shall be required at all times on all such instruments.

Section 4.2. The Board of Directors shall meet at least six (6) times annually, at such specific times and intervals as the Directors may from time to time deem necessary.

Section 4.3. The presence of eight (8) members of the Board shall be required at any meeting to constitute a quorum.

Section 4.4. Nothing in these By-Laws shall be construed or understood to permit the Board of Directors:

- a. to borrow or pledge the credit of the Club in excess of Twenty-Thousand Dollars (\$20,000), or
- b. to purchase or sell real estate on behalf of the Club without in any such case having the specific approval therefore by the membership of the Club at a duly held Annual or Special Meeting.

Section 4.5. Any member of the Board of Directors may be removed from office, and his position on the Board declared vacant by a vote of the majority of the membership present in person or by proxy at either the Annual Meeting or any Special Meeting called for such purpose in accordance with these By-Laws.

Section 4.6. Any member of the Board of Directors shall, in addition, be removed from office and his position on the Board be declared vacant, should that member fail to attend fifty percent (50%) of the meetings of the Board in any calendar year. Such removal to be effective as of January 1 of the year next succeeding the calendar year in question.

ARTICLE V – OFFICERS

Section 5.1. The Officers of the Club shall consist of a President, Vice President, Secretary, Treasurer and Financial Secretary, each of whom:

- a. shall be elected annually by the Board of Directors from among its members (except for the Financial Secretary who may be, but not need be, a member of the Board),
- b. shall hold office until the end of the first meeting of the Board of Directors following the Annual Meeting of the Club, and
- c. shall serve without compensation except the Financial secretary shall be entitled to compensation for services performed, such compensation to be fixed from time to time by the Board.

Section 5.2. Such further Officers as may be required for the operation of the Club may be elected by the Board of Directors from time to time, to hold office as provided in Section 5.1. above.

ARTICLE VI – MEMBERSHIP

Section 6.1. Candidates for membership in the Club must be personally known by at least two Club members and favorably recommended by them to the Membership Committee, which shall in turn submit its recommendation to the Board of Directors after due investigation as to the character of the candidate.

Section 6.2. The Board of Directors shall vote upon the admission to the Club of each candidate recommended for admission by the Membership Committee at the first meeting of the Board after receiving such recommendation. Approval of candidates shall require and affirmative vote not less than the greater of (a) two-third (2/3) of the members of the Board of Directors present at the meeting at which such application is presented, and (b) a majority of the members of the Board of Directors whether or not so present at such meeting. Vote of the Board of Directors shall be by closed ballot if requested by any Board Member.

ARTICLE VII – SHARE CERTIFICATES

Section 7.1. The Board of Directors is authorized to issue, from time to time, shares of stock at a value of \$150 per share. The total number of shares is at the discretion of the Board of Directors, not to exceed the state mandated number of shares.

- a. Family Membership. A “family membership” in the Club shall be required to be obtained and held in all instances where Club privileges are to be extended to and used by two or more persons who are members of the same family unit, where such persons consist of one or two (but not more than two) adults and one or more children as defined from time to time in the Club’s rules and regulations. Two (2) shares of stock shall be issued in connection with each family membership in the Club.
- b. Single Membership. A “single membership” in the Club shall be required to be obtained and held in instances where Club privileges are to be extended to and used by 1) one adult member, or 2) one minor member whose membership is approved by the Board of Directors. One (1) share of stock shall be issued in connection with each single membership in the Club.
- c. Not more than two (2) shares of stock shall be issued to any one person or to any one family unit.
- d. Share certificates issued for a family membership shall 1) in cases where a husband and wife are members of the family membership unit, be deemed to be held jointly by husbands and wife as tenants by the entireties in the absence of express instructions to the contrary given at the time of membership application, and 2) in cases where one adult and one or more children are members of the family membership unit, be deemed to be held wholly by the adult member.

Section 7.2. Shares of stock in the Club are non-assessable, non-negotiable, non-profit sharing, non-interest bearing, and do not represent an obligation of the club; and ownership thereof does not of itself entitle the owner to admission to Club property or to the use of Club facilities and membership privileges, nor does it relieve the owner from payment of dues and fees charge for Club privileges.

ARTICLE VIII- DUES AND FEES

Section 8.1. The Board of Directors shall establish dues for the ensuing year sufficient to provided for necessary operational expenses of the Club and proper repair and maintenance of, and capital improvement to, Club property and facilities.

Section 8.2. Dues shall be paid by May 1 of each year.

Section 8.3. Each Club member shall be given notice of the amount of his dues not less than thirty (30) days prior to the due date.

Section 8.4. No dues, nor any party thereof, shall be refunded in the event of the suspension of any Club operations for any period.

Section 8.5. Club members shall be responsible for the payment of all charges and liabilities that may be imposed upon or incurred by themselves or by members of their families to whom the privileges of the Club shall have been extended, for all charges and liabilities imposed upon or incurred by their guests introduced by such members or their families, and for any Club property broken or damaged by the members, their families, or their guests. The Board of Directors shall have the power and authority to assess and collect penalties from time to time for the failure promptly to remit payments required under or contemplated by this Section 8.5.

Section 8.6. The Board of Directors shall have the power to fix and collect such initiation fees, for and upon initial membership, in the Club, as the Board of Directors may from time to time see fit.

Section 8.7. All dues, fees and other charges mentioned herein are exclusive of taxes imposed by the Federal, state or local governments.

ARTICLE IX – MEETINGS

Section 9.1. The annual Meeting of the Club shall be held during the month of March in each year, at such time and place as the Board of Directors may determine.

Section 9.2. The Annual Meeting of the Club shall be for the purpose of electing Directors and presenting Committee reports, and for the consideration and transaction of such other business as may come before the meeting.

Section 9.3. Notice of the Annual Meeting shall be given by mail to members at least fifteen (15) days prior thereto. The notice of the Annual Meeting shall include the names of the candidates for Directors nominated by the Nominating Committee.

Section 9.4. Special Meetings of the Club may be called upon five (5) days notice by mail to all members. The notice shall state the purpose for which the Special Meeting is called, and no other business may be transacted at such Special Meeting.

Section 9.5. Special Meetings of the Club may be called either (a) by the Board of Directors, or (b) upon the written request of thirty-five (35) Club members to the Secretary stating the purpose therefore. Upon such request to the Secretary for a Special Meeting, the Secretary shall cause such a meeting to be called within thirty (30) days following the receipt of such request.

Section 9.6. Only holders of share certificates shall be entitled to vote at Annual or Special Meetings of the Club, and shareholders shall be entitled to one vote for each share of stock held in his or her name.

Section 9.7. Presence of Twenty-five (25) Club members in good standing, present in person or by proxy, shall constitute a quorum at all Club Meetings.

Section 9.8. Club members not personally attending meetings of the Club may be represented by proxy.

Section 9.9. Share certificates held in the name of a minor shall be voted either by the minor's parents or by a legally appointed guardian.

Section 9.10. Notice to the last known address of certificate holders shall constitute good and sufficient notice under these By-Laws.

Section 9.11. Except as otherwise provided in these By-Laws, proceedings at all Club meetings shall be conducted in accordance with the most recently published version of "Robert's Rules of Order".

ARTICLE X – NOMINATION

Section 10.1. The Nominating Committee shall present the name of one nominee for each vacancy in the Board of Directors to be filled at the Annual Meeting. The report of the Nominating Committee shall be forwarded to the shareholders of the Club with the notice of the Annual Meeting.

Section 10.2. Further nominations of candidates for election to the Board of Directors at the Annual Meeting may be made by letter, signed by at least fifteen (15) Club members, and delivered to the Secretary at least ten (10) days prior to the Annual Meeting.

Section 10.3. No nominations may be made from the floor of the Annual Meeting unless there are not a sufficient number of nominees to fill all Board vacancies.

ARTICLE XI – COMMITTEES

Section 11.1. The standing Committees of the Club shall be:

- a. Building.

- b. Finance.
- c. Grounds.
- d. Membership
- e. Pool Operations
- f. Programs
- g. Refreshment Stand.
- h. Rules and Personnel
- i. Swim Team
- j. Tennis.

Section 11.2. Chairpersons of Committees shall be members of the Board of Directors.

Section 11.3. The Finance Committee shall prepare the Club's annual budget for submission to and approval by the Board of Directors, and shall exercise general supervision over the financial affairs of the Club.

Section 11.4. The Membership Committee shall meet from time to time to consider applications for membership in the Club and shall recommend suitable candidates to the Board of Directors.

Section 11.5. The Rules and Personnel Committee shall from time to time review and propose changes in the Club's rules and regulations, and shall monitor the effectiveness and applicability of then current rules and regulations and from time to time report to the Board of Directors with its findings and recommendations in that regard.

Section 11.6. In addition to the foregoing, the duties and power of the Committees otherwise shall be set forth in these By-Laws and by the direction from time to time by the Board of Directors.

ARTICLE XII – RESIGNATIONS, SUSPENSIONS AND EXPULSIONS

Section 12.1. Upon resignation of a shareholder from the Club, such shareholder shall be paid the face value of his stock, or the actual value thereof, whichever is lower, subject to the provisions of Section 12.2. below; provided, however, that the stock shall be redeemed in the chronological order in which stock holdings terminate and only upon the receipt of payment from an incoming shareholder who will replace the departing shareholder, and further provided, however, that if the full number of share certificates authorized by these By-Laws is not subscribed at the time of submission of such resignation, then the Club shall not be obligated to redeem stock of the departing shareholder until all shares authorized thereunder have been fully subscribed.

Section 12.2. Upon cessation of membership by a shareholder, and for any cause, any and all indebtedness owing to the Club by such departing shareholder shall be a lien upon and a charge against his stock and the stock may be seized by the Club to satisfy such indebtedness. In the event the Club is unable to obtain possession of the stock, it may be canceled on the books of

the Club and new stock issued in place thereof. Neither the signature of the holder nor the delivery of the stock to the Club shall be required to perfect the transfer of such stock and, in such instance the holder of the liened stock constitutes and appoints the Treasurer of the Club his attorney-in-fact with authority to make such transfer. No stock shall be issued by the Club unless fully subject to the provisions of this Section 12.2.

Section 12.3. Any member of the Club may withdraw from the club at any time subject to the provisions of this Article, but upon such withdrawal there shall be no refund, in whole or in part, of the current year's dues.

Section 12.4. Any member of the Club may, for cause, and after having been given an opportunity for a hearing, be suspended for a period not exceeding thirty (30) days by a two-thirds (2/3) vote of the members of the Board of Directors present at any meeting thereof.

Section 12.5. Any member of the Club may, for cause, and after having been given an opportunity for a hearing, be expelled from the Club and removed from membership therein by a three-fourths (3/4) vote of the entire membership of the Board of Directors.

Section 12.6. In the event that the member expelled from the Club is a shareholder, his stock shall be redeemed by the Club and canceled upon the books of the Club.

Section 12.7. Cause for suspension or expulsion shall, in general, consist of violation of these By-Laws, of the then current rules or regulations of the Club, or of conduct unbecoming of a lady or gentleman.

Section 12.8. The Board of Directors may from time to time delegate to one or more of the Officers of the Club and/or the Club Manager the power to suspend pool privileges for violation of these By-Laws or of any Club rules or regulations; provided that, Such suspension does not exceed seven (7) days; and further provided that, a written report of such suspension containing reasons therefore, shall be submitted to the Club President within twenty-four (24) hours thereafter.

ARTICLE XIII – DISSOLUTION

Section 13.1. The shareholders of record at the time of dissolution of the Club shall share pro-rated up to the amount of the original purchase price of their respective shares, and all share certificates shall be assigned to the Club and canceled.

Section 13.2. Assets remaining after retirement of outstanding share certificate shall be given to such community organizations, charities and projects as the Board of Directors shall determine by resolution.

ARTICLE XIV – MISCELLANEOUS

Section 14.1. Alcohol consumption shall be permitted at the Club according to a policy established by the Board and set forth in the Club's Operating Rules. This policy may be

amended at any time at the discretion of the Board and/or Club Manager. Violation of this policy may result in immediate suspension and/or expulsion.

Section 14.2. The Club assumes no responsibility and no Club member, family or guest shall have any claim against the Club, for or in connection with any accident or injury to his, her or their person or property.

Section 14.3.

- a. A Director of this Corporation shall not be personally liable for monetary damages for any action taken, or any failure to take action unless the Director has breached or failed to perform the duties of office as defined in Section 8363 of the Directors' Liability Act (42 Pa. C.S. § 8363), and the breach or failure to perform constitutes self dealing, willful misconduct or recklessness.
- b. The Corporation shall indemnify each person who is or was a Director, Officer or employee of the Corporation against any and all liability and reasonable expense that may be incurred in connection with or resulting from any claim, action, suit or proceeding, either civil or criminal, whether brought by or in the right of the Corporation or in connection with an appeal relating thereto in which the person may become involved as a party or otherwise, by reason of being or having been a Director, Officer or employee of the Corporation, or by reason of any past or future action taken or not taken in the capacity as such Director, Officer or employee, whether or not the person continues to be such at the time such liability or expense is incurred, unless such person has breached or failed to perform the duties of office which, for Officers and Directors, shall be defined in section 8363 of the Directors' Liability Act and such breach or failure to perform constitutes self dealing, willful, misconduct or recklessness. As used in the Article, the terms "liability" and "expense" shall include, but shall not be limited to, reasonable counsel fees and disbursements and amounts of judgments, fines or penalties. The termination of any claim, action, suit or proceeding, civil or criminal, by judgment, settlement (whether with or without court approval) or conviction or upon a plea of guilty or of nolo contendere, or its equivalent shall not create a presumption that a Director, Officer or employee did not meet the standards of conduct set forth in the first sentence of this Section except where there shall have been a judgment rendered by a Court specifically finding that the action or conduct of such Director, Officer or employee constituted recklessness or willful misconduct. Any such Director, Officer or employee referred to in this Section who has been wholly successful, on the merits or otherwise, with respect to any claim, action, suit or proceeding of the character described herein shall be entitled to indemnification as of right. Expense incurred with respect to any civil or criminal action, suit or proceeding may be advanced by the Corporation prior to the final disposition thereof upon receipt of an undertaking by or on behalf of the recipient to repay such amount if it shall ultimately be determined that he is not entitled to indemnification under this Article. The rights of indemnification provided in this Article shall be in addition to any rights to which any person so concerned may otherwise be entitled by contract or as a matter of law, and shall inure to the benefit of the heirs, executors, and administrators of any person.

Section 14.4. Any question as to the meaning or proper interpretation of these By-Laws shall be determined by the Board of Directors.

ARTICLE XV – AMENDMENT

Section 15.1. These By-Laws may be amended by a two-thirds (2/3) vote of the shareholders present in person or represented by proxy at any meeting of the Club, provided at least ten (10) days written notice of such amendment shall be given to each shareholder by mail, setting forth the precise Section and Article to be amended and the entire substance of the proposed amendment.