

RULES
REGULATIONS
And
BY-LAWS
Of the
NINE OAKS CLUB

Revised May 1997

Founded October 8, 1965

NINE OAKS CLUB
P.O. Box 322
Mennonite and Fruit Farm Roads
Royersford, PA 19468

TO THE MEMBERSHIP:

The NINE OAKS CLUB is an exclusive member owned club having capital investment and hiring professional management to serve the recreational needs of its members and guests. The Board of Directors expects members to conduct themselves in mature and responsible manner in the use of club facilities. This conduct requires proper respect for the professional members of the staff and regard for the safety and convenience of all persons using the club facilities.

This booklet contains the "Rules and Regulations" that will be strictly enforced for the benefit and protection of all the members and the Corporations "By-Laws".

Please become familiar with them.

BOARD OF DIRECTORS

RULES AND REGULATIONS

POOL HOURS

Monday through Friday and Sunday - 12:00 Noon to 9:00 PM later at the discretion of the Pool Manager.

Saturdays and Holidays - 11:00 AM to 9:00 PM - later at the discretion of the Pool Manager.

The pool may be closed for necessary maintenance operations, and at the discretion of the pool manager with the sanction of the Board of Directors.

MEMBERSHIP TAGS

Every member of each club member's family will be issued a new membership tag each year.

Every person entering the pool must show his/her tag. A charge of \$1.00 will be made for replacing a lost tag. No refund on or transfer of membership tags will be permitted.

All guests are required to be registered at the office by a member to obtain a guest tag for that day. No individual will be admitted as a guest to the club more than five (5) times during a season, without prior approval of the Board of Directors.

HEALTH AND SAFETY RULES - GENERAL

1. The pool managers, summer and winter, and their assistants are charged with the responsibility of maintaining order and controlling club facilities. They will enforce the club "Rules and Regulations" and are authorized to resolve any matter not specifically covered herein.
2. The life guards are present for your protection. Talking and/or loitering at their stations or stands is strictly prohibited.
3. Members and their guests shall use the club's facilities at their own risk. The NINE OAKS CLUB will no assume liability for any injury, theft or damage to person or personal property. Any injury to a person on the club's grounds must be reported to the office immediately.

4. The cost of any property damage will be charged to the responsible active member. Hosts are responsible for all damage by their guests.
5. No club equipment may be removed from the property unless authorized by the Board of Directors.
6. No alcoholic beverages will be permitted on club property.
No one under the influence of alcohol will be admitted, or permitted to remain on club property.
7. Pets will not be permitted on club property.
8. Unauthorized persons may not enter the office, storage rooms or filter house.
9. No profane or abusive language will be permitted.
10. All refuse must be deposited in the containers provided.
11. The pool may not be used for any purpose without a lifeguard being present.
12. Admission to the pool will be refused to anyone with skin abrasions, colds, coughs, inflamed eyes, infections or wearing bandages.
13. All persons are required to take a shower before entering the pool. THIS IS A STATE HEALTH DEPARTMENT REGULATION.
14. Metal and plastic containers, food or beverages ARE PERMITTED IN DESIGNATED AREAS ONLY. GLASS IS NOT PERMITTED ON CLUB FACILITIES. The designated areas are the picnic grove and the concrete patio adjacent to the snack bar.
15. No running, pushing, wrestling or roughhousing will be permitted in the pool area or locker room.
Games and sports not connected with swimming or other recreational facilities provided by the club must be played in the all-purpose area located behind the basketball court.
16. No objects are to be thrown into the pool.
17. No hanging or sitting on ropes.

18. Appropriate attire is to be worn at all times in the pool area.
19. The pool manager and his/her assistants are empowered to have children take rest periods to avoid fatigue or overexposure.
20. Children 10 years of age or older are permitted in the club facility unaccompanied by an adult. Children under 10 may be permitted if granted permission by the manager or assistant manager.
21. The Board of Directors reserves the right to schedule a limited number of special events and to restrict use of the pool for such purpose provided advance notice of 5 days is given. Such notice shall be posted on the club's bulletin board.
22. The Board of Directors reserves the right to waive any of the aforementioned rules in the best interest of the membership.

REGULATIONS - POOL

The pool is divided into areas marked as follows:

Area A - Wading Pool

Restricted to children under 6 years of age accompanied by a responsible person. Inflated tubes, toys and balls are permitted in this area.

Area B - Intermediate

Designed for non-swimmers and those just learning to swim.

Area C - General Swimming

Area D - Diving Area

Children under 6 years of age and under are permitted in this area only when under parental supervision.

Children may be asked to pass a swimming test at the discretion of the lifeguard.

No general swimming in the diving area.

Only one person on each diving board at one time.

Dive only when the previous diver has cleared the area under the board by reaching the access ladders.

Horseplay or excessive bouncing on the boards is not permitted.

Rafts, balls, floating devices are not permitted in Areas B, C or D with the exception of:

Family Raft Days as scheduled by the manager.

"swirrnies" for young children are permitted only when accompanied by a responsible person and only in Area B.

RULES - SPORTS AREAS (Tennis, Basketball and Volley Ball) All previous general rules apply to these areas.

1. Bicycling, skateboarding, rollerblading are strictly prohibited on club property.

REGULATIONS-TENNIS COURTS

These regulations governing the use of the Tennis Courts have been set up to assure fair play and equitable access to the tennis facilities by members of NINE OAKS CLUB.

1. Tennis courts will be available for use as long as weather permits. During the swimming season the gates to the Sports Area will be opened and locked by the staff.
2. Tennis shoes are required.
3. Appropriate attire is required at all times.
4. Doubles should be played when possible, due to the number of courts available.
5. Abuse of equipment including the courts, nets will not be tolerated.
6. Release the net tension when leaving the courts.

7. Tennis players only allowed on the tennis courts.
8. Food or beverages are not permitted in the Sports Areas at any time.
9. Use of the tennis courts is governed only by a reservation book maintained in the pool office.
10. EVERY person using the courts must register at the office.
11. Reservations are permitted no more than 48 hours in advance. The office register is official.
12. Reservations entitle the use of the court for one (1) hour, the time to be calculated on the hour.
13. Members are permitted to play no more than 2 hours per day, neither of which can be consecutive. However, if a court should be vacant at some time that same day, such person shall not be prohibited from utilizing that court. Such player or players must yield to any member who has not utilized their time that day.
14. Children under 13 years of age must give preference in the use of the tennis courts to adults on weekdays after 5:00 PM and at all times on Saturdays, Sundays and Holidays, unless playing with an adult.
15. The club reserves the right to schedule a limited number of special events and to restrict the use of the courts for such. A schedule of these events shall be posted on the club's bulletin board.

MISCELLANEOUS

1. Solicitations, promotions or other forms of advertising are strictly prohibited.
2. Club members and guests will park in the PARKING AREA as designated.

MANAGEMENT RESERVES THE RIGHT TO SUSPEND ANY INDIVIDUAL OR INDIVIDUALS WHO HAVE VIOLATED THE RULES OR REGULATIONS.

CONTINUED VIOLATION OF THE ABOVE RULES MAY RESULT IN EXPULSION FROM THE NINE OAKS CLUB BASED ON THE REVIEW AND DECISION OF THE BOARD OF DIRECTORS.

BY-LAWS

Article I

- 1.1 The Board of Directors shall consist of 9 active bond holders in good standing. Each director's term shall consist of 3 years.
- 1.2 The Board of Directors shall hold a minimum of 6 meetings per calendar year.
- 1.3 Six Directors shall constitute a quorum for the transaction of business. The acts of a majority of the Directors present at a meeting at which a quorum is present shall be valid acts of the Board of Directors, provided however that any action on behalf of the Board or any officer shall be deemed valid as if duly authorized at a meeting of the Board, if all directors shall consent in writing to said action.
- 1.4 A Director may be removed from office for cause by a vote of two-thirds of the entire board, providing said Director shall have been given ten days written notice of the proposed action.
- I.5 The President, or in his absence, the Vice President, shall preside at all meetings of the Board. In the absence of both, the Directors shall elect an ad-hoc chairman.
- I.6 Shareholders or adult members of the family of a shareholder, providing they are entitled to membership privileges by virtue of the share shall be eligible to serve as Directors and no more than one member of a shareholder's family shall be eligible at one time.
- 1.7 The powers and duties of the Board of Directors shall include without limitation:
 - A. Making or authorizing all expenditures for the benefit of the Corporation.
 - B. Fixing the number and compensation of employees.
 - C. Prescribing rules for the use of the corporations facilities.

- D. Preparing an annual report to the membership showing the state of membership and finances.
- E. Supervising all committees, with power to alter or amend any rules or regulations prescribed by any committee.
- F. Adopting an annual budget for the operation of the Corporation.
- G. Fixing Annual Dues and Guest Fees.
- H. Appointing management who shall have responsibility for the operation of club facilities, and who shall be directly responsible to the Board of Directors, provided that no direction to said management shall be valid unless promulgated by vote of the number of Directors required in section 1.2 supra.
- I. Securing for the protection of the corporation such insurance as may be necessary and desirable.
- J. Securing at the expense of the Corporation, the fidelity of the Treasurer and other appropriate officers, by bond in such amounts as it deems necessary.

1.8 The order of business at meetings of the Board of Directors shall be as follows:

- A. Call to order.
- B. Reading and approval of minutes of previous meeting.
- C. Reports, and approval of reports, of officers and committees.
- D. Election of new members.
- E. Unfinished Business
- F. New Business.
- G. Adjournment.

Article II

- II.1 The Board of Directors shall after its August meeting, elect a President, vice president, Secretary, and Treasurer, who shall serve for one year commencing at the date of said meeting of the Board. Officers need not be Directors, and no more than one member of a shareholder's family may serve as an officer. Officers who are not Directors are not entitled to a vote.
- II.2 The Board of Directors shall have power to fill any vacancies in office, and officers so appointed shall serve until the next meeting at which their elected successors take office.
- II.3 An officer may be removed from office for cause by a vote of two-thirds of the entire Board, provided said officer shall have been given ten days written notice of the proposed action.
- II.4 The President shall:
- A. Preside at all meetings of the Board of Directors and members.
 - B. Make all appointments to Committees.
 - C. Perform such other acts as may be necessary and appropriate to his/her office.
- II.5 The Vice President shall perform the functions of the President in his absence, and shall perform such other duties as may be assigned to him/her by the President.
- II.6 The Secretary shall:
- A. Make and keep minutes of all meetings of the Board of Directors and of the members.
 - B. Issue calls for meetings.
 - C. Have custody of the Corporate Seal and attest the signature of corporate officers when requested.

- D. Perform such other functions as may be necessary and appropriate to the office.
 - E. Keep all corporate records other than minutes, including membership records.
 - F. Conduct all correspondence of the Corporation.
- 11.7 The Treasurer shall:
- A. Make and keep records of all financial transactions of the Corporation.
 - B. Be responsible for the receipt of all money due the Corporation and deposit same in bank accounts or other places of deposit as directed by the Board of Directors.
 - C. Perform such other functions as may be necessary or appropriate to the office.
- 11.8 For the purpose of signing and executing documents to carry on the activities of the Club, not less than two officers shall be designated by resolution of the Board.

Article III

- 111.1 There shall be two classes of membership, "Club Members" and "Associate Members".
- 111.2 Ownership of one share of stock in the Corporation, though it may be held in the names of husband and wife as joint tenants, shall be evidence of one Club membership.
- 111.3 The full privileges of the use of Club facilities shall extend to the Club member, his or her spouse, and all their children (including foster children) under the age of twenty-one (21) years as of January 1 of any Club year, residing in the same household.
- 111.4 Consideration required for the purchase of a share shall be fixed from time to time by the Board of Directors.

- III.5 To be eligible to purchase a share, an applicant must be proposed by a Club member in good standing, submit the necessary application forms, and be recommended to the Board of Directors by the Membership Committee. A two-thirds vote of the Board of Directors shall be required for approval of an applicant.
- III.6 Upon the death of a shareholder, the certificate shall be transferred on the books of the Corporation to the surviving spouse, or any adult child forming a part of the household, providing that any indebtedness or other liability to the Club shall be satisfied.
- III.7 Associate members shall be persons over twenty-one years of age as of January 1 of any Club year, residing in the household of a Club member.
- III.8 Dues shall be fixed annually by the Board of Directors. Notice of the amount of dues so fixed shall be given to the membership by January 1.
- III.9 A member wishing to resign shall communicate his/her intention to do so in writing to the Secretary. The Secretary shall maintain a list of applicants for resignation in chronological order. At such time as the first applicant for membership after the full quota of Club membership is approved by the Board, the first applicant for resignation shall be notified to surrender his/her stock. The Treasurer shall pay to the resigning member, upon delivery of his/her share certificate endorsed by all the names appearing on the face thereof, the consideration paid by such member for the share, less any indebtedness owing the Club. "Indebtedness owing the Club" shall include, without limitation, for the purpose of this section, any unpaid dues, unless the Board determines in its sole discretion to forgive the payment of said dues in cases where the resigning member has moved a distance making it impractical for the family to use the pool in any way whatsoever. The Secretary shall, upon surrender of the certificate, cancel same on the books of the Corporation and issue a new certificate to the applicant for membership. Succeeding resignations and transfers shall be conducted in similar fashion in chronological order.

- III.10 Any member, failing to pay dues or any indebtedness to the Corporation within thirty (30) days after being notified thereof by the Treasurer, shall be declared expelled by the President, and the share cancelled on the books of the corporation. If there is an approved applicant on the waiting list, ready to purchase such membership, such applicant may thereupon be admitted and the expelled member repaid the consideration for the share less any amount needed to satisfy their indebtedness to the Club. Any member delinquent in his/her payment of due for the current season will be notified by the Treasurer by July 15 of that year.
- III.11 The Board of Directors may revoke the membership and cancel the share of any member failing to comply with other lawful rules and regulations of the Corporation or for other good cause, other than non-payment of indebtedness to the Club, where action shall be taken by the President pursuant to section 111.9 supra. No membership shall be revoked pursuant to this Section except upon ten (10) days written notice to the member concerned of a hearing before the Board of Directors. Two-Thirds of a quorum of the Board of Directors shall be necessary for such action. There shall be no appeal to the membership from any decision of the Board of Directors pursuant to this section.
- 111.12 No member, delinquent in the payment of any indebtedness to the Club, shall be entitled to the privileges of membership during such delinquency.
- 111.13 Members, and persons in their household, entitled to privileges of the use of Corporation facilities pursuant to these By-Laws, shall be liable to the corporation for any damage caused by their misconduct or negligence.
- 111.14 If a member on the chronological withdrawal list, upon being notified by the Secretary to surrender the endorsed certificate for withdrawal, indicates their desire to remain a member, the member shall pay a reinstatement fee of \$15.00 within 10 days of notification, otherwise the member is considered resigned and shall be removed from the top of the chronological order of the withdrawal list.

Article IV

- IV.1 The annual meeting of the members of the Corporation shall be held on the third Monday in August, the place and exact time to be fixed by the Board of Directors. At least ten (10) days notice of said meeting shall be given all members by the Secretary.
- IV.2 Special meetings may be called at any time by vote of two-thirds of the Board of Directors, or upon written request of ten percent of the members in good standing. Notification by the Secretary of such special meetings shall be at least ten (10) days in advance.
- IV.3 Whenever notice is required by Articles of Incorporation or these By-Laws, notice by first class United states mail, postage prepaid, shall be deemed sufficient.
- IV.4 One-tenth of the Club members in good standing shall constitute a quorum for the transaction of business.
- IV.5 A Club member may vote, and may be counted present for the purpose of constituting a quorum, by proxy given to his or her spouse. A proxy shall be in writing, signed by the member, and executed not less than thirty days prior to the meeting at which it is to be exercised. The decision of the Secretary as to the authenticity of the signature on a proxy shall be conclusive. No proxy other than those expressly permitted herein shall be accepted.
- IV.6 The order of business meetings of members shall be:
- A. Call to order.
 - B. Reading and approval of minutes of previous annual meeting.
 - C. Reports, and approval of reports, of officers and committees.
 - D. Unfinished business.
 - E. New business.
 - F. Election of Directors.
 - G. Adjournment.

Article V

- V.1 The Board of Directors may make regulations, including fixing of fees for the admission of guests, as they may deem appropriate from time to time.

Article VI

- VI.1 Amendments to these By-Laws may be made by a two-thirds vote of the entire Board of Directors, provided that at least ten days notice of the meetings at which the amendment will be considered shall have been given to each Director.

Amendments

- I. (1993) The Board of Directors has instituted an amended policy regarding~memberships for those members wishing to sell their bonds. They may recruit an acceptable replacement and thereby expedite their reimbursement. This relieves departing members of the burden of being placed on a waiting list until the new members are found. All transactions must be made through the Club Board, i.e. the departing member must surrender his Bond to the Club and the entering member will purchase a Bond at the current value for new members.