

The Buffalo Club



House Rules

As Adopted by the Board of Directors on _____, 2023

I. Preamble

These House Rules (the "Rules") have been adopted by the Board of Directors (the "Board") of the Buffalo Club (the "Club") to promote and ensure the enjoyment of the Club's facilities. This objective can be attained if the Club's members and their guests observe both the letter and spirit of these Rules. It is, therefore, the responsibility of each member to be familiar with, observe and advise their guests of these Rules.

II. Definitions

As used in these Rules, the term "member" shall refer to all classes of membership set forth in the Club's Constitution and, unless otherwise stated and/or distinguished, shall refer to a member's spouse or approved significant other, as well as their children under the age of twenty-five.

III. Admission to and Use of Clubhouse

- A. The Clubhouse shall be open for the reception of members during such days and hours as shall be prescribed from time to time. Only members and guests of members shall be admitted to any part of the Clubhouse.
- B. Members' children and their guests shall be allowed use of the Clubhouse only when accompanied by the member, except that members' children 16 years of age and older may use the dining and fitness facilities without the presence of the member.
- C. Members are eligible to reserve rooms in the Clubhouse for either sponsored events or hosted events (defined below) to which the member invites guests. The Club may not be used by a member for an event that is open to the general public. Under no circumstances may an event at the Club be open to the public, or advertised as being open to the public.
- D. The following rooms are reserved only for members and Club sponsored functions during normal hours of operation: the Presidents Grille, Old Bar, Tree House and Billiards Room. They may not be reserved for private functions without approval of the House Committee.
- E. Children of members and guests of members are prohibited from entering the Old Bar, Tree House and Billiards Room unless they are at least 21 years old.
- F. A member hosted event is one which is personal to the member and is not subject to a room rental fee, although a gratuity will be applied. A sponsored event is any event which is not personally hosted by a member. The sponsoring member must be in attendance through the duration of the sponsored event. The sponsoring member vouches for the good character of the sponsored guest and guarantees financial responsibility for all charges. Sponsored events will incur a room rental fee, a gratuity and a 7% sponsorship fee.
- G. Private rooms that are not canceled at least 24 hours prior to the commencement time of the event and in which the member plans on ordering from the a la carte menu will result in the member being charged a \$50 fee. Private rooms that are not canceled at least 24 hours prior to the commencement time of the event and in which the member places a catering order will result in the member being charged a fee based upon the cost of planned labor and food.

- H. For all Club sponsored events, when a reservation is made, and either the member does not show or call to cancel their reservation 72 hours prior to said event, the member will be billed the advertised price for the event based upon the number of reservations made.
- I. The Club's parking lot is not to be utilized by members or their guests except while utilizing the Club or its activities. Please do not otherwise park your vehicle in the Club parking lot. The parking lot is monitored and violators are, and will continue to be, notified of violations of this Rule. Occasional use of the parking lot while attending a meeting nearby or, for example, a hockey game or downtown event, may be an exception to this policy so long as the General Manager provides prior consent.

IV. Personal Conduct

We are each privileged to be members of the Buffalo Club, a Top 25 Platinum Club, recognizing our Club as one of the top 25 City Clubs in the United States. The status as a member of the Club obligates each and every one of us to adhere to the Club's standards and expectations of behavior, respect and consideration.

Statement of Expectations: Each member of the Club shall understand the history and traditions of the Club and the expectations of membership in a private club. All members must conduct themselves with utmost consideration and respect when dealing with fellow members, administration, staff, guests, and Club property.

Member Behavior: Members are encouraged to enjoy all aspects of membership in the Club. Member behavior shall at all times be rooted in respect, common courtesy and consideration. Loud conduct, excessive drinking, contentious arguments, profanity, and staff harassment or abuse are examples of unacceptable behaviors that could lead to suspension or forfeiture of members.

Anti-Harassment: The Club is committed to providing an environment that is free from harassment of any kind. This includes, but is not limited to, sexual harassment and harassment based on age, race, color, national origin, religion, disability, gender, gender identity or expression, sexual orientation, marital status, familial status, and any other characteristic protected under applicable law, Rule, or regulation.

Members or employees who observe harassment, or who feel that they have been the victim of harassment, should immediately report it to the Club President or General Manager.

Staff: The Club's staff are a loyal and highly engaged group of people that strive to always provide the ultimate in service to members and guests. They are integral to the member experience and must be treated with respect and dignity at all times. Inappropriate language or behavior towards staff members is unacceptable. Members should direct any dissatisfaction, complaints, criticisms, or comments about staff directly to the General Manager.

Children: The Club welcomes families and children. It is important for members to supervise the actions and behavior of their children when visiting the Club. Members are expected to be mindful of children's behavior that may become disruptive and/or interfere with members' enjoyment of the Club. If children's behavior becomes troublesome and is not attended to by the member, other Club members are encouraged to report the behavior directly to the General Manager.

Gratuities: The Club has in place a gratuity program that ensures all employees are appropriately compensated.

Member Accountability: All members of the Buffalo Club are expected to hold each other accountable to these standards. "Self - Policing" member conduct and behavior, in a respectful and considerate manner, is encouraged.

V. Guests of Members

- A. The Club welcomes guests of members. It is imperative to ensure that guests are familiar with the Club's Rules, including its personal conduct and dress code, before entering the Club. Members are responsible for the conduct of their guests.
- B. A member introducing a guest to the Club is encouraged to enter the guest's name and residence, together with their own name, in the Visitors' Book, which shall be kept in the Clubhouse.
- C. If a member engages a private dining room or conference room, the member must be in attendance, and receive their guest(s) in that room. The guests will be directed to the room by the front door attendant. At the conclusion of the function, the guests should leave the Club directly unless accompanied by the member.

VI. Distinguished and Non-Resident Visitors

- A. The Board of Directors may extend to the President of the United States, members of their Cabinet, Governors of the States or Territories, and Diplomatic Agents accredited to the Government of the United States and other distinguished visitors the privileges of the Clubhouse during such visitor's stay.
- B. Any member, by application to the General Manager, may invite a guest to enjoy the privileges of the Clubhouse to any non-resident of the Western New York area for two weeks, provided that this privilege shall not be extended to any individual more than once in any period of twelve (12) months, and that no member of the Club shall introduce more than two (2) individuals at one time. Members inviting such non-residents shall be held responsible for all debts due the Club from such persons.

VII. Attire – Members and Guests

- A. Attire must be considered appropriate at all times when using the Club. Certain clothing, accessories or styles may not be considered appropriate for the Club. The following guidelines will help you determine what is appropriate while using different areas of the Club and while attending Club events.
 - Attire that is wrinkled, with rips, tears or frays; cut-offs or any extreme style or fashion in dress, footwear, accessories or styles is not permitted.
 - Shirts must be tucked in. Hoodies, Zip Ups and Sweat Shirts are permitted only where Athletic attire is permitted.
 - Hats, overcoats and winter boots are to be placed in coat closet, locker or checked at coat check.
 - Denim that is white or dark in color (navy or black) without holes, rips fraying or fading of any kind is permissible in areas of the Club where Casual attire is permitted. Baggy fitting denim, denim jackets and denim shirts are not permitted.
- B. Athletic attire is permitted in the Fitness Center, Locker Rooms, Spa, Hotel Rooms and Bowling. Athletic footwear is required. Street clothes must be worn in the locker room lounge areas. Robes or used athletic attire is not permitted.

Men's: Athletic wear including shorts, tee-shirts, warmup suits or yoga pants.

Women's: Athletic wear including shorts, tee-shirts, warmup suits or yoga pants.

- C. Club Casual/Cocktail attire is permitted in the historic portions of the Club with the exception of service in the Main Dining Room and stated events.
Men: Collared dress shirts, tailored dress pants including khakis. Polo shirts and turtlenecks are permissible. Shorts and cargo pants are not permitted. Dress shoes and loafers. Flip flops, sneakers or sandals are not permitted.
Women: Blouses, business casual tops, tailored dress pants, skirts, dresses or pantsuits. Sweaters and turtlenecks are permissible. Appropriate attire excludes items that may be too tight or revealing, including midriff baring, or cuissardes. Attire should be appropriately fitting and hemmed with skirts and dresses mid-thigh or longer and avoid extremely short hemlines such as miniskirts or shorter. Outfit coordinating dress hats are permissible. Denim skirts and dresses are permissible.
- D. Formal Attire is required in the Main Dining Room and for all stated events including New Year's Day Open House, Valentine's Day Dinner, Easter Brunch, Mother's Day, Thanksgiving and Christmas Eve.
Men: A jacket with collared dress shirt and a necktie. Dress shoes or loafers with socks.
Women: Blouses, business tops, skirts, dresses or pantsuits. Appropriate shoes required. Attire should be appropriately fitting and hemmed with skirts and dresses mid-thigh or longer and avoid extremely short hemlines such as miniskirts or shorter. Outfit coordinating hats are permissible.
- E. Black Tie is required for stated Club events.
Men: A tuxedo, with an evening shirt, bowtie, tailored trousers, and dress shoes with socks.
Women: Knee to floor length gown, evening dress or palazzo-cut pants with dress shoes. Black tie attire should avoid dramatic splits or tight 'red-carpet' aesthetics.

VIII. Electronic Communication Equipment

The use of cell phones for non-verbal communication is permitted in all areas of the Club as long as such use is private and discrete. Phones must be silenced at all times.

The verbal use of cell phones is permitted only in the following areas: designated phone booths, vestibule outside the Men's Locker Room, hallway outside the Women's Locker Room, vestibule outside of the Milliard Fillmore Room, the bowling alley, the Member Workspace or in any private meeting room with the permission of the host. The use of the speaker phone feature is not permitted.

The use of personal electronic devices (laptops, iPads, tablets or the like) are permitted in the Member Workspace or in any private meeting room with the permission of the host. Sound emitting from such use of personal electronic devices in these areas is not permitted at any time unless ear phones or personal headsets are in use.

IX. Business Papers/Newspapers

Business papers, newspapers and briefcases shall not be displayed in the dining facilities of the Club except for designated conference rooms and private dining rooms.

X. Solicitation, Petitions and Fund Raising

Solicitation of members and staff, or circulation of petitions, and political fund-raising in the Clubhouse is prohibited. Political fund-raising includes sponsored events or hosted events for political candidates for which campaign donations are sought at the door.

XI. Gratuities and Errands

- A. The Club has in place a gratuity program for dining, beverage services, and spa. No other gratuity is required.
- B. No member shall send any employee out of the Clubhouse for any purpose.
- C. Control and instruction of all employees shall be the responsibility of the management of the Club. Under no circumstances shall the conduct of any employee be the subject of a personal reprimand by a member.

XII. Smoking, Marijuana/Cannabis, and Alcoholic Beverage Policies

Smoking and vaping are prohibited in the Clubhouse. However, subject to the terms of a variance granted by the County of Erie, members and guests of members who are at least 21 years old, may smoke tobacco products only in the Tree House and Billiards Room. Buffalo Club staff are strictly prohibited from entering the smoking areas to provide beverage or other member services.

Notwithstanding that recreational marijuana/cannabis is legal in New York State, the use of marijuana/cannabis on Club Premises by any person is strictly prohibited.

No individual under the age of 21 will be served alcoholic beverages. The Club reserves the right to require proof of age.

When enjoying the Club, members are expected to drink responsibly. By New York State law, the Club cannot serve anyone exhibiting signs of intoxication. Should a guest exhibit signs of intoxication, the member host will be informed and such guest will not be served. The Club reserves the right to stop serving alcohol to any member and/or a guest of a member. The Club does not permit the serving of alcohol shots. The Club can arrange for a ride sharing service if requested to transport a member or a member's guests home.

Liquor and beer shall not leave the Club or be brought in from outside sources. Except as otherwise provided in the Wine Lockers Rule, alcohol is prohibited from being stored in any locker or area of the Club. Any alcohol consumed at the Club must be served by Club personnel.

XIII. Cigar Lockers

The Club has established the following Rule as it relates to cigar humidor lockers:

- A. Cigar humidor owners shall be assessed an initial fee and an annual fee.
- B. The locks on every locker will be replaced at no expense to the locker owners. Upon replacement, the locker owner will be given the choice to receive both keys or have the Club store and manage their second key. The locker owner must sign a document that details which choice they have made. Should a locker owner choose to receive both keys and loses both, the Club can replace their lock and provide two new keys, applicable fees shall be applied. Should a locker owner choose to receive one key, and lose their key, the second key cannot be given out to the locker owner, however, the Club can make a copy of their key using the spare key.
- C. Should you elect to take a leave of absence from membership you may request that the Club preserve your rights to the cigar locker for a period of one year, eligible for reinstatement upon re-admittance in good standing. Requests for reinstatement of rights may be granted in the discretion of the Board on a case-by-case basis. Upon initiation of a second year of leave, your rights to possession shall become subject to forfeiture and made available to the next member on the waiting list.

- D. When your lock is replaced, you will receive an email from the Club notifying you that your lock change is complete. At this time, you will be able to coordinate a time to receive your key or keys. Upon receiving your key or keys, the Club will need to retain a signed copy of the agreement indicating your preference. To ensure your new keys are received in person, we are not permitted to leave your keys at the reception areas, with another staff person, or in your gym locker.

XIV. Wine Lockers

The Club has established the following Rule relating to the wine lockers in the first-floor wine room. The Rule is intended to: (1) reinforce the original purpose of the wine lockers which was to allow owners to enjoy their personal wine while dining at the Club and (2) establish a yearly fee that helps to defray the Club's expense of service, glassware and maintenance typical at comparable private clubs.

- A. No member, or guest of a member, shall be permitted to consume their own wine in any of the Club bars, Treehouse or Billiards Room, whether such wine is brought into the Club for immediate consumption or stored in a wine locker.
- B. Members owning wine lockers and their guests shall be permitted to consume their own wine when dining in the Presidents Grille, the Vista, the Rockwell Room, the Fireplace Dining Room, or Main Dining Room for regular club dining and for all member events.
- C. For private events of 21 guests or greater wine from the Club must be purchased.
- D. All wine locker owners shall be assessed a yearly fee per locker in August of each year.
- E. Members who have purchased a wine locker shall be entitled to free corkage for their enjoyment and for groups up to 11 individuals. A corkage fee per bottle shall apply to groups of 12 to 19 individuals. For any group of 20 or more individuals, all wine must be purchased through the Club.
- F. Should you elect to take a leave of absence from membership you may request that the Club preserve your rights to the wine locker for a period of one year, eligible for reinstatement upon readmittance in good standing. Requests for reinstatement of rights may be granted in the discretion of the Board on a case-by-case basis. Upon initiation of a second year of leave, your rights to possession shall become subject to forfeiture and made available to the next member on the waiting list.
- G. If a member resigns or forfeits their membership from the Club, no refund of wine locker fees will be provided.

XV. Fitness Lockers and Locker Room

The Club has established the following Rules as it relates to the men and women's fitness lockers and locker rooms.

- A. All fitness locker owners shall be assessed an annual fee per locker, billed semi-annually, in January and July of each year.
- B. Members' children 16 years of age and older are permitted to own lockers which shall be billed to the member's account in January of each year.
- C. Members' approved significant others are permitted to own lockers.
- D. In the event a member decides to release their locker at any time during the year after a member has made their annual payment, the member will not be refunded any portion of the annual fee.
- E. A member may own a locker at any time during the year in which the member's annual locker fee will be prorated based on the remaining days in the calendar year.

- F. In the event a member elects to take a leave of absence from membership, the member shall forfeit the member's rights to their locker and the member's locker may be assigned to another member in good standing. Upon reinstatement to membership in good standing, the member shall be required to apply for a locker in accordance with the Rules
- G. Members' children under the age of 16 are not allowed in the locker room at any time.
- H. Members' children under the age of 16 must use the boys/girls locker rooms located near the ladies locker room.
- I. Members' children under the age of 18 are not permitted to use the sauna, steam room or lounge area.
- J. For the health and comfort of all members, gym clothes/sneakers or street clothes/shoes (except shower sandals) are not permitted in the sauna or steam room. Towels and robes are available.
- K. All clothing is to be placed in a member's locker, a guest locker, on a coat tree, or in an athletic bag. Under no circumstances is clothing to be left on chairs or on the floor. Clothing not properly stored will be collected and placed in the lost and found bin. Upon closing of the Fitness Center, the locker room staff will collect items left behind and place in the lost and found bin.
- L. Members are required to rinse off in the shower prior to using the sauna or steam room.
- M. Shaving or eating is forbidden in the sauna or steam room.
- N. Members are required to properly dispense with all trash, used razors, and used towels.

XVI. Fitness Center

The Club has established the following Rules as it relates to the fitness center.

- A. General
 - i. Every user of the Fitness Center must sign in at the check in computer upon arrival when using the Fitness Center, pool or squash courts.
 - ii. Every user of the Fitness Center, including but not limited to, members, member's spouses or approved significant others, guests, and children, and members of sports teams that have been extended the privilege of using the Fitness Center must sign an "Acknowledgement of Liability" and acknowledge receipt of and acceptance of the Fitness Center Rules prior to using the facility.
 - iii. Members are required to wipe down equipment and flooring after use and put all equipment away after use.
- B. Dress Code
 - i. Members are required to observe the same high standard of dress and decorum as expected in any other area of the Club.
 - ii. Members are permitted to enter and exit the Club's entrance at the spa doors in athletic attire; however, athletic attire is not allowed in any area of the Club except the Fitness Center, Spa, or locker rooms.
 - iii. Shirts and athletic shoes are required in the Fitness Center.
 - iv. Wet swimwear and open-toed shoes are strictly prohibited.
- C. Guests
 - i. A member's guest must be signed in and accompanied by the hosting member at all times.
 - ii. A member will be charged a daily fee each day the member hosts a guest in the Fitness Center.
 - iii. A member's guest may use the Fitness Center a maximum of 2 times in any 30-day period.

- iv. A member's child 16 years of age or older may bring a maximum of one guest per visit and a member's child under the age of 16 are not permitted to bring guests.
- v. There is no guest fee for Buffalo Squash Racquets Association ("BSRA") members participating in BSRA sanctioned events.
- vi. A member is responsible for ensuring their guests follow all Fitness Center Rules.

D. Member's Children

- i. Members' children must be at least 14 years of age to use the Fitness Center.
- ii. Member's children under the age of 16 must be accompanied and supervised by their parent or legal guardian or working with a personal trainer at all times.
- iii. A member's child 16 years of age or older, may use the Fitness Center without the presence of the member up to the age of 25.
- iv. Members' children under the age of 18 are not permitted to use the Fitness Center during peak times, 7:00am-9:00am and 4:00pm-6:00pm unless accompanied by a parent or legal guardian or working with a personal trainer at all times.
- v. All children of members under the age of 18 are required to read and sign the Fitness Center Orientation Handbook to familiarize themselves with the facility and its Rules prior to using the Fitness Center.
- vi. Members' children are required to follow all of the Fitness Center Rules and children that are not following Fitness Center or Club policies may be asked to leave.

E. Squash

- i. Only non-marking shoes are allowed on the squash courts at any time.
- ii. Proper eye protection is mandatory.
- iii. Members may reserve a squash court in one 45 minute block, up to 7 days in advance through the Fitness Center office or online through the Club's reservation system.
- iv. A member's child may not reserve a squash court during primetime. However, if a court is available during such time, the child may play, but must yield to any member wishing to play at that time, regardless if the member has made a prior reservation. Primetime is 11:00am to 1:00 pm and 4:30 to 6:30pm Monday through Friday. The foregoing shall not apply if the child is playing with a member. However, the member cannot be just an observer or be utilizing another part of the Club while their child is playing on the squash court.

F. Pool

- i. Maximum numbers of bathers permitted in the swimming pool is 48.
- ii. No use of the swimming pool is permitted except during the Fitness Center's hours of operation and when a lifeguard is present.
- iii. Pollution of the swimming pool is prohibited. Urinating, discharge of fecal matter, expectorating or blowing one's nose in the pool is prohibited.
- iv. No diving.
- v. Food, including children's snacks, may not be served or consumed within the pool enclosure.
- vi. Glassware of any type is not permitted in the swimming pool area.
- vii. No running on the pool deck.
- viii. The lifeguard's instructions must be followed at all times.

G. Family Swim

- i. Family swim is available on Saturdays from 8:00am-12:00 pm.
- ii. A lifeguard will be present during family swim; however, parents are responsible for the safety and behavior of their children.

- iii. All small children, including those wearing flotation devices, must have an adult in the swimming pool within arm's reach at all times. The primary responsibility for the safety of non-swimming children is their parent or legal guardian.
- iv. Children in swim diapers are prohibited from using the swimming pool at all times.
- v. Members are required to return any pool toys after use.

H. Swim Lessons

- i. Use of the swimming pool by a member's child during hours of operation is permitted only when the child is receiving formal swim instruction by a swim instructor.
- ii. Kickboards are for lap swimming members and children in a supervised swim lesson with a swim instructors.

XVII. Spa388

The Club has established the following Rules as it relates to Spa388:

- A. To ensure a preferred therapist or treatment is available, a member is encouraged to schedule appointments in advance. Same day appointments and walk-in appointments are welcome and based on availability.
- B. 12 hours' notice is required for cancellations or rescheduled appointments. Cancellations or rescheduled appointments inside the 12-hour period are charged the full-service fee. No shows will be charged the full-service fee.
- C. For our members' convenience, a 20% gratuity is added to each spa service. Gratuity is discretionary and directly distributed to your service provider. Additional gratuity is at your discretion and can be arranged at the spa desk.
- D. Members are encouraged to arrive at least 30 minutes prior to their treatment time to enjoy the spa or locker room facilities. Appointment times may not be flexible. Late arrivals may impede a member's full treatment time.
- E. For each member's comfort and safety, a member will need to complete a consent form prior to their first massage and esthetics services. If a member is – or suspects that they are – pregnant, please notify your service provider before treatment begins.
- F. The spa environment is tranquil and requires soft conversation to respect those having services. The use of cell phones and other electronic devices in the spa is prohibited.
- G. Members' children or guests who are under 18, prior to receiving service, must have a waiver signed by their parent or legal guardian who is present during the service. Salon and barber services for children between the ages of 4-14 must have a parent or legal guardian present during the entire service.
- H. Gift certificates for Spa services must be presented at time of service for use toward services and/or retail purchases. Gift certificates shall not expire.
- I. Mastercard and VISA are the only credit cards accepted at the Spa.
- J. Unopened retail purchases may be returned within 30 days of purchase and must be in their original packaging with tags (if applicable).

XVIII. Inn at 388

The Club has established the following Rules as it relates to Inn at 388:

- A. A statement of charges incurred by a stay at the Inn at 388 can be paid by either Master Card, Visa or directly billed to a member's account.
- B. Hotel guests are asked to settle their bills at the Spa388 reception desk while checking out.
- C. To qualify for the member rate, a member or immediate family must be staying in the guest room.
- D. To qualify for a promotional “same day member rate”, a member must be staying in the guest room and the room must be booked on the same day of the stay.
- E. The room rate is applicable per room per night. Taxes and other charges (spa, food and beverage) are additional.
- F. Cancellation Policy: 24-hour notice required by 3:00 PM day prior to arrival or full cost of first night's stay + tax will be charged.
- G. Members' guests at The Inn at 388 have full access to the Club.
- H. Check out time is 11:00 AM; check in time is 3:00 PM.
- I. There is no smoking in the rooms or the room terrace.
- J. No pets allowed. Only dogs meeting ADA Service Animal requirements are permitted.
- K. There will be a damage fee charged for any damage done to the room including, but not limited to, smoking in the room or on the patio, or for any hotel property removed from the rooms.

XIX. News Media

In order to keep our members' privacy protected, the news media is prohibited from the Club's grounds. Any exception must be authorized by the Board.

XX. Violation of Rules

It is the responsibility of each member to be familiar with, observe and advise their guests of these House Rules. Any member who violates these Rules may be subject to discipline including, without limitation, receiving a warning, suspension of membership, or forfeiture of membership/expulsion from the Club. As set forth in the Club's Constitution and By-Laws, a suspension of membership or forfeiture of membership/expulsion from the Club shall only be made by a vote of the Board. Members of the Board, management and staff have been authorized to and will enforce these Rules.

XXI. Amendments

These Rules may be altered, amended, abrogated or suspended by the Board by the affirmative vote of not less than two-thirds of the Directors.