



MEMBER HANDBOOK

SUMMER 2016



## 2016 Calendar

Club Opens:	Saturday, May 28 Memorial Day Weekend
Memorial Day Party:	Sunday, May 29 at 6:30 pm
Club Opens Daily:	Saturday, June 11
Independence Day Party:	Sunday, July 3 at 6:30 pm
Annual Meeting:	Saturday, August 27 at 10 am
Labor Day Party:	Sunday, September 4 at 6:30 pm
Club Closes Daily:	Monday, September 5
Club Closes:	Sunday, September 18

### **[www.henlopenacresbeachclub.com](http://www.henlopenacresbeachclub.com)**

- Membership Application
- Calendar of Events
- Private Party Reservation Form
- Board of Directors
- Contacts for Assistance
- Member Handbook & By-Laws

### **Lock Code:**

Deck Bathrooms: 1515

# Henlopen Acres Beach Club Rules & Regulations

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(Revised for the 2016 Season)

## Membership

1. There are three types of membership:
  - Resident
  - Associate
  - Senior
2. All Henlopen Acres property owners are invited to join the HABC. Those who choose to join and are accepted are hereinafter called **Resident Members**. While there may be spouses and co-owners who share legal ownership of the property, all of those who are included in the annual registration share and are limited to a single membership.
3. There are a limited number of **Associate Members**. No new Associate Members are currently being accepted.
4. After twelve (12) years as a Resident Member, one may, upon approval of the Board of Directors, retain membership as a **Senior Member**, should he/she give up property ownership in Henlopen Acres.
5. Only one person or one married couple is an Associate or Senior Member.

## Rights of Use

1. All unmarried members of the Member's immediate family under 23 and over 11 years of age are entitled to Club privileges without the payment of additional fees.
2. **Immediate Family** of each Member includes all parents, grandparents, children, grandchildren, great-grand-children, and their spouses. Resident, Associate, and Senior Members may declare members of their immediate family an Authorized Family Member by registering them and paying the applicable \$150 fee. Each single family unit may be grouped and designated as an Authorized Family Unit so that one fee covers

all members of the Unit, except children 23 years of age and over and married children, who must pay a separate fee. This fee entitles each Authorized Family Member to Club privileges.

3. If the authorized Family Member/Unit is not registered and the fee is not paid, he/she/they must be accompanied to the Club by the Member or Authorized Family Member as a guest. All children 11 years of age and under must be accompanied by the Member or an Authorized Family Member, who will be responsible for their conduct.

## **Beach Rules**

1. Each Membership (including all Authorized Family Members) is entitled to only one (1) umbrella and two (2) chairs when available. Some sand chairs, (1 – 2) per Member, are available on a first-come basis. Please do not take HABC deck chairs to the beach. Members may bring additional chairs from home. The Club Manager may relax the chair and umbrella limits when conditions permit.
2. Members and guests are requested to be considerate of others. In particular, large groups should take care not to disturb those at neighboring umbrellas.
3. Chairs and beach positions may not be held for arrivals at a later hour. Holding chairs for short periods is only permitted while at lunch on the deck or walking the beach.
4. Umbrellas may not be moved from original positions, and chairs should be kept close by. Please turn in your umbrella tag upon leaving the beach.
5. The Manager will walk the beach periodically to ensure that only members and their family and guests are using Club beach and chairs. Please cooperate by providing your Member name and number upon request.
6. Ball games, Frisbees, and other activities must be well back and away from chairs and umbrellas. No chairs are permitted directly in front of the life guard stands, and no umbrellas may be in front of the lifeguard line what-so-ever.
7. No alcoholic beverages are permitted on the beach. There is no restriction on beverages on the deck or in the clubhouse.
8. No dogs are permitted on HABC beach during Club hours of operation. Dogs must be under the control of their owner at all times. Use of showers to rinse dogs is not permitted.
9. No loud music is permitted on the beach or in clubhouse areas.

10. No glass containers are permitted on the beach. Please do not litter. Use trash cans.
11. During any absence of the Lifeguard, swimming is at one's own risk.
12. Manager may order umbrellas closed for safety reasons.
13. The Manager, Beach Patrol Captain, or HABC Board may close the beach for safety reasons. All swimmers must obey the lifeguards and exit the water at closing.
14. No use of boats, surf boards, skim boards or large rafts is allowed at the HABC beach. Use of boogie boards or small rafts is permitted at the discretion of Beach Patrol Captain.
15. Please obey posted signs.
16. Groin/Jetty is off limits at all times.

## **Tennis Rules**

1. Members and guests only may use the tennis courts.
2. Tennis shoes must be worn along with appropriate attire (of any color).
3. Sign up for reservations, using your membership name and number at Reception Desk before play.
4. Two (2) hour maximum for use of courts.
5. Please sweep the court and lines after play.

## **Club Rules**

1. Beach Club hours during the season are from 10 a.m. until 5 p.m. We will arrange to have the beach chairs available until 6 p.m. in July and August. However, after 5 p.m., the beach will not be guarded and the clubhouse will not be open. Swimming is at your own risk.
2. All vehicles must display a HABC parking permit. Parking space is limited. Bikes and carpools are encouraged. Tickets will be issued to vehicles without proper parking permits.
3. Members and their guests must register at the Reception Desk upon arrival at the Club, giving their own names, the Member's name, and Membership number.
4. Only a Member or Authorized Family Member is permitted to have guests. Guests must be accompanied to the Club and signed-in by that Member.
5. Any complaint about the behavior or attitude of an employee should be directed to the Club Manager or a member of the

Board of Directors. No Member or guest is permitted to reprimand or censure the conduct of an employee.

6. The bathrooms on the deck will be unlocked during regular hours and locked at all other times. The combination to open the doors when locked is: 1515. After hours, please close the door when leaving to lock it shut overnight.

## **Policy on Staff Tips & Gifts**

It is the policy of the Club to discourage gifts or tips to employees at any time other than at the end of the season. On a discretionary basis, the Club may provide a bonus to Club staff at the end of the season. Members may, at their own discretion, provide a tip directly to staff as well, up to a maximum of \$100. Alternatively, a member may contribute to the Club's bonus fund by giving cash or check to the Club Manager, who will then distribute the funds to staff.

Members may not provide tips or gifts to Club staff beyond these guidelines. Moreover, Club staff may not accept them as a condition of employment with the Club and are required to report any tip or gift in excess of \$100 immediately to the President. Members should contact the President directly for further guidance.

## **Club Officers and Staff – 2016 Season**

The Club is overseen by a nine-member Board of Directors elected by the membership to serve three-years terms of office. Each August, an election takes place for three Board seats. Resident Members who are interested in serving on the Board should contact the President.

### **Board of Directors:**

Joni Reich - President  
Larry Davis – Vice President/Beach  
Eileen Clark - Secretary  
Pierce Quinlan - Treasurer  
Steve Fennell - Membership  
Betsy Wilgis - Membership  
Tom Donnelly – Events/Reservations  
Ann Weir – House  
John Scheurer – Building/Grounds

### **Management:**

Bill Meehan – Club Manager  
Becky Holmes – Assistant Manager  
Chris Young - Beach Patrol Captain

## **Clubhouse Reservations**

The club is available for Members to host a private party from May 15 to September 30 when a Club function is not otherwise scheduled. Tented events are not allowed from July 1 through Labor Day. The Club Manager or designee must be on-site for all parties over 50 guests. Contact Reservation Chair, Tom Donnelly at (703) 893-6369 or [tdonnelly1947@gmail.com](mailto:tdonnelly1947@gmail.com) to reserve the club for a private party.

Your Club is a private, not-for-profit corporation. To protect its status, your Board of Directors asks for your cooperation in adhering to the following rules for private social affairs.

1. The Club is for use of the Members and their guests only. Only Members may reserve the Club house for personal use after regular hours, beginning at 6 p.m. The bar will be closed and music must cease at 10:30 p.m. All guests must leave the premises by 11 p.m.
2. A member may not reserve the Club house for use by an outside co-host, individual or group. A member engaging the Club house may do so only for personal use of family and friends and must attend the affair with personal financial responsibility. Members are not allowed to reserve the Club house on behalf or for the benefit of other organizations to which they may belong or support. If there are any questions about this restriction, contact the Reservation Chair.
3. No fee, collection, or other reimbursement shall be charged or paid by a guest.
4. Parties for teenagers must have adult supervision at all times.
5. Use of alcoholic beverages is subject to all local and State of Delaware rules and regulations. Alcoholic beverages may not be served to anyone under 21 years. The Member-host is responsible for ensuring compliance with all rules and regulations governing service and consumption of alcohol.
6. The Member-host must reimburse the Club for any damage to the Club house, furniture, fixtures, or equipment by anyone in attendance.
7. The Member-host must attend and remain at the party for the duration of the event.
8. Club supplies are not available for private parties.
9. Excessively loud music will disturb the neighbors and is not permitted.



10. Furniture arrangements and equipment arrangements are the responsibility of the Member-host. Please contact the Club Manager at least two weeks in advance of the party to notify him of your entertainment, decorations and special equipment. The club house will be open to members during normal hours; however, full access to facilities may be limited prior to closing.

PARTY SET-UP: Same day only after 2 p.m.

TENT SET-UP: Same day; arrange with Manager.

The Member-host is responsible to see that caterers leave the kitchen clean and in order and abide by the rules of the kitchen. In addition, the entire facility, building and grounds must be returned to their original condition in terms of cleanliness and arrangement of furniture no later than 11:30 p.m. the night of the party.

11. If the Member-host violates any of the rules governing use of the Club house for private parties, the Member will receive a warning. Subsequent violations will lead to suspension of the Member's eligibility to host future functions for one year.
12. **CHARGES:** The Club Fee and refundable damage deposit, payable to HABC must accompany the Reservation Application. For events with over 50 guests, please include the manager's fee and submit evidence of an insurance rider naming the HABC as the indemnified in an amount not less than \$1,000,000. (Staff gratuities for a private event are appreciated and are at your discretion).

### **Private Party Fee Schedule**

<u>Guests</u>	<u>Club Fee</u>	<u>Mgr Fee</u>	<u>Deposit</u>
1-50*	\$200	NA	\$200
51 - 80	\$800	\$150	\$500
81 - 150	\$1,500	\$150	\$1,000

Note: \*For events of 50 guests or less, no staff will be present. The Member is responsible for set-up and clean-up and must return the Club house and deck to their original condition.

## **2016 Schedule of Member Fees**

Dues:	Resident Members	\$1,050
	Associate & Senior Members	\$1,150
Fees:	Authorized Family Unit	\$150
	Co-owners	\$150
	New Member Initiation	\$5,000

Membership dues cover all fees for the Principal Member, spouse, and unmarried children under the age of 23. Members receive two parking passes. Payment of Fees is required for unescorted access for each Authorized Family Unit to include: parents, grandparents, each married child or grandchild, and each child or grandchild over 23 years old.

Note that the family of a married offspring for whom you have paid the \$150 fee is also authorized access. That is, their spouse and unmarried children under the age of 23 are authorized free access. Those that are married or over 23 may be permitted access for an additional Authorized Family Unit fee of \$150.

**MEMBERS, THEIR FAMILIES, AND THEIR AUTHORIZED FAMILY UNITS COMPRISE A SINGLE MEMBERSHIP AND ARE ENTITLED TO ONLY ONE COMMON UMBRELLA STATION AND TWO PARKING PASSES, WHICH THEY ALL MUST SHARE. FAMILY MEMBERS WHO HAVE NOT BEEN REGISTERED AS AUTHORIZED FAMILY UNITS MUST BE ACCOMPANIED TO THE CLUB AS GUESTS BY THE MEMBER OR BY THE AUTHORIZED FAMILY MEMBER. THERE ARE NO EXCEPTIONS.**

Special note for multiple Co-owners: HABC BYLAWS provide for one shared Membership by legal Co-owners of Henlopen Acres property. As is the case for standard Membership classes, only one Co-owner may be the Principal Member for voting, correspondence and paying of dues. Dues for the Principal Member shall cover the spouse and unmarried children under 23. For unescorted Club access, each additional Co-owner must pay the seasonal Co-owner fee, which provides the Co-owner the same access as an Authorized Family Unit.

All procedures, rules and limits applying to family members of the Principal Member apply equally to the family members of the other Co-owners. The Principal Member must escort non-registered Co-owners as a guest. One umbrella station and two parking passes are to be shared by all Co-owners.

HENLOPEN ACRES BEACH CLUB  
BYLAWS  
(Revised January, 2005)

- ARTICLE I - GENERAL
- ARTICLE II - CORPORATE SEAL
- ARTICLE III - MEMBERSHIP
- ARTICLE IV - BOARD OF DIRECTORS
- ARTICLE V - MEETINGS OF MEMBERS
- ARTICLE VI - FEES, DUES, ASSESSMENTS, & CHARGES
- ARTICLE VII - INDEMNIFICATION
- ARTICLE VIII - AMENDMENTS

HENLOPEN ACRES BEACH CLUB  
BYLAWS

ARTICLE I: OFFICES

1) The principal office of this Corporation in the State of Delaware shall be located in the Town of Henlopen Acres, County of Sussex. The mailing address of this Corporation is P.O. Box 184, Rehoboth Beach, Delaware 19971.

ARTICLE II: CORPORATE SEAL

The Corporation shall have a corporate seal, which shall have inscribed thereon the name of the Corporation, the year of its incorporation and the words "Incorporated, Delaware".

ARTICLE III: MEMBERSHIP

Section 1

The Corporation shall have three classes of members:

a) RESIDENT MEMBERS – This class shall consist of owners of real property situated in Henlopen Acres, who have made application and met the requirements set forth in the Certificate of Incorporation and the bylaws. Married couple owners share the membership, and user privileges of resident members extend to all persons in the family unit permanently living together.

b) ASSOCIATE MEMBERS – This class shall consist of individuals, or single family units living together, who do not own real property in Henlopen Acres, who have made written application, which has been approved by the membership committee and by the Board. Applicants must be sponsored by two resident members who have known the applicant for at least 3 years and who have provided letters of recommendation. Associate members shall not have a vote at any meeting of the Corporation but are entitled to a voice at such meetings. The total number of associates shall not exceed 40 at any one time. If a son or daughter of a resident member applies for associate membership, he/she shall receive priority on the applicant membership list on file with the membership chairperson.

c) SENIOR MEMBERS: This class shall consist of those persons who have been resident members in good standing for at least 12 years, who have relinquished ownership of property in Henlopen Acres. Such persons shall enjoy the same privileges as associate members. However, as in the case of associate members, there shall be no voting rights. Application for this class must be submitted in writing to, and approved by, the membership committee and by the Board.

#### Section 2

After an appropriate hearing, the Board of Directors, by an affirmative vote of 2/3 of all the members of the board, may censure, suspend or expel a member of any class for cause, which shall include, but not be limited to, misconduct and non-payment of dues, assessments, membership fees, or charges, when payment has not been made for 60 days after due date.

#### Section 3

Resignation or relocation by a member does not relieve that member from any obligation to pay membership fees, dues, assessments or other charges theretofore accrued and unpaid.

#### Section 4

Upon written request by a former resident member, filed with the secretary, the Board of Directors may, by an affirmative vote of 2/3 of all members of the board, reinstate such former member to membership upon such terms as the Board of Directors may deem appropriate.

#### Section 5

Membership in this Corporation shall not be transferable or assignable, nor can it be inherited.

#### Section 6

A member may not confer use privilege to a tenant of such member.

#### Section 7

It is the intent of the Corporation that the total number of memberships in all classes will not exceed the number of lots in Henlopen Acres. For purposes of this section, family units, co-owners and other entities paying a single dues amount shall count as one membership.

### Section 8

Members in all classes are required to comply with and be bound by all provisions of the certificate of Incorporation, the bylaws, and such rules and regulations as may be adopted from time to time by the Board of Directors. Each member agrees to pay such membership fees, dues, assessments and charges as provided for in these bylaws or posted in notices from the Board.

### Section 9

Only resident members shall have voting rights. A single application for resident membership shall be made on behalf of all individual natural persons who are co-owners at the time application is made. Upon acceptance, each individual co-owner shares a single membership. Co-owner members shall be entitled to one vote only. In the event more than one vote is received from co-owner members, the votes shall be counted as one if identical and shall not count if different. The Board of Directors shall not determine which co-owner member has the right to vote. Ownership of more than one lot in Henlopen Acres does not entitle any person to multiple membership or votes.

### Section 10

The grant of membership to a partnership, association, corporation, trust or estate entitles such entity to one vote and shall not confer membership on any individual, including owners, officers, members or beneficiaries of such entity. Such entity shall designate a person to act on its behalf. Use privileges by such entity may be limited to particular individuals designated by such entity and accepted by the Board of Directors so as to approximate use privileges of individual owner members. The Board of Directors may assess extra fees on such entity members because of changes in designated users. Such matters and other special situations are left to the discretion of the Board of Directors.

## ARTICLE IV: BOARD OF DIRECTORS

### Section 1

The affairs of the Corporation shall be managed by its Board of Directors who shall be resident members of the Corporation. The Board of Directors shall not authorize a capital expenditure in excess of \$50,000 without the prior approval of a majority of the membership entitled to vote.

## Section 2

The number of directors shall be not more than nine. Each director shall hold office for a three-year term or until his/her successor shall have been duly elected and qualified. The directors' terms shall be staggered so that three directors are elected at each annual meeting of the members. In the event of a vacancy, the Board shall name a replacement director to serve until the next annual meeting of the members, at which time an election will be held to fill the unexpired term of the vacancy. There shall be no limit on the number of terms a director may serve.

## Section 3

The Board of Directors shall meet immediately following the annual meeting of members to elect officers and determine organization. The Board shall elect a president, vice president, secretary, treasurer and such other officers as it deems desirable. The president may not hold the dual office of secretary or treasurer.

## Section 4

Special meetings of the Board may be called by the president or any two directors. Notice of such meeting shall be delivered in person or by mail at least five days prior to the date of such meeting. The notice shall clearly indicate the purpose of the meeting and the time and place of the meeting in Sussex County, Delaware.

## Section 5

A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. The vote of a majority of the directors present at a meeting at which a quorum is present shall be the action of the Board of Directors, unless the vote of a greater number is required by law or by these bylaws.

## Section 6

The president of the Board of Directors may appoint a nominating committee, comprised of 3 resident members, who will submit a slate of nominees for the annual member meeting. Nominations may be made from the floor and provision shall be made for write-in on mail ballots.

## Section 7

A director may not vote by proxy at a Board meeting. A director who is present at a meeting of the Board shall be deemed to have voted in favor of any action taken, unless he/she voted against such action or abstained from voting because of an asserted conflict of interest.

## ARTICLE V: MEETINGS OF MEMBERS

### Section 1

An annual meeting of members shall be held during the month of August for the purpose of electing directors and for the transaction of such other business as may be brought before the members. At the annual meeting, the president shall report to the membership on actions taken since the last members meeting. Written notice of the place, date and hour of any members meeting shall be delivered either personally or by mail not less than fifteen days or more than ninety days before the date of such meeting.

### Section 2

Special meetings may be called by the president, the Board of Directors, or not less than 10% of all members having voting rights. In a meeting called by members, the petition shall be presented to the Board and the Board shall schedule such meeting within 30 days of receiving such petition. Notice of special meetings shall specify the purpose of such meetings.

### Section 3

At annual and special meetings, unless otherwise specified, a quorum shall be attained by the presence, either in person or by proxy, of 45 members entitled to cast votes. In the election of directors, no member may cast more than one vote for any candidate. An action to rescind or modify an action previously taken by the Board of Directors shall require a majority of all eligible voters.

### Section 4

The Board of Directors may designate any place in Sussex County, Delaware as the location for an annual meeting or for any special meeting called by the Board of Directors.

### Section 5

At any meeting of members, a member entitled to vote may vote by written proxy. A proxy shall be valid only for the specific meeting for which given. No proxy shall be valid after 90 days and must be delivered to the secretary at least 48 hours before the meeting. No proxy shall be valid if it names more than one person but may be transferred to another proxy-holder if the proxy so states. Every proxy shall be revocable at the pleasure of the person executing it.



## ARTICLE VI: FEES, DUES, ASSESSMENTS AND CHARGES

### Section 1

The Board of Directors may determine from time to time the amount of any membership fee, annual dues, any assessments and other charges payable to the Corporation by members of each class. Assessments shall not exceed 50% of the dues in any calendar year.

### Section 2

Dues shall be payable upon receipt of invoice in each fiscal year.

### Section 3

The fiscal year shall be January 1 to December 31.

### Section 4

The HABC clubhouse may be reserved by members for social activities, based on rules and fees determined by the Board and posted in the clubhouse.

## ARTICLE VII: INDEMNIFICATION

To the fullest extent permitted by Delaware law, the Henlopen Acres Beach Club shall indemnify and hold harmless every director and every officer of the association, and members performing assignments for the Board (committees), against all expenses and liabilities, including attorneys fees, actually and reasonably incurred by or imposed on him/her in connection with any legal proceeding (or settlement or appeal of such proceeding) to which he/she may be a party because of his/her being or having been a director or officer of the Association. The foregoing right of indemnification shall not be available if a judgment or other final adjudication establishes that his/her actions or omissions to act were material to the cause adjudicated and involved:

(A) Willful misconduct or a conscious disregard for the best interests of the Association in a proceeding by or in the right of the Association to procure a judgment in its favor;

(B) A violation of criminal law, unless the director or officer or committee member had no reasonable cause to believe his/her action was unlawful or had reasonable cause to believe his/her action was lawful;

(C) A transaction from which the director or officer or committee member derived an improper personal benefit; or

(D) A violation under the Section 174 of the General Corporation Law of the State of Delaware

The foregoing indemnification shall be in addition to and not exclusive of any other rights to which one indemnified may be entitled, both as to action in his/her official capacity and as to action in another capacity while holding such office, and shall inure to the benefit of heirs, executors and administrators of any such person.

In the event of a settlement, the Board of Directors must approve such settlement prior to indemnification.

## ARTICLE VIII: AMENDMENTS

### Section 1

With the exception of Article IV, section 1, these bylaws may be altered, amended, revised or repealed and new bylaws may be adopted by a 2/3 vote of all members of the Board of Directors. At least five days written notice of proposed changes must be delivered to Board members.

### Section 2

Any bylaw may be altered, amended, revised, or repealed, or new bylaws adopted at a members meeting if approved by a 51% vote of the members. At least fifteen days of written notice of specific proposals must be given to members.