



## Marine Services Violations Policy

### 1.0 Preamble.

Whereas the water bodies within Lake Mohawk Reservation are in common ownership and are available to the membership for recreational purposes, it is the duty and responsibility of the Country Club to establish and enforce Marine Rules and Regulations for the safe and enjoyable usage of the water bodies. The Club By-Laws confirm this in ARTICLE VI, Section 2:

The Trustees shall establish the conditions, rules, and regulations under which Club facilities may be used, and the violation of such conditions, rules, or regulations shall make the use of Club facilities by a member non-permissible. The Trustees, may, for good cause, withdraw the privilege of the use of any or all Club property from any member.

The Country Club has established and maintains a Marine Services Committee to periodically review the Marine Rules and Regulations and make recommendations to the Board of Trustees. The Marine Rules and Regulations are published and made available to all boat owners. The Country Club has established and maintains a Marine Service Patrol to enforce the Marine Rules and Regulations and to report violations to the Country Club Office. And the Country Club has established and maintains a Board of Adjudication to hear cases of violations of the Marine Rules and Regulations and to make recommendations to the Board of Trustees.

### 2.0 Violations Policy

A member's first violation in the season will be treated as only a verbal warning to the offender with a note in the files of the Marine Patrol and the Club Office.

A member's second violation will result in a formal letter from the Office of the General Manager of the Country Club, notifying the offender of the multiple violations and warning that a third violation will result in a hearing before the Board of Adjudication.

A member's third violation will result in a mandatory hearing before the Board of Adjudication. At that hearing the third offense will be reviewed as well as the pattern of previous offenses.

A Board of Adjudication may also be called and assembled upon the request of a Marine Patrol Officer and/or the Waterfront Director in the event of an egregious first or second violation.

The Board of Adjudication will, upon hearing a case, document the proceedings and put forth their findings to the LMCC Board of Trustees along with recommendations for sanctions and/or penalties or absence thereof.

The LMCC Board of Trustees will review the findings and recommendations of the Board of Adjudication, along with any other relevant considerations, and will decide the final disposition of the case, which need not concur with the recommendations of the Board of Adjudication.

Failure of a member to appear before a Board of Adjudication after proper notification has been given shall be interpreted by the Board of Adjudication as full agreement and acceptance by the member of all findings, reports, and recommendations on the case.

Appeals regarding this policy, or the recommendations of a Board of Adjudication, or the subsequent decision(s) or action(s) of the Board of Trustees can be heard through the Alternative Dispute Resolution (ADR) process or by the LMCC Board of Trustees.

Adopted: October 20<sup>th</sup>, 2014

Revised: