

Veterans of Foreign Wars of the United States

Department of Alabama

Wilson Paris Post Number 8600

Gadsden Alabama



By-Laws

November 11th, 2014

By-Laws

Wilson Parris Post Number 8600 Gadsden Alabama

VETERANS OF FOREIGN WARS OF THE UNITED STATES

ARTICLE I: NAME AND LOCATION

Section 1

By virtue of charter granted, this Post shall be known as **Wilson Parris Post No. 8600, Veterans of Foreign Wars of the United States.**

Section 2

The location of this Post shall be in the City of Gadsden, County of Etowah, State of Alabama.

ARTICLE II: SUBORDINATION

Section 1.

The supreme power of this association is vested in the National Convention and this Post shall be at all times governed by the Congressional Charter and By-Laws of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of Alabama, orders issued by authority of the National Convention, National Council of Administration, the Commander-in-Chief, the Department Convention, Department Council of Administration and the Commander of the Department of Alabama. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE III: MEETING

Section 1

Place: The regular meeting place of this Post shall be at: 817 Rainbow Dr, Gadsden, Alabama, 35901.

Section 2

Time: The regular meetings of the Post shall be held on the second Tuesday of each month, to be called to order at 6:00 PM.

Section 3

Changes: The Post may, after at least fourteen (14) days written notice to the Department Commander and the members of the Post, change its meeting place, appointed day or time upon a majority vote of the members present at a regular or special meeting called for such purpose.

Section 4

Special Meetings: A Special Meeting may be called in accordance with the provisions of the National By-Laws, National Manual of Procedure-Section 203. Special meetings must be called for a date not more than fourteen (14) days after: (a) The Post Commander receives the signed, written request; or (b) The majority vote of the members present at a regular meeting; or (c) The date upon which the Post Commander determines that a special meeting may be necessary. The Post Adjutant shall give notice, in writing, of the time and place of any special meeting and of the business to be transacted, such notice to be given in such a manner as to reasonably reach members at least forty-eight (48) hours in advance of the time set for the meeting. No business shall be transacted at any special meeting except that for which the meeting is called. The Post Commander shall call a special meeting upon the signed written request of seven (7) members or upon the vote of the majority of the members present at a regular meeting. The Post Commander may call a special meeting of the Post whenever in his opinion it may be necessary for the welfare of the Post. No business shall be transacted at any special meeting except that which the meeting is called.

Section 5

Quorum: Five (5) members in good standing shall constitute a quorum for the transaction of business.

ARTICLE IV: MEMBERSHIP

Section 1

Membership in this Post, eligibility to and application for shall be in accordance with the provisions of the National By-Laws, Article I.

Section 2

The admission fee of this Post shall be \$1.00 or such other sum as may be determined by the Department Convention, payable in accordance with the National By-Laws.

Section 3

The dues of this Post shall be \$10 over the amount required to cover Department and National dues.

ARTICLE V: VOTING

Section 1

In the conduction of Post elections or other routine business, each Post member in good standing present at the meeting shall be entitled to one vote. In the case of an election by printed ballot, each member in good standing shall be entitled to cast one ballot.

Section 2

Any member that requests that a secret ballot be cast on any issue, may have his request fulfilled without further action.

ARTICLE VI: OFFICERS

Section 1

Eligibility to, nomination, election or appointment, installation and term of office shall be in accordance with the provisions of the National By-Laws.

Section 2

The duties of all officers shall be those prescribed by National and Department By-Laws, lawful orders as the Post may direct and as these By-Laws may provide.

Section 3

When this Post is the occupant of quarters of which it is the owner or lessee, the Commander shall, at the beginning of his term of office, appoint a Building and Grounds Committee of three (3) members, one of which will be designated as chairman.

ARTICLE VII: COMMITTEES

Section 1

All Committees and their chairmen, unless otherwise provided, shall be appointed by the Commander as promptly as possible after election to office, and as such shall serve at his will and pleasure. The Post Quartermaster, by virtue of his office, shall be treasurer of all committees handling funds.

Section 2

The Standing Committees of the Post shall be as follows:

- (a) Membership
- (b) Relief
- (c) VFW Programs
- (d) House
- (e) Building and Grounds

(f) Safety

ARTICLE VIII: CONTROL OF SUBSIDIARY UNITS

Section 1

For purposes of this Article, the Auxiliary to the Veterans of Foreign Wars, the Military Order of the Cootie and its Auxiliary, are governed by Articles XI, XII and XIII respectively of the National By-Laws and Manual of Procedure of the Veterans of Foreign Wars and their respective By-Laws, Rules and Regulations.

ARTICLE IX: EXPENDITURE OF FUNDS

Section 1

Expenditure of funds shall be made only after prior authorization by the Post Members. Disbursing funds will be made using acceptable banking practices. Unless otherwise provided for in these By-Laws, all disbursements of Post funds shall bear the signature of the Quartermaster or other person(s) authorized by the Quartermaster. Such other authorized person(s) shall be bonded in accordance with **Section 703** of the National by-Laws.

Section 2

The adoption of this Article shall constitute authorization by the Post for the payment of bills, when and as due.

ARTICLE X: COMPENSATION

Section 1

No compensation shall be paid to any officer of this Post for his services as such officer, except as hereafter may be provided.

ARTICLE XI: FUND RAISING PROMOTIONS/SOLICITATIONS

Section 1

This Article shall be in accordance with Section 214, National By-Laws and Manual of Procedure.

ARTICLE XII: MISCELLANEOUS

Section 1

Every member of this Post shall keep the Post Adjutant and Quartermaster advised of his current address by promptly reporting any change of same.

Section 2

Upon Request, one copy of these By-Laws shall be issued to the Member of this Post.

Section 3

In all Post procedures not provided for by the Congressional Charter and By-Laws or these By-Laws, Demeter's Manual of Parliamentary Law shall be the Authority, and it shall be the duty of the Post Advocate, in an advisory way, when called upon to do so by the Post Commander to advise the Post Commander on the proper rule or rules.

ARTICLE XIII: SPEECHES

Section 1

No member will be permitted to speak on any one subject (Pro or Con) more than twice; and the first time no longer than five (5) minutes, and the second time no longer than three (3) minutes, with the exception of a committee report and recommendations and visiting guests who have a message to impart.

ARTICLE XIV: AMENDMENTS

Section 1

These By-Laws shall become effective after adoption by this Post and after review by the Commander of the Department and Commander-in-Chief of the Veterans of Foreign Wars of the United States.

Section 2

Unless otherwise provided for in these By-Laws, these By-Laws may be amended by the Post by a two-thirds vote of the members present at a stated meeting provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments. All amendments shall be forwarded through channels and reviewed by the Department Commander and the Commander-in-Chief before becoming effective.

Section 3

Wherever these By-Laws or subsequent amendments may be found to be in conflict with the present or any future National By-Laws and By-Laws of the Department, the latter shall prevail and be binding upon this Post as though written herein.

ARTICLE XV: HOUSE COMMITTEE AND CLUB REGULATIONS

This post shall follow Article XIX of Department of Alabama By-Laws as amended or clarified in this Article.

Section 1.

- a) Whenever the word "Club" is used in these regulations, it shall be taken to include and mean every VFW founded or operated social room or rooms for the enjoyment and recreation of VFW members within the State of Alabama. All Post are required to use a "Guest Book". All guest and members shall sign name, Post to which they belong, before being served. Post shall check membership cards at all times. Bartenders and Managers will be cautioned that this must be done. Members shall be responsible for the conduct and behavior of any non-member guests.
- b) This Post shall be operated solely for the benefits of the Post membership. Under no circumstances will there be any guest membership or honorary membership of any kind allowed to this Post.
- c) A copy of these By-Law shall be furnished to each Post member in good standing, and a copy thereof posted conspicuously in the Club room.

Section 2.

- a) This Post Club Bar shall be closed to members of the Post during every Post meeting and to members of the Auxiliary during every Auxiliary meeting that may be held in the same building.
- b) The Club/Canteens hours of operation will be established by the House Committee and posted.

Section 3.

- a) A House Committee shall be elected by the Post membership to act as a board of management for the business affairs of the Club "Facilities". This House Committee shall consist of not less than three (3) members, one of which shall be elected each year for a three (3) year period. Trustees shall not serve on the House Committee. The Post Commander, Immediate Past Post Commander and Post Quartermaster shall be a member of the House Committee and shall have a vote as such. The House Committee will hold at least one (1) scheduled meeting each month and special meetings as necessary, provided that no special meeting may be held without giving at least forty-eight (48) hours' notice to all members of the Committee.
 1. One of the House Committee members shall act as Secretary, keeping minutes of all meetings and preparing a report of the meeting to be read by the House Committee Chairman at the next regular meeting of the Post. This report shall be made part of the Adjutant's minutes.

2. A majority of the House Committee members must be present for the transaction of business at a regular or special meeting.
 3. All members of the House Committee shall be elected and not appointed. A House Committee member, who resigns or is removed from office, will be replaced by the election of a new member to fill the vacant position. The other two members will remain in their present year of office.
- b) Club privileges shall be denied to members and guests who violate the rules of behavior as posted in the club. Such rules shall be determined by the Post House Committee and posted in the Club. Bartenders and employees shall be bound by the same rules. Any employee who violates the rules and regulations as set forth shall be subject to dismissal; such dismissals shall be subject to appeal to the Post membership. Conduct – Good order shall be maintained at all times on the premises of the Post Home. Clubroom/Canteen privileges shall be discontinued immediately and shall be suspended until further action is taken by the House Committee to any person who:
1. Discusses affairs of the Veterans of Foreign Wars, or any of its members within the presence of or hearing of a non-member of the Veterans of Foreign Wars.
 2. Violates his obligation as a member or officer of the Veterans of Foreign Wars.
 3. Becomes obnoxious, offensive, or whose conduct reflects discredit in any way or manner of the Veterans of Foreign Wars or any of its members.
 4. Violates any rule, regulations, By-Laws or laws of the State of Alabama, County, City, Alabama Department of Revenue, United States, Veterans of Foreign Wars, Post or House Committee.
 5. Becomes intoxicated or arrives intoxicated on the premises; or
 6. Creates a scene or participate voluntarily in same, and any fracas or disorderly conduct on the premises.
- c) The Post membership may overrule or abrogate any action of the House committee by 2/3 vote at any Post meeting, providing written notice of such meeting stating the subject matter to be voted upon be sent to each member in good standing at least ten (10) days prior to such meeting.
- d) The House Committee shall have authority to employ such personnel as shall be necessary to properly operate the Club, including Club Manager, and may discharge personnel at their discretion. Priority on employment should be given to Post members in good standing. No member of the House Committee may serve as Club Manager. No member of the Post who receives any remuneration whatsoever for his services from the Post Club shall serve as member of the House Committee of the club.
- e) The Club Manager or any employee handling Club monies shall be bonded to the Post for twice the largest sum that may pass through his hands at any one time.
- f) The Club Manager shall be responsible to the House Committee and the Post Commander for the conduct of all patrons of the Club. He shall deny the use of the Club to any member or guest of a member who violates the Club By-Laws, the State law, or these Regulations.
- g) The Club Manager shall be discharged for violating or permitting the violation, of any of these Department regulations, Club By-Laws, State laws or city ordinances upon the Club premises; and if the House Committee fails to remove such Club Manager, the Post may discharge both the Club Manager and all members of the House Committee who refuse to act.
- h) Any member of the House Committee may be discharged for cause specified in Section 3-g and a new member elected to replace him under the procedure provided for by Section 3-a above.
- i) The House Committee and Club Manager shall keep a regular set of records which shall be open to inspection by members of the Post at all reasonable times.

Section 4.

- a) The Club Manager shall keep complete and regular records of account clearly showing all income and expenditures in the Club business.
- b) The House Committee may authorize such expenditures for minor emergency repairs and janitor supplies as may be necessary for the preservation and protection of the Post's quarters and its equipment, provided that the total amount so expended between any two regular meetings shall not exceed \$500.

- c) All income and profits from the Club shall be held or deposited in the name of the Club or Post and in no other name.
- d) The House Committee and Club Manager shall turn over to the Post Quartermaster upon receipt, at least once monthly all net profits and property acquired by the Club. \$1000 will be retained for current Club expenses during the following week..
- e) At least once monthly the Club Manager shall be required to furnish the Post Quartermaster a complete written profit and loss statement of the Club for the current period to be read to the membership at a Post meeting and also read in the minutes, and thereafter posted conspicuously on a Post Bulletin Board until the next monthly report is rendered, with all expenditures supported by bills and vouchers therefore.
- f) The Post Quartermaster shall act as Treasurer of the House Committee.
- g) All Club books and records shall be audited by the Post Trustees quarterly at the time they audit the books and records of the Post Quartermaster and Adjutant.

Section 5.

- a) The Post Commander shall be directly responsible to the State Commander for the strict enforcement of these Regulations and Department General and Special Orders amendatory thereto, and the Club By-Laws, so long as the Post shall be permitted to maintain a Club.
- b) The Club Manager and members of the House Committee shall be held responsible by the Post Commander and the membership to know and strictly enforce at all times the By-Laws of the Club, all local ordinances and all laws of the State of Alabama applicable to the operation of the Club including the Alabama Alcoholic Beverage act and amendments thereto.
- c) The final authority of the enforcement of these regulations within the State of Alabama shall rest in the State Commander with the concurrence of the Department Council of Administration. He shall determine that if a violation or violations of these regulations exist in the Post club in such manner that continued operation of such Club shall be detrimental to the good of the order, he may deny permission to the Post to operate such Club until he can present the facts concerning the violation or violations to the Commander-in-Chief for a ruling concerning suspension and the period thereof.
- d) These regulations may be amended by a majority vote of the Members present at any regular or special meeting of the Post.

These By-Laws were adopted, subject to the review of the Commander-in-Chief and the Commander of the Department of Alabama, Veterans of Foreign Wars of the United States on this 11th day of November, 2014, at a regular meeting of this Post in the City of Gadsden and County of Etowah, State of Alabama.

**Wilson Parris Post Number 8600
Veterans of Foreign Wars of the United States**

By _____
Commander

OFFICIAL:

By _____
Adjutant