

ARTICLE III **MEMBERSHIP**

Section 1 – Membership

Any person over the age of fifteen (15) years shall be eligible for membership in the corporation. Individuals between fifteen (15) and eighteen (18) years of age need parental consent. The Board of Trustees shall be the final arbiters of the bona fides of residence.

Section 2 – Classes of Membership

There shall be three (3) membership categories: Madison Resident, Non-Madison Resident (NMR) and Masters. Within the Madison Resident and NMR categories, there shall be **family**, **individual**, and **senior** levels, described as follows:

A. I. A **family** membership shall be defined as:

- (1) A husband and/or wife and/or domestic partner, and all children residing in the same household who are under the age of twenty-six (26) and fully dependent on the head of household for their support and maintenance.
- (2) Unmarried family members who are serving in the Armed Forces of the United States.
- (3) Parents of either or both the husband and/or wife who reside with and are dependent for support, upon either the husband and/or wife.
- (4) A Fresh Air Fund child or other charitable ward residing with the family.
- (5) Unmarried family members over the age of twenty-six (26) years who are considered physically and/or mentally challenged in that they are unable to pursue gainful employment sufficient to allow them to support themselves and who therefore remain fully dependent on the head of the household for their support and maintenance.

II. A **family** membership does not include:

- (1) Siblings, cousins, or nieces and nephews of the adult members, regardless of residency
- (2) Visiting relatives, regardless of length of stay
- (3) A divorced spouse
- (4) For convenience, any of the above can be added to a family membership as a “babysitter” for the posted fee

B. An **individual** membership shall be defined as any individual as defined in Section 1 of the Article and not included in the definition of family above. Individual memberships are not allowed to bring other household members as their guests.

C. A **senior** membership shall be defined as an individual person sixty-two (62) years of age or older.

D. A **babysitter** membership shall be defined as a subset of the **family** membership. A babysitter (employee of the family, nanny, au pair, etc.) must be fifteen (15) years of age or older, and have as their primary duty the care and supervision of dependent children who are part of a **family** membership. If the babysitter’s duties are such that their presence at the pool is required in order to allow them to carry out their duties, they shall be permitted to use the pool in accordance with the Rules and/or Regulations promulgated by the Board of Trustees. Additionally, others who do not meet the definition of family member included in section 2 A. II may be added to the family membership as a babysitter.

E. Non-Madison Resident (NMR) membership shall be defined as follows:

- (1) There shall be the same three (3) levels of membership for NMR - **family**, **individual**, and **senior** - using the same definitions, except as regarding residency, as outlined in Section 2 sub-paragraphs A, B and C. However, NMR family memberships shall be limited.
- (2) Membership fees for NMR members will be at a premium, higher than fees charged to Madison residents.
- (3) NMR memberships are open to all non-residents on a first-come first-served basis. Previous year’s NMR memberships shall automatically renew if payment is received by April 15th of the current year. If payment is not received by April 15th, the membership application shall be handled on a first-come first-served basis with first time NMR applicants.
- (4) The number of NMR memberships shall be reviewed by the Board of Trustees annually to insure Madison residents have priority regarding becoming members.
- (5) NMR memberships shall carry with them no voting rights in the Corporation.
- (6) NMR members shall have all other rights of membership and shall be subject to the Rules and Regulations of the Corporation.
- (7) NMR individual memberships are not allowed to bring other household members as their guests.

- F. A Masters Membership shall be defined as any individual as defined in Section 1 of this Article III, who is a current member of United States Masters Swimming, Inc. Masters members shall be permitted use of the pool for early morning lap swim only. Masters members are not issued badges and are not permitted to bring guests.

Section 3 – Membership Applications

- A. All applications for membership shall be in writing, addressed to the Corporation, and shall be accompanied by the payment of the annual dues and capital assessment fee, if applicable, for the year in which application is made. Non-dependent members of the same household over the age of 26 may join upon payment of annual dues equivalent to those for an individual membership and will not be subject to a capital assessment.
- B. Madison residents shall have preference over non-Madison residents should it become necessary to limit membership for purposes of pool safety. Further, previous year's resident members shall have preference over new applicants, if limitation of membership becomes necessary for purposes of pool safety.

Section 4 – Membership Voting Privileges

Madison resident members joining under an individual or a senior membership shall be eligible to vote and to serve on the Board of Trustees of the Corporation, with the exception of those individuals under the age of eighteen (18). Either the husband or the wife and/or domestic partner of a family joining under a Madison resident family membership shall be eligible to serve on the Board of Trustees of the Corporation. However, both the husband and wife or domestic partner shall be eligible to vote as members of the Corporation. Voting privileges shall be denied in the event that the annual dues have not been paid.

Section 5 – Membership Privilege for Guests

Members shall be privileged to bring guests to the pool facility in accordance with Rules and/or Regulations pertaining thereto and in force as promulgated by the Board of Trustees.

Section 6 – Membership Privileges

The membership privileges of any member defined in Section 2 may be suspended or revoked in accordance with the provisions of Section 7 of this Article III.

Section 7 – Membership Suspension and Revocation

- A. Membership for any member as defined in Section 2 may be suspended or revoked for a good cause shown for a period of no more than one year, after notice and hearing as provided in sub-paragraph C below. However, the Pool Manager shall have the authority to suspend the membership privileges of any individual, family or member of any family for a period not to exceed two (2) weeks without prior notice or hearing for conduct of that individual, family or member of any family contrary to the Rules and/or Regulations promulgated by the Board of Trustees and in force for the government of the Corporation and its members.
- B. Cause for suspension or revocation of membership privileges may be any one or more of the following:
- (1) Non-payment of dues.
 - (2) Conduct prejudicial to the interest of the Corporation.
 - (3) Conduct constituting violation of these By-Laws or the Rules and/or Regulations promulgated by the Board of Trustees and in force for the government of the Corporation and its members.
- C. When a complaint or series of complaints has or have been made against a person exercising membership privileges, and either the Board of Trustees or the Pool Manager is of the opinion that the alleged offense or alleged offenses is or are of such a nature as to require action by a quorum of the Board of Trustees, then the matter shall be referred to the Board of Trustees and a written notice embodying the complaint or complaints shall be served upon such person. A date shall be set for a hearing not less than three (3) days following the service of such notice. At the hearing, the person charged shall be given full opportunity to be heard and to present such matters as shall go to the defense or mitigation of the charges. Following the presentation of all such evidence, the quorum of the Board of Trustees shall vote on the question or suspension or revocation of membership privileges. Suspension of membership privileges for a period not to exceed one (1) month shall be imposed by a majority vote of the quorum of the Board of Trustees. Suspension of membership privileges for a period in excess of one (1) month or full revocation of membership privileges shall be authorized by an affirmative two-thirds (2/3) vote of the quorum of the Board of Trustees.

Section 8 – Membership Nontransferable

Membership shall not be transferable.

Note: Madison Community Pool Corporation's complete By-Laws are available on the website and by request at the pool office.