

**BY-LAWS of
THE MURRYSVILLE SWIMMING CLUB
Approved 9/8/25**

Article I - Name - The name of the Club shall be The Murrysville Swimming Club.

Article II - Purpose

The purpose for which this Club is formed is to promote the health and general welfare of its members and in pursuance thereof to buy, sell, acquire, lease, construct, own and operate a swimming pool, real estate and other recreational facilities, together with such incidental objects as are appropriate in the conduct of its activities, in the County of Westmoreland and the State of Pennsylvania for the exclusive use of its members, their families and guests.

Article III-Government

Section 1. The Club shall be managed by a Board of Directors, thirteen (13) in number, serving two(2) year terms.

Section 2. At each Annual Meeting of the Corporation's members, directors will be elected for a two(2)-year term to replace those whose terms are ending. The new terms will begin as of the Annual Meeting. Additional directors will be elected to fill any unexpired terms. All directors will continue to serve until their successors are lawfully elected.

Section 3. Any member of the Board of Directors who shall cease to hold Active Membership in the Club automatically shall cease to be a member of the Board of Directors.

Article IV - Board of Directors

Section 1. Consistent with these By-laws, The Board of Directors shall:

a. Transact all Club business and make and amend rules for the regulation of the use of Club property. It may appoint and remove such officers, clerks, agents, servants or employees as it may deem necessary and may fix their duties and compensations.

b. Elect members.

c. Fix, impose and remit penalties for violations of these By-laws and Rules of the Club.

d. Appoint from among the Board of Directors a president, a vice-president, a secretary, and a treasurer. These officers shall serve without compensation, except for the treasurer, who may receive a stipend for administrative duties, subject to approval by the Board of Directors.

e. If necessary, create such additional offices as may be necessary for the proper operation of the Club and its facilities and appoint one or more persons, who need not be members of the Club, to such offices.

f. Constitute and appoint committees and define the powers and duties of the same.

g. Fill any vacancy in the membership of the Board of Directors to serve until the next Annual Meeting of Active Members.

h. Each year Board members will receive the following benefits for serving on the Board of Directors:
Ten (10) guest passes

i. Set aside a minimum of \$6,000 each year in a Capital Improvement Fund for the purpose of repair and/or replacement of major infrastructure systems to the extent funds are available.

Section 2. The Board of Directors shall designate the bank or banks in which the funds of the Club shall be deposited and determine the manner in which checks, drafts and other instruments for the payment of funds of the Club shall be executed. However, the Board of Directors shall always require that at least two (2) officers sign all such checks, drafts or other instruments for the payment of money drawn in the name of the Club.

Section 3. Upon request, the books of the Club will be audited by auditors selected by the Directors, who shall neither be Directors nor officers of the Club, and the report of the auditors shall be available to the members.

Section 4.

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a. The Board of Directors shall meet at least once a month during the months of March, April, May, June, July, August and September and at such other times and intervals as they may deem necessary.

b. Seven (7) members of the Board shall constitute a quorum.

Section 5. Nothing in these By-laws shall be construed to permit the Board of Directors to borrow or pledge the credit of the Club without the specific approval of the membership at a duly held meeting.

Section 6. Any member of the Board of Directors may be removed from office by a majority of the membership present in person at either an Annual Meeting or a special meeting called in accordance with these By-laws

Article V - Officers

Section 1. The officers of this Club shall be a president, a vice-president, a secretary, a treasurer and such additional officers as the Board of Directors may deem necessary or advisable for the proper operation of the Club and its facilities. The president, vice-president, secretary and treasurer shall be appointed annually by the Board of Directors from among its members and shall hold office until the end of the first meeting of the Board of Directors following the Annual Meeting of the Club. Any other officers shall be appointed by the Board of Directors and hold office at its pleasure.

Section 2. The President shall preside at the meetings of the Club and of the Board of Directors. The President shall be the administrative officer of the Club. The President shall appoint, subject to confirmation by the Board of Directors, all standing committees, designating the Chairman thereof, and all special committees as may be directed. The President shall be, ex-officio, a member of all committees.

Section 3. The Vice-president, in the absence or disability of the president, shall act in his stead. The Vice-president shall under the direction of the president attend to the business and financial operations of the Club and shall be the chairman of the Finance Committee. The Vice-president shall be concurrently responsible for the publicity and the annual newsletter of the club and shall be, ex-officio, a member of all committees.

Section 4. The Secretary shall send out notices of the meetings of the Club and the Board of Directors; keep the minutes, and attend to the correspondence pertaining to his office. The Secretary shall perform such other duties pertaining to his office as may be asked by the Board of Directors.

Section 5.

a. The Treasurer shall attend to keeping the accounts of the Club, collecting the revenues, and paying its bills as approved by the Board of Directors or other agents authorized by the Board to incur them. The Treasurer shall deposit funds of the Club, received, in the name of the Club in such depository as may be authorized by the Board.

b. Bills and statements for guest fees and other incurred charges will be rendered monthly on or before the 10th of the month for the preceding month by the Treasurer to the members.

Section 6:

- a. **If both the President and Vice-President are unable to perform the duties of their offices, the Treasurer and Secretary, respectively, shall assume those duties in their place."**

Article VI - Membership

Section 1. Full Memberships shall be of two different types:

a. Charter Members shall be those persons who were issued "Paid-Up" Stock Certificates prior to February 1, 1961. Charter Members shall be entitled to a ten percent (10%) reduction in their annual dues while such members remain active.

b. All other members shall be those persons who are issued "Paid-Up" Stock Certificates subsequent to February 1, 1961.

Full Memberships shall be limited to three hundred thirty-five (335) families. Persons who qualify, as otherwise provided herein, are eligible for membership. The membership of any person extends the recreational privileges of the Corporation to all members of the immediate family, consisting of parents and unmarried children living at the same address, and to such person or persons as the Board of Directors may authorize.

Section 2. Associate Senior Membership may be granted to members by the Board of Directors based on the following qualifications and limitations. The maximum number of Associate Senior Memberships will be fifteen percent (15%) of the Full Memberships. Qualifications:

- a. The family or individual must have had a Full Membership for at least twenty (20) years.
- b. No children can be included or covered by this membership.

Limitations:

- a. The "Paid-Up" Stock Certificates must be turned in to the Club.
- b. This membership carries no voting privileges on any matter before the Club.

Those persons who qualify and wish to become Associate Senior Members must notify the Board of Directors in writing. The Board will decide how many can be added to this status each year and will go in the most senior order based on earliest membership date. If seniority is the same, the order will be chosen at random. Annual fees for this membership are fifty percent (50%) of the current Full Membership dues and one hundred percent (100%) of the workday assessment cost. Workday assessment refunds are the same as for Full Memberships.

Section 3. Individual Membership status may be granted to members by the Board of Directors based upon the following qualifications and limitations. The maximum number of Individual Memberships will be ten percent (10%) of the Full Memberships. Qualifications:

- a. Applicants must be 18 years of age or older.
- b. The Individual Member must purchase a Stock Certificate and pay Application and Initiation Fees in advance.
- c. Annual dues will be fifty-eight percent (58%) of the full Membership dues and one hundred percent (100%) of the workday assessment cost. Workday assessment refunds are the same as for Full Memberships.

Section 4. Each "Paid-Up" certificate of Full Membership status shall entitle the holder thereof to one (1) vote. At any meeting in the absence of the holder of such certificate, a vote for such member may be cast by an adult member of his or her immediate family. Each "Paid-Up" certificate of Individual Membership status shall entitle the holder thereof to one (1) vote.

Section 5.

a. The Board of Directors at the first meeting of the Board after each Annual Meeting of the Club shall appoint from within the Board a Chairman of the Membership Committee for the ensuing year. It shall be the duty of the Chairman to appoint a Committee to meet from time to time to consider applications for membership in the Club and to recommend to the Board suitable applicants.

b. The Board of Directors shall vote upon the admission to the Club of each applicant recommended by the Membership Committee at their first meeting after receiving such recommendation and shall confer membership only upon those applicants who shall be approved by three-fourths (3/4) of the members of the Board present. The vote of the Board shall be by ballot.

c. The member that recommends a new member will be issued five (5) guest passes.

Section 6. Admission.

Membership costs can be paid in full at the time of the acceptance of their application or a family can choose to pay for their membership in 2 installments. If they choose the latter, the first payment will include the full application fee, membership dues and full initiation costs, but only half of the membership bond payment. The second payment, which will be made within sixty (60) days, will include the remaining half of the membership bond payment. Failure to pay the second payment within the sixty (60) days will result in the forfeiture of all monies from any previous payment(s). Any other arrangement must be approved by the Board of Directors.

A non-refundable initiation fee of \$100.00 will be charged to the new member. Upon payment for the same, a duly elected member shall be issued a non-interest bearing, \$300.00 value stock certificate. Such certificate shall entitle the holder thereof to all rights and privileges as a member of the Murrysville Swimming Club. The cost of such certificate shall be \$300.00. Such stock certificate shall not be assignable. Any stockholder who desires to surrender his stock certificate shall surrender same to the Board of Directors. Upon such surrender, the Board of Directors shall refund the cost of this certificate to the member, according to the percentages listed below and only when such certificate is resold to a duly elected and qualified member. Redemption of such surrendered certificate shall be in order of its surrender. The Board of Directors, at its sole discretion, may, if it deems it advisable, redeem said certificate from the general funds of the corporation. After 1 year of membership 20%, after 2 years of membership 40%, after 3 years of membership 60%, after 4 years of membership 80%, after 5 or more years of membership 100%.

Note: Any member before the 2009 season will be exempt from the above percentages. Any member holding a Certificate of Capital Improvement issued prior to October 1, 2008 will be refunded the full value of the Certificate of Capital Improvement (\$55.00) upon surrender.

An exception to the Stock Refund rule will be made in the case of a member in which one or both heads of household are Active Duty Military and the members are redeployed to a location outside of the Murrysville area. In the case of Active Duty Military, the 5 year Member Stock Refund Rule will be waived and the members will receive a full Stock Refund of \$300 once their bond money has been replaced by a new member.

Section 7.

- a. Any member may, for cause and after having been given an opportunity for a hearing, be suspended for a

period not exceeding three (3) months by a two-thirds (2/3) vote of the members of the Board of Directors present at any meeting thereof, or expelled by a three-fourths (3/4) vote of the entire membership of the Board. Cause for suspension or expulsion shall, in general, consist of violation of these By-laws or of the Rules of the Club, or of conduct detrimental to the club.

b. The Board of Directors may delegate to the Chairman of the Pool/Special Projects or Grounds Committees, or to the Chairman of the Rules Committee, or to a responsible employee of the Club, the power to suspend pool privileges for the violation of the Club Rules and Regulations provided such suspension does not exceed seven (7) days. A written report of such suspension containing reasons therefore, shall be submitted to the President within twenty-four (24) hours.

Section 8.

a. All members of the Club shall be accorded the facilities of the Club subject to the pool rules and regulations which shall be posted at all times on the premises.

b. The Board of Directors at its discretion may extend the privileges of the Club to any person or persons.

c. The Board of Directors shall fix the terms and conditions upon which guests of members may use the facilities of the Club.

d. Any property of the Club broken or damaged by a member, or his guest, shall be promptly paid for by such member. No person shall take any article belonging to the Club.

e. The Club assumes no responsibility, and members or their guests can have no claim against the Club, for the property of members, or any guest, which may be brought into or left in the Club buildings, or on the grounds.

f. No intoxicating liquor shall be brought onto the grounds, except at the discretion of the Board of Directors.

g. The Club assumes no responsibility, and members or their guests can have no claim against the Club, for any accident or injury to any person or their property.

(See policies relating to Article VI - Membership at end of By-Laws)

Article VII - Fees and Dues

Section 1. The annual dues are decided upon by the Board, payable per family for a Full Membership; an Associate Senior Membership is fifty percent (50%) of a Full Membership; an Individual Membership is fifty-eight percent (58%) of a Full Membership. Annual dues for current Board Members is fifty percent (50%) of full membership dues, provided they attend at least seventy percent (70%) of Board meetings. Exceptions to the above must be approved unanimously by the officers of the club

Section 2. Fees for guests shall be fixed with the approval of the Board of Directors.

Section 3. Rules and regulations as to the admission of guests shall be established by the Rules Committee with the approval of the Board of Directors.

Section 4. Dues and other indebtedness shall be payable as determined by the Board of Directors. The Directors may, at their discretion and without a membership vote, raise the dues annually by a maximum of three percent (3%). The board may assess fees to the membership at their discretion for capital or fundraising needs and not to exceed \$50.00 per year.

Section 5. Any member failing to pay dues or other indebtedness before the tenth (10) day of the month following that in which a statement of his indebtedness was sent to him, shall be considered delinquent in his indebtedness to the Club, and shall be assessed a \$35.00 delinquency fee. The Board of Directors may notify the member in writing that he is delinquent and that he will be suspended if the indebtedness is not paid within fifteen (15) days. Any member thus suspended shall immediately be notified in writing by the Secretary of his suspension and he shall thereupon cease to be a member of the Club. The Directors, at their discretion, may reinstate any member upon request and payment of all indebtedness to the Club.

Section 6. Any member thus suspended shall forfeit his certificate of membership which same shall be redeemed, in turn, in accordance with Article VI, Section 6 hereof; provided, however, that the Directors shall deduct from the redemption price thereof the indebtedness of such person.

Section 7. An initiation fee of \$100.00 shall be charged to each new member in addition to other fees and dues set forth herein.

Section 8. A workday assessment of \$150.00 will be charged to each membership annually to be paid with the

annual dues. This assessment will be refunded if a total of six hours or more is worked by family members over the age of 18 during the preseason workdays set up by the club. First year members will not be charged a workday assessment. Each membership eligible for the workday assessment refund may elect one of two refund options:

1. \$150.00 refund
2. Guest passes, total number to be determined by the board of directors.

(See policies relating to Article VII - Fees and Dues at end of By-Laws)

Article VIII - Meetings

Section 1.

a. The Annual Meeting of the Club shall be held during the month of September in each year at such place and time as the Board of Directors may determine.

b. The Annual Meeting shall be for the purpose of electing Directors, presenting committee reports and for the transaction of such other business as may be indicated in the notice or as may be brought before it.

Section 2. Special meetings may be called by the Board of Directors. Upon written request of any ten (10) members to the Secretary stating the purpose thereof, a special meeting shall be called by the Secretary within thirty (30) days.

Section 3. Notice of all meetings shall be given by mail or electronic communication 5 days prior thereto. The notice of the Annual Meeting shall include the names of the candidates for Directors nominated by the Nominating Committee. The notice of any special meeting shall state the purpose thereof and no other business shall be transacted thereafter.

Section 4. Bond holding members not present at any meeting may vote by proxy for club bylaw or policy changes, for board position nominations or to fill open board positions. These changes must have been proposed in advance in writing to the members and be on the agenda for vote. Only members present in person at any meeting are entitled to vote for other circumstances that may occur. Voting shall be by voice unless otherwise determined by the Chairman of the meeting or unless a written ballot is demanded by at least ten (10) members.

Section 5. At any meeting twenty (20) members present or by proxy shall be a quorum for the transaction of all business. In the event that 20 members fail to appear for a meeting which notice of has been properly and adequately given as required by these bylaws, the Board of Directors and attendees of that meeting may vote to proceed with the scheduled business listed on the meeting agenda with no less than a quorum of ten (10) bond holding members present. A vote to proceed with the published meeting agenda must first be approved by a 2/3 vote in favor of this by those present.

Article IX - Nominations

Section 1.

a. There shall be a Nominating Committee to be composed of five (5) members of the Club. Three (3) members shall be elected at the Annual Meeting of the Club; the other two (2) shall be appointed by the Board of Directors from among the Directors whose terms of office shall not expire at the ensuing Annual Meeting of the Club. A vacancy occurring among the three (3) members chosen by the membership shall be filled by the remaining members so chosen. A vacancy occurring among the two (2) members chosen by the Directors shall be filled by the Directors.

b. The Nominating Committee shall nominate the candidates for the vacancies in the Board of Directors to be filled at the Annual Meeting and three (3) candidates for the next year's Nominating Committee. Nominations shall also be submitted by the Nominating Committee for the unexpired term of any Director who shall have resigned or otherwise withdrawn during the previous year. Such nominations shall be reported to the Secretary on or before August 15th of each year.

Section 2. In addition to the above, nominations for any candidate to be elected at the Annual Meeting may be made by any member from the floor.

Article X - Committees

Section 1. The Board Positions of the Club shall be Special Projects, Grounds, Membership, Publicity, Social, Tennis, Fundraising, Webmaster, and Swim Coordinators.

Section 2. In addition there shall be such other committees, either permanent or temporary, as the Board of Directors may deem necessary for the proper operation of the Club.

Section 3. The duties of the various committees shall be as delineated by the Board of Directors and in these By-laws

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Article XI - Amending the By-laws

These By-laws may be amended by a two-thirds (2/3) vote of the members present at a duly constituted meeting upon ten (10) days written notice by the Corporation Secretary that said meeting will be held for the purpose of amending the By-laws, setting forth the proposed amendment in said notice.

Article XII - Miscellaneous

Section 1.

a. Each person who acts as a Director or Officer of the Club shall be indemnified by the Club, and its members, against amounts actually and necessarily incurred by him in connection with any action, suit, claim, or proceeding as a result of his being or having been a Director or Officer of the Club, except in relation to matters as to which he shall be individually adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct.

b. The right of indemnification provided herein shall insure to each Director and Officer referred to in a., whether or not he is such Director or Officer at the time such costs or expenses are imposed or incurred, and in the event of his death or incompetence shall extend to his legal representatives.

(See policy relating to Article XII - Miscellaneous at end of By-Laws)

Note: *Policy statements listed below are Board of Directors' Policies previously approved and are not part of the By-laws. They are included strictly for informative purposes and may be changed at any time by the current Board of Directors.*

Policies for Article VI - Membership:

i. ***Policy** (Board Mtg. #40): Foreign exchange students, foreign visitors too, shall be admitted as members of the family group while they are here.*

ii. ***Policy** (Board Mtg. #47): Membership may not be assigned to another family when the member is out of the area for an extended period of time.*

iii.a. ***Policy** (Board Mtg. #752): Outside organizations may rent the pool if the event is sponsored by a member of the pool.

iii.b. ***Policy** (Board Mtg. #501): The Board of Directors may approve a written request by a member to extend the hours of operation of the pool facility. Permission for a member's private party to use the pool is contingent with written acceptance to the following conditions:

1. At least 75% of the people attending the private party shall be MSC members. The requesting member shall identify the approximate number of members and nonmembers in his initial request.
2. The pool will remain open for use by other MSC members until the normal closing time.
3. The host member shall pay the daily guest fees for each nonmember.
4. The member will prepay an amount determined by the board of directors to the Murrysville Swim Club. Out of this amount, a \$100 rental fee plus overtime salary for three (3) lifeguards will be paid at time and a half per guard. The number of overtime hours worked will depend on the condition of the facility at the end of the party. If it is necessary for the guards to police the area, time will be added. The guest fees will also be subtracted from the prepayment. The remainder is a deposit which will be returned if the facility suffers no damage.
5. At the conclusion of the party, either the pool manager or an MSC Board member will be present to ensure that the facility is restored to its pre-party condition and properly locked.
6. No glass bottles or drinking glasses are permitted. Glass covers on serving dishes are permitted.
7. All litter and waste from the party is to be picked up and placed in the dumpster.
8. No tables, benches, barbecues, or other furnishings are to be moved from their areas until after the normal pool closing time. All furnishings must be returned to their original positions at the end of the party. The member may bring other tables and chairs to augment the pool furnishings.
9. Any MSC property which is broken or damaged shall be repaired or replaced to the satisfaction of the pool manager.
10. All normal rules for safe conduct around the pool will be observed; i.e., no running on the pool apron, no horseplay, no diving in the shallow areas. The guards and pool manager will enforce the normal rules.

11. Since the MSC insurance coverage does not extend to cover liability claims for anyone who suffers loss due to or while under the influence of alcohol on the MSC property after the normal closing time, the member will be advised to consider buying insurance for this event, if the consumption of alcohol will take place. As a minimum, all adults should remain competent to drive home from the party.
12. No more than one pool rental is permitted per calendar month during June, July and August.

Policy iii. c. *Policy (Board Mtg. #762): There is a \$50 non-refundable facilities fee for parties (held during normal hours of pool operation) of 25 or fewer guests. There is a \$75 non-refundable facilities fee for parties of 26-50 guests. Parties of more than 50 guests can be scheduled through the pool manager. For all parties there is a \$8 charge (or one guest pass) for each non-member guest swimmer. In the event of extensive cleanup or damages, additional fees may be added. Refundable deposit of \$50 is required for any party ending at 7:00. Refunds will be provided as long as the party guests have vacated the premises by 7:00. Any changes to the party policies can be made at the discretion of the board.

iv. *Policy (Board Mtg. #67): Pool privileges are extended to spouses and children of staff members.*

v. *Policy (Board Mtg. #72): Relatives, specifically under 25 or elderly parents, living in the same household are granted full club privileges.*

vi. *Policy (Board Mtg. #164) : A seminary intern, serving in a local church, may purchase a season pass as a house guest.*

vii.*Policy (Board Mtgs. #77, #167 & #383): Any member in good standing who is transferred outside the Greater Pittsburgh area and then returns, can rejoin the Club and be placed at the top of the waiting list, provided he goes through the same procedure as any other applicant:

(1) Submit application with \$25.00 fee

(3) Be approved for membership by the current Board

Former charter members who wish to rejoin lose their status as charter members.*

viii. *Policy (Board Mtg. #177): A foster child shall be considered part of the family membership.*

ix. *Policy (Board Mtg. #394): Members may arrange for a specific relative or employee to accompany the member's children to the Club. The request is to be presented in writing and if approved by the Board, the MSC Secretary will inform the Club Manager of the arrangement.*

x. *Policy (Board Mtg. #490): An Associate Senior Member may become a Senior Inactive Member, be released from paying the annual dues and workday assessment and remain inactive for up to two years at which time the Senior Inactive Member can return to Associate Senior Member status by paying the annual dues and workday fee if there are Associate Senior Member openings. A Senior Inactive Member has no pool or tennis court privileges and may use the Club facilities only when accompanied by a Member and paying the guest fee.*

xi. *Policy (Board Mtg. #381): A new member shall have the privilege of electing a payment plan, providing the Initiation Fee and Stock Certificate are paid in full according to the following:

(1) Application and approval for membership shall be made between September 1 and January 31.

(2) Payment of one-third (1/3) of the total is to be made upon approval for membership, with two (2) additional payments allowed, due on the first of the next two (2) successive months. If approval is after the 15th of the month, the next payment is due on the first day of the second month (i.e., first payment due on September 16, second payment due on November 1, third payment due on December 1).

(3) The last day for the final payment is March 1, no exceptions.

(4) If an approved member decides to terminate membership before all monies have been paid, that member forfeits the application and initiation fees.*

xii. *Policy (Board Mtg. #362): The membership as of August 1 will be considered the membership number for the year. No refunds will be given to resigning bond-holding members unless the membership equals or exceeds that number. (301 was the number used when this policy was enacted, as this was the number of bond-holding members on August 1, 1986.)*

xiii. *Policy (Board Mtg. #691): A family membership may relinquish their bond directly to their child who is 18 years or older who would then assume all responsibilities of an individual membership.

Policies for Article VII - Fees and Dues:

i. *Policy (Board Mtg. #71): Dues and fees for members joining the Club during the swimming season shall be prorated.*

ii. *Policy (Board Mtg. #152): The dues of a resigning member will be refunded on the basis of an amount equal to the dues to be charged a replacement member, calculated on a pro rata basis for the remainder of the season.*

iii *Policy (Board Mtg. #451): Any member granted inactive status must pay the entire workday assessment for that year.*

iv. ***Policy** (Board Mtg. #458): A late fee of \$35.00 will be assessed on all persons failing to pay their dues or submit a letter of resignation by the April deadline.*

Policies for Article XII - Miscellaneous:

v. ***Policy** (Board Mtg. #165): The Swim Team may have money raising projects.*

i. ***Policy** (Board Mtg. #690): Lifeguard employment will be extended only to members of the club unless circumstances dictate that these positions cannot be filled; then the board reserves the right to fill these positions at its discretion.