

BUTANO COUNTRY CLUB POOL RULES

1. Pool and Recreation area (volleyball court) open hours are from 7:00 am to 10:00 pm. Overnight use of the facilities is not allowed.
2. Use of the pool is restricted to members and their authorized guests.
3. Those persons otherwise eligible for membership in the Butano Country Club cannot be considered guests.
4. Swimming alone is prohibited and children under 14 must be accompanied by an adult, aged 18 years or older.
5. Life preservers and other life-saving equipment must be used in and only for appropriate emergencies.
6. Bicycle riding in the pool area is prohibited.
7. All rough-housing, running, ball playing, Frisbee throwing in the pool area is prohibited.
8. Members and guests entering and leaving the pool area must close and secure latches on all gates.
9. Pets are prohibited in the pool area.
10. Tampering with valves, machinery, etc. on the premises is prohibited.
11. Littering is prohibited.
12. Smoking is prohibited.
13. Glass containers of any type are not allowed in the pool area.
14. Any persons in the pool area must properly and courteously identify themselves at the request of any Club Member.
15. Any member may at any time ask unauthorized persons to leave the premises. When in doubt, members are requested to contact any member of the Board of Directors.
16. The pool cover must be completely open before using the pool.
17. Private parties must be cleared and scheduled by the Board of Directors.
18. Members must comply with all safety rules regarding use of the fireplace.
19. Unaccompanied guests may not bring guests. Renters must accompany their guests.
20. Members violating the above rules are subject to expulsion from the Club.

ALL PERSONS USING POOL DO SO AT THEIR OWN RISK
BUTANO COUNTRY CLUB IS NOT RESPONSIBLE FOR ACCIDENTS

BY - LAWS OF
THE BUTANO COUNTRY CLUB

ARTICLE I
NAME

This corporation shall be known as THE BUTANO COUNTRY CLUB.

ARTICLE II
PURPOSE

The specific and primary purposes for which the corporation is formed are to own, manage and control a country club, including swimming pool and recreational facilities, buildings and equipment for recreational and social purposes; to promote the welfare and enhance the happiness of its members; to lease, purchase, hold, have, use, take possession of and enjoy in fee simple, or otherwise, any personal or real property necessary for the uses and purposes of the corporation.

ARTICLE III
MEMBERSHIP AND MEETINGS OF MEMBERS

Section 1

No person, firm or corporation may become a member until application for membership has been approved by the Board of Directors or by a two-thirds vote of the membership and all appropriate fees and assessments have been paid.

Section 2

There shall be three membership classifications, Membership, Honorary Membership, and Associate Membership.

(a) Membership in the Butano Country Club shall be available to those persons who own land in the Butano Canyon, deriving title from the area originally included in the development along the Butano Creek by the Butano Land and Development Co., or its successors in interest.

Membership fee shall be determined by the membership at the annual meeting and paid in advance or installments as determined by the Board of Directors, plus such dues in addition thereto as may be assessed by the Board of Directors or the membership at the annual meeting, for the efficient and proper operation of the corporation's activities. Dues for the subsequent years shall be in such sum or sums as may be assessed by the Board of Directors or the membership at the annual meeting of the membership and any remaining membership fee, if applicable.

All dues, fees, and assessments are due April 1 and become delinquent as of the last Saturday in May of the season year / opening day of the Butano Country Club. After that date, the member is delinquent and has lost all privileges to which a member in good standing is entitled.

Requests for delayed payment must be made to the Board prior to opening day (last Saturday of May) of the year the assessment is due. Such requests will be reviewed by the Board on an individual basis. The requesting member will be notified of the Board's decision on or prior to the last Saturday in May of the same year.

A penalty of \$100.00 will be charged to members who are delinquent after the last Saturday in May of the membership year. If dues, fees, and penalties are not paid by the following April 1st, the membership will be terminated.

Any Member who has defaulted in the payment of dues and/or assessments and whose membership has been terminated by reason thereof, may be reinstated to membership upon payment of all delinquent dues, fees, and/or assessments and a penalty fee of \$150.00 but not to exceed the amount of a new membership for the year in which reinstatement is requested.

(b) Honorary membership shall be provided in the Butano Country Club to those persons who, in the opinion of the Board of Directors, have contributed extraordinary services and or benefited to the Butano Country Club or have contributed to the conservator and betterment of The Butano Canyon. No dues shall be assessed for Honorary Membership. Honorary Membership may be for one season or longer.

(c) An Associate Membership category may be established by the Board of Directors. The Board will determine the appropriate fees for the Membership. Such Memberships may be for one season or longer.

Section 3. Voting Privileges

Each Membership in good standing shall be entitled to one vote at all meetings of the Butano Country Club. "Good Standing" is defined as a Member who is current in payment.

Section 4. Meeting of Members

(a) Place of Meeting.

Annual meetings of the Members shall be held at the corporation's recreation center in the Butano Canyon in the County of San Mateo, State of California, and all other meetings of Members shall be held either at said place or at such other place within the State of California which may be designated by the Board of Directors or by the written consent of all members entitled to vote thereat either given before or after the meeting and filed with the secretary of the corporation.

(b) Annual Meetings.

The annual meetings of the Members shall be held on or about Memorial Day/Pool Day provided, however, that the date of the annual meeting of Members may be changed by the Board of Directors at any annual or regular meeting thereof. Written notice of each annual meeting shall be given to each Member entitled to vote, by mail, postage prepaid, addressed to such Member at his address appearing on the books of the corporation, or given by him to the corporation for purpose of notice. All such notices shall be sent to each Member entitled thereto not less than twenty (20) days before each annual meeting and shall specify the place, the day, and the hour of such meeting, and shall state such other matters as may be expressly required by statute or otherwise. At such meetings directors shall be considered, and any other business may be transacted within the powers of the Members.

(c) Special Meeting of Members.

Special meetings of the Members for any purpose or purposes whatsoever may be called at any time by the president, or by the Board of Directors, or by Members holding not less than one-fourth of the voting power of the corporation. Notice of such special meetings shall be given in the same manner as the annual meetings of Members. Notice of any special meetings shall specify, in addition to the place, date and hour of such meeting, the general nature of the business to be transacted.

(d) Only those memberships in good standing upon the records of the corporation on the first day of the month prior to any annual or special meeting shall be entitled to vote at such meeting. Voting may be by voice or ballot, provided, however, that all elections for directors must be by ballot upon demand made by a Member at any time before the meeting adjourns.

(e) Quorum.

The presence in person of Members entitled to vote a majority of the voting power of the corporation at any meeting shall constitute a quorum for the transaction of business. The Members present at a duly called or held meeting at which a quorum is present may continue to do business until adjournment, notwithstanding the withdrawal of enough Members to leave less than a quorum.

(f) Action without Meeting

Any action which under any provision or law may be taken at a meeting of the Members may also be taken without a meeting, if authorized in writing, signed by two-thirds of all Members who would be entitled to vote upon such action at a meeting, and filed with the secretary of the corporation.

(g) Proxies.

Each Membership shall be entitled to vote, either in person or by an agent authorized by virtue of a written proxy executed by such Member entitled to vote. Such proxy may be given only to a Member in good standing or the Board of Directors. Such proxy shall be filed with the secretary of the corporation prior to the call to order of the meeting for which such proxy is given. Such proxy shall specify the date of the meeting for which it is given and it shall automatically expire upon adjournment of said meeting.

(h) Transfer of Membership Rights.

Membership rights may be transferred upon approval by the Board of Directors and upon transfer by a Member of title to his land in the Butano Canyon to a member of the immediate family or next of kin of said Member. A transfer fee of \$100.00 shall be assessed within one (1) year of transfer of property. When a Club Member sells his property to a person other than his own family, his membership expires without benefit of transfer. Honorary and Associate Membership privileges may not be transferred.

ARTICLE IV DIRECTORS

Section 1. Qualifications

No person shall be a director of this corporation unless such person is a Member in good standing. Sons and/or daughters in name of members are allowed to serve on the Board of Directors when voted on by the membership. They must be at least 21 years of age.

Section 2 Powers

Subject to the limitations of the Articles of Incorporation, or the By-Laws, or of the Corporation Laws of the State of California, and subject to the duties of directors as prescribed by the By-Laws, all corporate powers shall be exercised by or under the authority of, and the business and affairs of the corporation shall be controlled by the Board of Directors and they shall have power to conduct, manage and control the affairs and business of the corporation, and to make such rules and regulations therefor not inconsistent with law or the Articles of Incorporation or as they may deem best, and they shall further have the power to select and remove all other agents and employees of the corporation, and to prescribe duties for them not inconsistent with law.

Section 3. Composition of Board, Number of Directors and Quorum.

The Board of Directors shall be composed of 7 elected members. The Board of Directors shall, at a time and in a manner of their choosing, elect from their number a President, a Vice President, a Secretary, and a Treasurer. Four members of the Board shall constitute a quorum for the transaction of business at any meeting.

Section 4. Election and Term of Office

Directors elected by the membership shall serve for three-year terms. Election of three or two Directors, as the case may be, shall be held on the Saturday immediately proceeding Memorial Day, at the annual meeting of members. Directors elected at said elections shall take office on the day of their election and shall hold office for a term of three years ending on Memorial Day of the third year thereafter.

Section 5. Vacancies

Vacancies on the board of Directors may be filled by a majority vote of the remaining directors thereof not less than a quorum, and each director so elected shall hold office through the term of the individual he/she replaced. Individuals must otherwise be eligible to hold an office within the corporation.

Section 6. Time and Place of Meetings

Regular meetings of the Board of Directors shall be held once every (4) months, at such time and place as may be designated from time to time by resolution of the Board or by written consent of a majority of the Members of the Board. In the absence of such designation, regular meetings shall be held at the corporation recreation center in the Butano Canyon. Written notice of the time and place of such regular meetings of the Board of Directors shall be delivered by mail, postage prepaid, addressed to the Directors at their addresses as shown upon the records of the corporation. Notice of such regular meeting shall be mailed at least ten (10) days prior to the time of holding the meeting. Directors may determine alternate forms of notification and waive the requirements of written notification.

Section 7. Organization Meeting

Immediately following each annual meeting of Members, the Board of Directors shall hold a regular meeting for the purpose of appointing officers, and the transaction of other business. Notice of such meeting is hereby dispensed with.

Section 8. Special Meetings

Special Meetings of the Board of Directors for any purpose or purposes shall be called at any time by the president, or, if he/she is absent or unable or refuses to act, by any Vice-President or by any two Directors. Written notices of the time and place of special meetings shall be delivered by mail, postage prepaid, addressed to the Director at his/her address as it is shown upon the records of the corporation. Notice of such special meetings shall be mailed at least ten (10) days prior to the time of holding the meeting. Directors may determine alternate forms of notification and waive the requirements of written notification.

Section 9.

The Directors may issue progress reports of the activities of the corporation at such times and in such form as may be determined by the Board of Directors.

Section 10.

The Board of Directors shall promulgate rules, regulations, and policies regarding the use of the corporation facilities and properties.

ARTICLE V OFFICERS

Section 1. Officers

The officers of the Corporation shall be a President, a Vice-President, Treasurer and a Secretary, to serve for one fiscal year of their term.

Section 2.

The officers of the Corporation must be Members in good standing and each shall hold his office until he/she shall resign or shall be removed or otherwise disqualified, or until his/her term expires. Vacancies occurring in any elective office may be filled by the appointment of a new officer by the Board of Directors, which new officer shall hold office until his/her term expires.

Section 3. President

The President shall give general supervision, direction and control of the business and officers of the corporation. He/she shall preside at all meetings of the Members and at meetings of the Board of Directors, and shall be an ex-officio member of all of committees appointed to carry on the business of the Corporation, and shall have the general powers and duties usually vested in the office of president of a corporation, and such other powers and duties as may be prescribed by the Board of Directors.

Section 4. Vice-President

The Vice-President shall, in the absence of the President, perform all of the duties of the President and shall have such other powers and perform such other duties as from time to time be prescribed by the Board of Directors.

Section 5. Secretary

The Secretary shall cause to be kept a book of minutes of the proceedings of the Membership and the Board of Directors, and shall likewise keep or cause to be kept a register of Membership, and shall perform all other duties of the Secretary prescribed by the Board of Directors or by the By-Laws of this Corporation.

Section 6. Treasurer

The Treasurer shall keep and maintain adequate and correct books of account, showing the assets, liabilities, receipts, disbursements, gains and losses of the Corporation and shall keep and maintain the bank accounts of the Corporation and shall perform such other, duties as may be prescribed by the Board of Directors.

Section 7.

All Members in good standing shall be entitled to examine the records of the corporation upon reasonable request.

ARTICLE VI GUESTS

Section 1.

Guests of Members in good standing may use the Club facilities without the Member being present. Members are responsible for all actions of their guests.

Section 2.

Property owners or renters who are not Members cannot be invited as guests except at Board sponsored community events or scheduled member hosted special events.

ARTICLE VII AMENDMENTS

Section 1.

These By-Laws may be amended at any regular or special meeting of the Membership, but any such amendment shall require a majority vote of two-thirds (2/3) of the total voting power of the Membership.

ARTICLE VIII SUSPENSION OR TERMINATION OF MEMBERSHIP

Section 1.

In addition to non-payment of fees and assessments a membership may be suspended or terminated if a member or a member's guests are found to be using the facilities in such a way to threaten the health and well-being of other members or their guests or for the destruction of property.

Section 2.

Prior to suspension or termination, the Board of Directors shall issue a written Notice of Intent to Suspend or Terminate a Membership (Notice) to any member found to be in violation. Such Notice must include the specific reasons why the membership is being suspended or terminated, and the effective dates of the suspension or termination, and any conditions that may be applicable.

Section 3.

Any member receiving such a Notice may appeal the action to the Board of Directors within 15 days of receipt of the Notice. If no appeal is received the action by the Board of Directors will be considered effective.

END

5/2/52; amended 9/4/1977; 5/25/84; 5/29/99; 5/24/03; 5/27/2017

POLICY: Mid-Season Membership

The Butano Canyon Country Club Board recognizes that not all NEW members will join the BCC at the beginning of the fiscal year. A new membership may be initiated after the beginning of each annual season on a one time only basis. For such memberships initiated after July 15 the cost for that year will be the required membership fee plus one half the amount of the dues set for that year.

POLICY: Associate Memberships

It is the policy of the Butano Country Club (BCC) to make membership opportunities in the BCC available to all residents within the Canyon. As such the Board has established an Associate Membership category to allow those living in the Canyon who are not property owners the opportunity to join the BCC.

Butano Canyon resident renters whose landlords are current members in good standing may apply for membership in the BCC as an Associate Member by applying to the Board. If approved the Associate Member will be assessed the same annual fee as Members.

Butano Canyon resident renters whose landlords are not current members may join the BCC as an Associate Member by applying to the Board. If approved the Associate Member will be assessed the same annual fee as Members plus an additional yearly membership fee. The annual membership fee for an Associate Membership will be determined by the Board. The Board will consider current costs and current new Membership fees in determining the annual Associate Membership fee. For the 1999/00 fiscal year the annual membership fee will be \$100.00 plus the annual fee paid by other members.

Like Members and Honorary Members, Associate Members must follow all rules and regulations established by the Board. The rules and regulations have been put in place to help ensure the safety and enjoyment of all.

Associate Members may request the use of the facilities for special events. The policy for requesting special events is to be followed.

Subject to the provisions of the By-Laws, Associate Members may invite guests to use the facilities.

POLICY: Use of the Pool Facilities for Instructions/Classes

It is the policy of the Butano County Club to allow the facilities to be used for appropriate instructional activities. Such activities are consistent with the purpose of the Country Club in that they would be "for recreational and social purposes; to promote the welfare and enhance the happiness of its members". Examples of such activities could include instructions for water safety, water exercise, and swimming. The following conditions would need to be met before the facilities could be used for instructions/classes:

No classes will be held without prior Board approval. A "class" is defined as an instructor with 3 or more students at one time.

Application for holding classes must be made at least 1 month in advance to the Board. The Board will review the request and will inform the applicant if the request is approved, approved with conditions, or denied. Approval by the Board does not constitute endorsement or sponsorship of the Board.

Classes should be scheduled at off peak times and the schedule posted at the pool bulletin board.

All participants must be eligible to use the pool facilities either as a member, honorary member, associate member, or guest.

All participants must sign a general liability waiver.

All pool rules and regulations must be followed.

Instructors have the right to limit class size or refuse students if they do not meet the basic knowledge needed for the class or for safety concerns.

POLICY: Member-Hosted Special Events

At the discretion of the Board, the pool may be used by members and associate members who are in good standing to host special events. The Board must approve in advance any member-hosted event(s). Applications for a special event are located at the club facilities or can be obtained from any board member.

An activity is defined as a special event if the number of individuals invited or the use of the facilities may limit other members' use of the pool and/or facilities. This number is 15 individuals or greater. For example, a birthday party for a few children and/or adults that uses a small portion of the lawn, barbecue area, or tables would be considered normal use of the pool. However, if the event will utilize enough space that a like group would be excluded, the event would then be considered a special event. Any event, such as a wedding reception, office party, or graduation party, is considered a special event. Any event that will use the facilities outside the normal use period (Memorial Day-September) is considered a special event. If in doubt the member is encouraged to complete an application in order to reduce conflicting schedules.

A member in good standing may use the facilities for special events provided that the member has:

- Completed and submitted an application to use the facilities,
- Been approved in advance by the Board,
- Paid at least the minimum membership fee in advance, and
- Paid any fees for the current pool season.

Application for use of the facilities should be made at least 1 month or as soon as possible prior to the proposed date of the event. Members should not plan events for major holidays or on high usage times. In instances where more than one member requests the same date the first application will prevail.

Approval of an event does not give the member and his/her guests exclusive use of the facilities.

The host member and all guests must follow pool safety rules and abide by any insurance provisions. For example, it may be necessary for the member to provide proof of insurance in the form of a rider on their insurance.

Fees for member hosted special events are as follows:

- Monday thru Thursday: 15-25 people including members, \$3 fee per non-member
- Friday thru Sunday: 15-25 people including members, \$6 fee per non-member
- Over 25 people, members or non-members require special consideration and discretion of the Board.

POLICY: Guests

The Bylaws allow Country Club members to invite their guests to use the pool. To promote safe and responsible behavior it is suggested that Club members:

- Inform their guests of the pool rules and the need to identify themselves as guests to any Club member who may inquire.
- If possible, Club members should accompany guests to the pool.
- The use of pool privileges by Club members and their guests in order to enjoy the beauty of Butano is encouraged. However, Club members are discouraged from inviting non-member *groups* for frequent use or use at peak times.
- Club members cannot invite Canyon residents who are not members of the Club as their guests.