



OCEANA POWER BOAT CLUB BY-LAWS

Revision / Effective 16.05.2024

1 USE OF THE CLUBHOUSE AND FORECOURT FACILITIES

- 1.1 The club ground is private and the forecourt facilities including the braai area and swimming pool may only be used by members of the club, and their guests.
- 1.2 Day guests may make use of the forecourt tables and club house facilities at the discretion of the Duty Officer.
- 1.3 No OPBC member may use the forecourt facilities with more than 6 guests at any one time. (This includes children) Any member wishing to have more than 6 guests must get permission from the Club Manager, one week prior to the intended date. Members who do not get permission will be charged at function fee rate.
- 1.4 Members are responsible for the safety and behavior of all their guests and children.
- 1.5 No alcoholic beverages or other liquid refreshments are to be brought from outside the premises and be consumed on the club premises.
- 1.6 No food to be brought from outside the premises and be consumed on club premises except for braaiing purposes.

2. USE OF THE CLUB HOUSE BAR AND FACILITIES

- 2.1 Members (Paid Up) will receive a discount at the bar and restaurant.
- 2.2 No discount will apply without your membership card been presented. Discount is limited to 1 x member with five guests.
- 2.3 The member discount is set at the discretion of the Executive Committee from time to time.
- 2.4 Only the members will be allowed to use their own membership card at the bar.
- 2.5 No member discount will be given on Bar Tabs during a booked function.
- 2.6 No persons under the age of 18 years will be served alcohol at the bar.
- 2.7 Members are expected to behave correctly at the bar. Bad language or unruly conduct will not be tolerated and will be reported to the executive committee.
- 2.8 No smoking is permitted anywhere inside the club house.
- 2.9 Bar Hours / Serving of Alcohol is determined by our Liquor License as well as at the discretion of management, which is to be always adhered too.
- 2.10 NO liquid beverages (alcoholic or non-alcoholic) may be brought / consumed on the club's premises.
- 2.11 No alcohol may be consumed in the parking area, slipway, or jetty zone.
- 2.12 The Club house is available for rent for private functions. Function fees and reservations to be discussed with management.

3. USE OF THE PARKING AREA

- 3.1 No member may park a motor vehicle of any kind on the premises unless it displays a current Membership motor vehicle disc.
- 3.2 Non-Members must park outside the club grounds.
- 3.3 No boat or trailer may be parked or launched on our premises without displaying the OPBC number as well as current COF sticker on both.
- 3.4 No vehicle may park on the Slipway, Turning circle or, demarcated trailer parking area, or any other demarcated area. This will result in your wheel being clamped, there will be no exceptions.
- 3.5 No boat or vehicle may park overnight within the club premises without the authority being granted by the Club Manager.
- 3.6 Persons may not stop their trailer on or congest the launching ramp in any way. Failure to move your vehicle and trailer immediately will be reported to the executive committee.
- 3.7 Please ensure that your vehicle and trailer are parked correctly, thereby only occupying one parking bay.



- 3.8 The club accepts no responsibility whatsoever for any damage caused to motor vehicles, trailers, or boats / vessels, while parked or mobile in the parking area.
- 3.9 Any vehicle and trailer not parking correctly within the demarcated parking area or hindering the movement of traffic will be:
- 3.10 reported to the disciplinary committee, and/or
- 3.11 have their wheel clamped, and/or
- 3.12 have their trailer removed.

4. LAUNCHING AND USE OF THE LAUNCHING RAMP AND PARKING CIRCLE

- 4.1 Only watercraft displaying a valid OPBC disc, OPBC Number and conforming to our safety standards may be launched.
- 4.2 Only fully paid-up members are allowed to launch a vessel for free, provided the member is **on board** the launched vessel. If not, the applicable launching fee is payable.
- 4.3 Members are only allowed to launch **one** vessel free of charge.
- 4.4 Day members must conform to the safety standards and are subject to on-the-spot scrutiny.
- 4.5 All craft, i.e., jet skis and boats with engines over 15 horsepower require to be marked with an approved number, have a valid certificate of fitness, certificate of fitness sticker, and be operated by or under the constant guidance of a certificated skipper.
- 4.6 The club reserves the right to stop any member or non-member from launching in violation of the above points or if it is unsafe to launch due to bad weather conditions.
- 4.7 Persons may not stop their trailer on or congest the launching ramp in any way. Failure to move your vehicle and trailer immediately will be reported to the executive committee.
- 4.8 No vehicles or trailers are permitted to park in the demarcated turning circle area.
- 4.9 The launching register / book must be signed before launching, by all.
- 4.10 In the event that the clubhouse is closed at the time of launch, please find a launching book inside the black mailbox next to the first sliding door entrance to the clubhouse.
- 4.11 Skippers launching and or towing their boats to and from the slipway and in parking area to do so in a cautious manner and to be aware of children and people around.
- 4.12 ALL Launching of ANY craft is at the Discretion of OPBC management, their representatives, and any Governing Body whose decision is binding and shall be adhered to.
- 4.13 All Skippers whomsoever are always responsible for the proper, safe, and diligent operation of their craft and motor vehicles during the launching procedures whether or not they are utilizing the facilities and equipment of the club.
- 4.14 Without any limitation of whatsoever nature, Skippers are specifically responsible for and shall have no claim against OPBC and/or any authority in respect of any injury or damages occasioned to any person or property whatsoever during launch procedures whether same occurs at the instance of or consequent upon the actions of any OPBC staff,

5. USE OF THE HARBOR

- 5.1 Only steerage speed is allowed in the Club Harbor. It is a **NO WAKE area**.
- 5.2 **There is a 15-minute waiting period at the floating jetty for boats and 15 minutes for jet skis.** You may not moor for longer than this period while waiting for crew or trailer or leave your boat unattended for any amount of time. Skippers need to exit the harbor and leave the jetty clear for other boats to retrieve or drop off their crew.
- 5.3 Boats and jet skis must be moored on the correct side of the jetty.



6. USE OF THE BOAT/GARAGE COMPOUND

- 6.1 Garage owners need to keep the gate locked at all times.
- 6.2 Non-members entering the compound need to always be accompanied by a member.
- 6.3 Vehicles parked within the compound may not block the entrance to garages or hinder the movement of other vehicles or boat trailers.
- 6.4 Anyone using a garage must be a paid-up club member.

7. DISPUTES AND COMPLAINTS

- 7.1 Complaints by members must be emailed directly to the club manager. **NO** complaint or dispute will be dealt with if emailed directly to a committee member.
- 7.2 NO complaints will be accepted or dealt with via the WhatsApp forum.
- 7.3 Depending on the severity of the complaint it can be either.
 - 7.3.1 Dealt with by the club manager.
 - 7.3.2 Immediately reported to the executive committee for further action.
 - 7.3.3 Dealt with at the next committee meeting.
- 7.4 Once a complaint has been received through the correct channels, the club manager or a committee member may be appointed to deal with the complaint or communicate directly with the member. This is at the discretion of the executive committee.
- 7.5 If a member feels that the complaint or dispute is not dealt with adequately, they may request permission to address the executive committee directly.
- 7.6 In the case of notification of disciplinary action against a member, the member may request permission to address the executive committee directly.
- 7.7 Undue criticism or personal attacks on members, committee members or club managers will not be tolerated. Verbal abuse directed towards staff, committee members or management will result in **immediate disciplinary action** against that member.

8. WHATSAPP'S & ALL OTHER COMMUNICATION CHANNELS, INCLUDING POPI ACT

- 8.1 The WhatsApp forum, including all other communication channels are for the enjoyment of all members. Please ensure you do not abuse it by:
 - 8.2 Posting information that is not relevant to the ethos of our club.
 - 8.3 Having "Private Chats".
 - 8.4 Using it as forum to vent anger, frustration or complaints against fellow members, club management, committee, or executive management.
 - 8.5 Posting inappropriate images, jokes, swear words, political or religious agendas.
- 8.6 POPI ACT
 - I. Permission is hereby given to OPBC "herein referred to as the Responsible Party" to collect, process and distribute my personal information where OPBC is legally required to do so.
 - II. I understand my right to privacy and the right to have my personal information processed in accordance with the conditions for the lawful processing of personal information.
 - III. I understand the purposes for which my personal information is required and for which it will be used and consent to third parties accessing such information and to OPBC sharing my personal information strictly for reporting purposes.
 - IV. I also understand that I have the right to request that my personal information be corrected or deleted, if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully or that personal information or record be destroyed or deleted if the responsible party is no longer authorized to retain it.



8.7 Furthermore, Administrators of such communication channels used by OPBC require your consent to be part of such communication channels. As such, you are hereby notified and agree that you are entitled to refuse such consent and you may exercise such right by leaving such channels. Should you elect to remain a participant of such channels, it will be accepted that you have consented to being a part of such communication groups and to your personal information being noticeable to any person within such groups. In this regard, we implore all members of this group not to make use of such personal information for whatsoever reason, without obtaining the consent of the relevant person.

9. GENERAL

- 9.1 OPBC membership is based on an individual person and or family, and **not** Vessel or Company / Corporate Based.
- 9.2 No Animals are permitted on the premises.
- 9.3 Right of admission is reserved.
- 9.4 Membership cards must be carried when using our facilities.
- 9.5 The site and facilities may not be used for any form of commercial activity without written consent of the Executive Committee.
- 9.6 Furthermore, No still or Video Film work whatsoever and, in any shape or form, is permitted on or from Oceana Power Boat Club premises. This includes but is not limited to:
Still Photography, Videography, or the filming of any “professional” nature, whatsoever.
This applies to all individuals (both Members of the Public and Club Members), and businesses.
Consent may be granted by the Club’s Management/Committee to do so, on acceptance and full payment of quotation provided as well as a full and detailed event plan.
It is further noted that all “producers” are made aware that no production of any kind may take place that includes any back or foreground of any private properties of any parties, not limited to Oceana Power boat club.
- 9.7 No fish for commercial purposes may be off loaded, transferred, trans-shipped or removed from any boat using our facilities within the premises of the club without the express permission of the executive committee.
- 9.8 Members storing surf-skis in the containers or any other property at the club, do so at your own risk. The club will not be held responsible in the event of any damage or loss from any cause whatsoever.
- 9.9 All persons use The Oceana Power Boat Club, the boat compound, and all facilities at their own risk. The club accepts no responsibility whatsoever for any loss of life, damage, injuries sustained or for any reason not stated while using these facilities, either directly or otherwise.
- 9.10 **Any contravention of these by-laws may lead to strict disciplinary action being taken by the Executive Committee. This could include cancellation of membership or suspension from the club for an amount of time depending on the severity of the contravention and/or actions towards management or the committee. The outcome of the disciplinary is at the discretion of the Executive Committee and is deemed final.**