

**THE RACQUET CLUB, INC.
MARTELL COURT
P.O. BOX 151
KEENE, NEW HAMPSHIRE 03431**

MEMBERSHIP RULES AS OF MAY 15, 2014

- I. Tennis Year The tennis year shall run from September 1st to August 31st (same as Fiscal Year).
- II. Court Use
- A. The courts shall be open to all members of the Club in good standing and their guests.
 - B. It is an established policy of the Club that the courts shall not ordinarily be available for use by outside organizations. Regular or recurrent use of the courts by outside organizations is prohibited. The Directors may permit occasional or sporadic use of the courts by outside organizations if circumstances warrant it, provided:
 - (1) All requests by outside organizations to use the courts shall be made in writing, or submitted orally at a Board meeting, at least thirty (30) days in advance of the requested date. Subsequent to or concurrent with the request, the outside organization must file a written application and signed agreement prepared by the Board. This is to be accompanied by an indemnity agreement and certificate of insurance providing general liability coverage of the organization and The Racquet Club with limits of not less than \$1,000,000 Each Occurrence, \$2,000,000 General Aggregate. All such requests shall be considered by the Board of Directors on a case by case basis.
 - (2) Authorized outside organization use of courts and time period reserved will be posted on the Club bulletin board.
 - C. At the end of each play period the players must leave the court immediately unless no one is waiting to play.
 - D. Tennis shoes must be worn on the courts at all times.
 - E. Children under fourteen (14) years must be supervised by an adult on the courts as well as in other areas of the facility.

- F. No cigarettes, food or beverages, except water in a closed container, should be taken on the courts. Only tennis players are allowed on the court surfaces. No pets shall be allowed in the facility.
- G. The outside door shall be kept locked at all times and lights turned off if no players are waiting for a court.

III. Membership

A. Membership Categories [Revised May 16, 2013]

- 1. Stockholders: The Club By Laws sets the number of stockholders.
 - a. Each share of stock shall be entitled to one Family Membership upon payment of the annual dues as herein provided.
 - b. In the event a Shareholder does not wish to use his/her membership, he/she shall in writing notify the Treasurer of the corporation prior to July 1st of the ensuing fiscal year beginning September 1. The Board of Directors shall then assign the playing rights to said share of stock to the first applicant on the Waiting List upon payment of the current dues for the fiscal year as assessed to Associate Members. The only exception to this rule is that a Shareholder may assign the playing rights to another member of his/her family or to a full-time employee. (For purposes of such assignment, family is defined as spouse, lineal descendants and lineal ascendants.) [Revised May 17, 2001] A shareholder who provides notification after July 1 will owe dues for the ensuing fiscal year subject to possible reimbursement under Article V(D) below.
- 2. Non-Stockholders with Playing Rights
 - a. Associate Memberships: These are family memberships. Associate members have the same playing rights as Stockholders. Dues are set annually by the Board, and are higher than the dues of Stockholders. Associate members remain on the waiting list for stock. There are two (2) types of Associate Memberships.
 - i. Associate Members Assigned Playing Rights on a Share of Stock. The number available depends on how many Stockholders are not using their memberships for the current year. (See Stockholders section for information on assigned rights.)

- ii. Additional Associate Members. The number of additional Associate members is determined by the Board on an annual basis.
 - b. Limited Memberships: These are family memberships. Dues are set annually by the Board and are lower than the dues of Associate members because Limited members have restricted playing rights. Limited members remain on the waiting list for stock.
 - i. A Limited Membership entitles the Limited Member to the use of the courts on a “Free Time” (Membership Rules Article IX,A,4) basis between the hours of 9:00 p.m. and up to and including the 7:30 a.m. period of play the following day. If there is a court which is not being used, Limited Members may commence play on an unused court not earlier than 8:00 p.m. [Revised May 17, 2007]
 - ii. The Board, in its discretion, on an annual basis may determine the number of Limited Memberships to be granted to families on the Waiting List, said number to be no more than twenty (20). Such memberships will be offered to families on the Waiting List based on their numerical listing. [Revised May 15, 2003]
 - iii. Limited Members will remain eligible to play as guests of a Stockholder or Associate Member no more than two (2) times per month and will not be required to pay the guest fee. [Revised May 15, 2003]
 - c. Junior Memberships: These are individual memberships. Junior members have restricted playing rights, and no building access key is issued. Persons 18 years of age and younger as of September 1, and who are not children of members, may participate in all Racquet Club approved junior tennis group programs for a fee to be set by the Board of Directors. Individual junior tennis program fees would still apply. The Board, in its discretion, will determine annually if the Junior Membership will be offered and the number of Junior Memberships that will be offered.
- B. Waiting List: The waiting list is for stock ownership. It is also used to identify those who may be offered membership status as non-

stockholders with playing rights. The Treasurer shall maintain the Waiting List of all written applications in the order in which they are received except as it may be adjusted by a “moving down” party in accordance with Article III (C) (2) below. All applications other than those of current Shareholders must be accompanied with a \$25.00 deposit. Upon purchase of a share of stock, the deposit is credited to the purchase price. Effective with deposits received May 16, 2014, and thereafter, a deposit not credited to the purchase of stock is non-refundable (Waiting List deposits received prior to May 16, 2014 are refundable upon the applicant’s request for the removal from the Waiting List).The deposit is returned upon the applicant’s request for removal from the Waiting List. Shares of stock offered for sale shall be offered to the first person on the Waiting List, playing member or not, and if the offer is declined, said applicant’s name shall be removed from the Waiting List. A playing member who declines to purchase stock may finish out the Tennis Year, but his/her name shall be removed from the Waiting List. Nothing shall prohibit a person from resubmitting his application and a new Waiting List deposit at a future date. [Revised May 16, 2013] However, if an applicant declines to purchase stock a \$100 surcharge will be added to future annual dues if playing rights are once again offered. If an applicant who declines to purchase stock is offered the purchase of stock a second time but again declines, an additional \$100 surcharge will be added for a total of \$200 to future annual dues. The surcharge will terminate when the applicant buys stock. [Revised May 16, 2013]

- C. Family Membership: Eligible players within the family are two adults who reside together and their unmarried children under 25 years of age who also live in the same household with these two adults.
 - 1. Upon request of the Board, any active shareholder or non-shareholder with playing rights must annually provide the Club with a census of eligible family members within 45 days. The census must include names and addresses of all eligible players and the dates of birth of all eligible children, and a certification that the information provided is accurate. Failure to promptly comply with such a request shall result in a suspension of all playing privileges pending compliance. [Revised May 15, 2003]
 - 2. If the two adult members divorce or are legally separated or permanently separate into different households, and if both wish to retain their current playing and/or waiting list status, they shall promptly notify the Board. Such notice shall advise the Board of the party retaining current status and the one “moving down”.

The “moving down” party shall pay the waiting list fee of \$25.00 to the Treasurer within 30 days. If the “moving down” party was a shareholder, the “moving down” party shall be at the top of the Waiting List, behind only any other previous “moving down” party. If the “moving down” party was on the Waiting List, the “moving down” party shall be next behind the party retaining current status. The “moving down” party shall have playing rights and must purchase stock and otherwise conform with his/her new position on the Waiting List. Playing rights already established for the fiscal year of the change in status are not affected by a “moving down”. The ramifications of the “moving down” and any other change in shareholder status will occur in the usual course for the start of the next fiscal year of the Club. If a playing member or shareholder has violated these provisions and plays from separate households, a \$25.00 fine will be assessed for the first violation and upon the second violation, the playing rights of both parties will be suspended pending compliance and payment of all dues, fees and fines. [Revised May 17, 2007]

IV. Court Keys

The Racquet Club shall issue up to two (2) keys to the court for each Family Membership. Replacement keys may be obtained from the Treasurer for a nominal fee.

V. Dues

- A. Each outstanding share of stock shall be assessed annual dues to cover the cost of operating the corporation. The amount of the dues shall be fixed each year by the Shareholders as recommended by the Finance Committee and the Directors.
- B. Dues for the Fiscal Year (September 1 through August 31) shall be billed on August 1st and paid no later than September 1st. If dues are not paid by September 1st, a \$25.00 fine will be assessed and Members shall be suspended from the Club until such dues and fines are paid in full. On September 15th, or the next business day, the Treasurer shall notify all delinquent dues-paying Members by certified mail that they are suspended and that if their dues and fines are not paid in full by October 1, their right to play for the year will be terminated and re-assigned per Rule III, A. [Revised May 17, 2007]
- C. The annual dues of new Members joining after September 1st shall be prorated on a monthly basis and shall be paid within five (5) business days of notification and acceptance into the Club.

- D. All requests for a pro rata reimbursement of dues at shareholder rates must be in writing and signed by the Shareholder or at least one owner if the stock is owned by more than one person. Requests must be directed to Treasurer of the Club. Requests will only be considered when the Club can find an eligible person or family willing to pay the offsetting pro rata dues at the Associate Member rates for the remainder of the Tennis Year.

VI. Guests

- A. Guests of Members are allowed the privileges of the Club provided they are accompanied by a Member. Any person residing or who has a residence within fifty (50) miles of Keene may not be a guest of the Club more than two (2) times per calendar month. A fine of \$25.00 per violation shall be assessed to the Member who sponsors a guest in violation of this rule. Further violation shall result in the suspension of the Member. The only exception to this rule is when a guest is participating in a tournament open to public participation. Said situation must be designated on the sign-in sheet (located in Log Book). [Revised May 17, 2007]
- B. Rules governing League play will be determined by the Board of Directors.
- C. A \$10.00 fee for each guest shall be charged to the sponsoring Member.
- D. Members' children who are unmarried, under twenty-five (25) and who are not living with their parents shall have guest privileges four (4) times per month at the rate charged regular guests and so designated on the sign-in sheets (located in Log Book).
- E. Members in good standing of the Monadnock Indoor Tennis Club, Inc., the Brattleboro Tennis Club, and the Charlestown Tennis Club may be guests (accompanied by a Member) no more than two (2) times each month. Members of these Clubs will not be subject to guest fees. [Revised May 19, 2005] In addition, to reciprocate with Brattleboro Tennis Club, a member in good standing at the Brattleboro Tennis Club may be a guest an additional two (2) times each month with a guest fee of twenty dollars (\$20.00) per visit assessed to the Keene Racquet Club member who accompanied the Brattleboro member at the 3rd and 4th visit.
- F. Summer guest privileges prevail between June 1st and August 31st. Between these dates a guest may play two (2) times each month on a reserved court and unlimited additional times on unreserved courts

(“Free Time”). The Member must sign the guest in and pay the guest fee. [Revised May 20, 1999]

VII. Club Instructors

1. An interested instructor must personally present a written application and credentials to the Board of Directors each year.
2. The Board of Directors may approve or disapprove any application to be an instructor at the Club.
3. The Board of Directors may approve more than one instructor.
4. Instructors can only give lessons to Club Members while on Club courts. Exception: Non-members who are playing league may participate in league clinics.
5. The student shall be charged with the time slot, not the instructor.
6. An approved instructor shall be available to give lessons to Members.
7. Approved instructors shall charge for lessons.
8. When not giving lessons, a guest instructor must comply with guest rules.
9. Instructors of children’s lessons shall stay until every child under fourteen (14) years of age is picked up by his or her parents or surrogate.
10. Instructors shall provide The Racquet Club with a certificate of insurance providing liability coverage for themselves and The Racquet Club with the limits of not less than \$1,000,000 Each Occurrence, \$2,000,000 General Aggregate.

VIII. Periods of Play

7:30 to 9:00 a.m.	1:30 to 3:00 p.m.	7:30 to 9:00 p.m.
9:00 to 10:30 a.m.	3:00 to 4:30 p.m.	9:00 to 10:30 p.m.
10:30 to 12:00 noon	4:30 to 6:00 p.m.	10:30 to 12:00 midnight
12:00 to 1:30 p.m.	6:00 to 7:30 p.m.	(Seven days per week)

IX. Court Reservations

A. Limitations on court use:

- (1) Weekdays or Weekends: Each Membership shall have the right to use a reserved court no more than two (2) playing periods per day. The first playing period may not be reserved more than seven (7) days in advance and the second playing period shall not be reserved more than two (2) days in advance. There shall no longer be any differentiation between weekdays and weekends.
- (2) A Family Member may not use a reserved court in excess of fourteen (14) times per week, i.e. two (2) play periods per day. A Membership shall be deemed to have used a play period if any member of the family plays.
- (3) When a person uses an unreserved court, he/she may do so without regard to limitations 1 and 2 above, as long as he/she signs in and designates the play period "Free Time." [Revised May 21, 1998]

B. The call schedule shall be established by the Board of Directors. Only one court may be reserved on one telephone call to the answering service.

C. Failure to keep reservations: If a Member, after making a court reservation, fails to keep said reservation, he/she shall be fined \$7.00 unless:

- (1) The Member cancels the reservation by calling the answering service by 7:00 p.m. of the day previous to the time reserved.
- (2) The Member arranges for some other Member to play during the reserved period and enters it in the Log Book accordingly.

D. The Board, in its discretion, may block off court time for functions and activities that the Directors view as consistent with the corporation's purpose and affairs. All requests shall be made in writing, or submitted orally at a Board meeting, at least thirty (30) days in advance of the requested event date or activity start period. The Board shall have full and unfettered discretion to approve or deny such requests.

X. Log Book

The full name of every player using the court must be printed in the Log Book at the court prior to beginning play. If any Member fails to comply

with this rule, he/she shall be fined \$7.00. The full name of all guests using the court must be printed in the Log Book at the court prior to beginning play and it must be shown to which Member guests are to be charged. Members who fail to sign in their guests shall be fined \$25.00. [Revised May 17, 2007]

- XI. Destruction Any deliberate act of destruction or damage by a Member or a Member's guest to any Club property or facilities will result in a fine, determined by the Board of Directors.
- XII. Penalties A. Violation of these rules may result in a \$7.00 fine. Continued violations may result in suspension of Membership privileges for a period to be determined by the Board of Directors.
- B. All fines and guest fees shall be paid within thirty (30) days from the date of invoice or by August 31st, whichever occurs first. Failure to pay fines shall result in suspension of Membership privileges.
- C. Notwithstanding any other provision of these Membership Rules, the Board of Directors shall have full and unfettered discretion to bar any non-member from using the courts. [Revised May 17, 2007]
- XIII. Leagues A. The Board of Directors has the responsibility to authorize the number of League Teams that The Racquet Club may have annually.
- B. Annually, the captain of each League shall submit the team roster to the Board of Directors.
- C. Each League Team shall have no more than three non-members (from the Waiting List), except by special permission of the Board of Directors.
- D. Non-members who play on a League Team may attend weekly team clinics, play home matches, and have two (2) additional practices with team members at a guest fee of \$10.00 per time. They may also play two (2) times a month as a guest of any Club Member at the regular guest fee.