

DELAWARE VETERANS INCORPORATED  
DOVER POST #2  
DOVER • DELAWARE

BY - LAWS

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DELAWARE VETERANS INCORPORATED  
DOVER POST #2  
DOVER • DELAWARE

**Article I**

**Section 1. Name:**

The name of this organization shall be DELAWARE VETERANS, INCORPORATED, DOVER POST #2.

**Section 2. Origin:**

These bylaws are based on the bylaws of the DELAWARE VETERANS, INCORPORATED, hereinafter referred to as the State Board, and nothing contained herein shall be construed to conflict with anything in the aforementioned state bylaws.

**Section 3. Objectives:**

- (a) To practice, teach and inspire the love of home, love of country and love of God.
- (b) To devote our efforts to the maintenance and furtherance of the Constitution of the United States of America and the support of our American form of government, in order that our American way of life shall not be lost.
- (c) To fulfill the responsibilities of American citizenship of energetic and realistic participation in the affairs of the municipal, state and federal governments.
- (d) To aid our duly elected representatives in government by keeping them informed of our opinions of pertinent legislation.
- (e) To promote the welfare of veterans, their widows, dependants and orphans.
- (f) To work toward a better community, a stronger state, a finer nation and a more understanding world, in order to preserve a just and lasting peace.

## ARTICLE II

### Section 1. Membership Requirements:

- (a) Membership in this organization shall be open to any veteran with a record of honorable service in the Armed Forces of the United States of America who has attained the age of twenty-one years and who is, or has been, a resident of the state of Delaware and who is sponsored by a current active member of this organization.
- (b) Membership in this organization may be open to any person not a veteran of the Armed Forces, under certain conditions and regulations stated in these bylaws. These members may hold any elective office other than Vice – Commander or Commander of this Post. Such members shall be designated as “Associate” members and shall have all other rights and privileges of Regular members.
- (c) The total number of Associate members shall not exceed 25% of the total number of Regular members as reported each month by the membership chairman. Once accepted, however, an Associate member shall not be dropped from membership, except for cause, as any Regular member. If the total Associate membership should exceed 25% of the total Regular membership, no additional Associate members shall be accepted until the Regular membership increases or until attrition reduces the number of Associate members. No more than 15 names shall be on the Associate membership waiting list.
- (d) Membership to this organization shall be open to any person deemed worthy of recognition and honor in the community or who has been a benefactor of this Post as determined by the Executive Board and approved by majority vote of the general membership. These Honorary members shall not hold elective office or vote on post business, but shall have all other rights and privileges as Regular members. These Honorary members shall pay no initiation fees or annual dues.
- (e) A member will qualify as a Life member upon written request to and certification by the Executive Board that said member has attained the age of 65 years and has been a member in good standing for twenty years or has been a member in good standing for twenty-five consecutive years. A Life member shall be exempt from paying annual dues but shall retain all rights and privileges as determined by his/her class of membership (Regular or Associate). [Amended June 2012]

## **Section 2. Application for Membership:**

- (a) All applications for membership shall be made on such form as shall be prescribed by the State Board.
- (b) The application form for membership shall be accompanied by an initiation fee as shall be prescribed in these bylaws and when the application is for Regular status, evidence of honorable discharge from the Armed Forces. Such application shall be presented to the membership chairman of the Executive Board.

## **Section 3. Acceptance for Membership:**

- (a) An application for membership must be approved by the membership committee and presented to the general membership at two subsequent meetings, for their approval. Sponsor is responsible for the integrity of the new member.
- (b) Acceptance of the candidate is by majority vote of the general membership at the second meeting at which the candidate's name is read and at which meeting candidate and sponsor are present, with all rights and privileges of membership accruing at that time. Sponsor is responsible to assure attendance at the second meeting. An alternate sponsor may be appointed to sponsor the new member, but must first notify the Executive Board before the general meeting.
- (c) A member may not sponsor a candidate for membership during the first year of his/her own membership.
- (d) As a condition of membership, a candidate agrees to work at the Post's Bingo games for a minimum of six (6) times during the first year of membership. In the event that the aforementioned requisite is not feasible, said member may elect to perform a minimum of twenty (20) hours of service to the Post. This obligation may include, but is not limited to, serving on a committee. Should a member fail to comply with the requirements of this sub-section, the Executive Board shall have the power to revoke the membership of said member. Members shall not be issued or provided with door key, key card, or other Post building entry devices until such time as his/her volunteer obligation has been satisfied. The Recording Secretary will maintain a Volunteer Hours Roster and Activity Chairs will provide hours worked. [Amended June 2012]
- (e) There will be no second reading at the Annual Meeting for the Election of Officers.

#### **Section 4. Membership Cards:**

A membership card, as prescribed by the state board, shall be issued each year to a member upon full payment of annual dues and to a new member upon initiation into the Post. A membership card shall also be issued each year to a Life or Honorary member.

#### **Section 5. Fees and Dues:**

- (a) Annual dues of incumbent members shall be forty-two dollars (\$42) per year. Annual dues for Incumbent members who pay their annual dues before March 1<sup>st</sup> shall be thirty-six dollars (\$36). Annual dues for Incumbent members who pay their annual dues after May 1<sup>st</sup> shall be forty-eight dollars (\$48). There shall be an initiation fee of ten dollars (\$10) for a new member, one dollar (\$1) of which is payable to the State Board. [Amended June 2012]
- (b) Dues shall be due and payable on the first day of April of each year. A new member shall pay pro-rated dues of three dollars and fifty cents (\$3.50) per month; beginning with the month his/her application for membership is approved by the general membership. [Amended June 2012]
- (c) Incumbent members serving on active duty who are deployed overseas shall have his/her membership dues waived for the duration of his/her deployment. Executive Board shall have the authority to issue this waiver upon written request from the incumbent member. [Added June 2012]

#### **Section 6. Suspension of Membership:**

- (a) If a member has not paid applicable dues within sixty (60) days of the date on which they are to be paid, said member shall be suspended by the Executive Board from all rights and privileges of membership. Said member may be reinstated by the Executive Board upon full payment of the current year's dues.
- (b) The Executive Board shall have the power to suspend a member for violation of Post rules or flagrant lapse of dignity, decorum or moral integrity.

#### **Section 7. Separation from Membership of the Post:**

- (a) A member may be separated from membership of the Post upon recommendation of the Executive Board and an affirmative majority vote at a general membership meeting for conduct detrimental to the Post. A member shall be given at least seven (7) days notice of the fact that such

a vote will be taken and shall be granted the privilege of addressing the general membership before the vote is taken.

- (b) A member suspended for non-payment of dues who has not paid his/her dues by the end of the membership year, shall be automatically separated from membership in the Post. To be reinstated, the separated member must reapply, with a penalty of ten dollars (\$10) and forty-eight dollars (\$48) for the current membership year. [Amended June 2012]

### **Section 8. Right of Appeal:**

A member separated from the Post for cause shall have the right of appeal to the State Executive Board. An appeal must pass through the Post Commander to the Secretary of the State Board and must be made in writing within fifteen (15) days of the decision by the Post . The Post Commander shall forward the appeal to the State Board within fifteen (15) days of receiving it. The Post Executive Board shall abide by the decision of the State Board.

## **ARTICLE III**

### **Section 1. Post Officers:**

Annually, the Post shall elect a Commander, Vice-Commander, Recording Secretary, Treasurer, and Sergeant-at-Arms for a term of one year; and the Post shall elect one member-at-large to the Executive Board for a term of two years; and the Post shall elect to the Trustee Committee one Trustee for a term of three (3) years.

### **Section 2. Nomination and Election of Officers:**

- (a) The Post Commander shall appoint a nominating committee of not less than three members at the general membership meeting in December of each year. It shall be the duty of this committee to make nominations for Post offices for the succeeding year and to report the slate to the general membership at the January meeting.
- (b) Nominations from the floor will be received at the time of the report of the nominating committee and at the meeting at which the election will be held. Post officers shall be elected at the general membership meeting in February and installed at the regular or special meeting in March of each year. No member shall hold more than one elective Post office at one time. All candidates shall be members in good standing.

### **Section 3. Voting for Officers:**

- (a) To be eligible to vote in an Election of Officers, a member's dues must be paid in full for the current year.
- (b) Written ballots shall be required only in the event that there is more than one candidate for an office. A member may vote in absentia for Post Officers by ballot with signature notarized by a notary and ballot will be sealed and opened on election night.
- (c) The Sergeant-at-Arms shall ascertain that all who vote are members in good standing.
- (d) In the event of no contest for an office, the Post Commander shall declare the election of the candidate by acclamation.
- (e) In the event of a contest for an office, the Post Commander, shall appoint two members from the floor to assist the Sergeant-at-Arms and the

Recording Secretary in distributing, collecting, and counting written ballots. A simple majority of the votes cast shall be sufficient for the election of the candidate. If, after the first ballot, no nominee has a simple majority, the nominee having the least number of votes shall be dropped and a new ballot cast. The election shall proceed in this manner until a simple majority has been given to a candidate.

- (f) In case of a tie, refer to Roberts Rules of order, Newly Revised

**Section 4. Tenure:**

- (a) Elected and appointed officers shall take office on April 1<sup>st</sup> of each year. An incumbent officer shall serve until a successor has been elected or appointed to succeed him/her.
- (b) The Commander may be elected to a maximum of two (2) consecutive terms. He/she may again run for office after being out of office for one year.



## **ARTICLE IV**

### **Section 1. Administrative Year:**

The administrative year of the Post shall be April 1<sup>st</sup> through March 31<sup>st</sup> of the succeeding year and the elected and appointed officers shall serve during said year. Appointed persons serve at the pleasure of the Post Commander.

### **Section 2. Post Meetings:**

- (a) The Post shall conduct at least one business meeting each month, on a day and time to be determined by the Executive Board. Nine (9) members shall constitute a quorum.
- (b) Special meetings may be called by the Post Commander when, in his/her opinion, such meetings are necessary. At least twenty-four (24) hours notice shall be given to all members prior to the assembly of a special meeting. A quorum of nine (9) members shall be required in order to conduct business at such a meeting.
- (c) Social meetings may be held at the pleasure of the members.
- (d) The regular membership meeting in February shall be known as the Annual Meeting and shall be for the purpose of electing officers, receiving reports of officers and committees, and for any other post business that may arise.

### **Section 3. Order of Business:**

The following order of business shall be used as a guide in conducting business meetings:

- (a) Meeting called to order by presiding officer
- (b) Prayer by the Chaplain
- (c) Pledge of Allegiance
- (d) Secretary reads minutes of the previous general membership meeting
- (e) Secretary reads minutes of previous Executive Board meeting
- (f) Treasurer presents report
- (g) Vice-Commander presents membership report

- (h) Reports of boards and committees
- (i) Old business
- (j) New business
- (k) Good of the order
- (l) Adjournment

#### **Section 4. Duties of Elected Officers:**

- (a) **POST COMMANDER:** The Post Commander shall conduct all Executive Board meetings of the Post; appoint members to all committees, unless otherwise provided for these bylaws or by direction of the membership; conduct the installation of new members and carry out policy as handed down by the State Board and the Post Executive Board. The Commander shall serve as chairman of the Executive Board and shall be an ex-officio member of all standing and ad hoc committees.
- (b) **Vice-Commander:** The Post Vice-Commander shall perform all the duties of the Post Commander in the absence of the Commander and shall be chairman of the Membership Committee.
- (c) **Recording Secretary:** The recording Secretary shall be responsible for recording and transcribing the minutes on all business meetings in the minute book and for preparing a meeting agenda for the Commander. He/she shall function as secretary of the Executive Board.
- (d) **Treasurer:** The treasurer shall be responsible for carrying out the fiscal policies of the Post. He/she shall make a written report to the membership at each business meeting relative to the financial status of the Post and shall pay all bills upon approval by the Executive Board at each meeting. He/she shall be responsible for all monies derived from membership dues and any and all fund-raising projects, excluding the bar. He/she shall also function as chairperson of the Financial Committee.
- (e) **Sergeant-at-Arms:** The Sergeant-at-Arms shall maintain order at general membership meetings, identify all persons attending business settings to ascertain those eligible to vote on Post business, assist the Recording Secretary in all balloting and serve as a member of the House Committee.

## **Section 5. Duties of Officers Appointed by the Commander:**

- (a) Corresponding Secretary: It shall be the responsibility of the Corresponding Secretary to prepare and transmit notices for all special meetings and to take care of all correspondence with outside persons or organizations relating to the business of the Post. He/she shall also prepare and mail a monthly newsletter to the general membership concerning the business and social activities of the Post.
- (b) Historian: It shall be the responsibility of the Historian to prepare and maintain a historical record of the Post by taking photographs at Post functions, collecting Post business papers and newsletters and providing a safe storage place for the same.
- (c) Chaplain: It shall be the duty of the chaplain to open each general membership meeting with a prayer. He/she shall also keep the membership informed as to serious illness and death among the members and their families and shall send cards and flowers when appropriate.

## **Section 6. Post Administration:**

### **A. Executive Board.**

- (a) The Executive Board shall consist of the following persons:

- Post Commander
- Vice-Commander
- Recording Secretary
- Treasurer
- Immediate Past-Commander
- Bingo Committee Chairman
- House Committee Chairman
- Bar Committee Chairman
- Two (2) Members-at-large
- Three (3) Trustees

- (b) The Executive Board shall be formed at the call of the Commander-elect following the Post elections in preparation for taking office on April 1<sup>st</sup>. The Executive Board shall meet between the business meetings of the Post. Accurate minutes shall be kept of such meetings and shall be read to the Post membership for their information at the successive business meeting.

- (c) It shall be the responsibility of the Executive Board to administer all affairs of the Post in accordance with these bylaws. The Executive Board is the administrative unit of the Post and shall be responsible for carrying out policies as determined by the State Board and the members. The Executive Board shall render general supervision of all standing committees of the Post as well as appoint and supervise all ad hoc committees as required.
- (d) The Executive Board may present to the general membership the name of any elected Executive Board member who has missed two consecutive Executive Board meetings without a valid excuse. Such Executive Board member shall then forfeit his/her office unless two-thirds (2/3) of the members present at such setting vote to continue said person in office.
- (e) The Executive Board members shall elect a replacement for any vacancy occurring on the Executive Board, except Post Commander. Replacement of the Post Commander shall follow the prescribed nomination and election procedures of these bylaws; however, at any time deemed expedient.
- (f) Five Executive Board members shall constitute a quorum. Official action of the Executive Board shall be by majority vote.

B. Standing Committees: Members to be appointed by the Commander-elect unless otherwise provided for in these bylaws.

1. Finance Committee:

- (a) This committee shall be comprised of the Post Treasurer as chairperson and at least two appointed members; it shall be responsible for recommending fiscal policies to the Executive Board.
- (b) In March of each year, the newly appointed Finance committee shall prepare an annual budget for the Post. This proposed budget shall be submitted for the approval of the general membership at the April meeting, or as soon thereafter as practicable. The budget shall be approved by a simple majority vote of the members in attendance at the Post meeting. Once adopted, it shall remain in force until April 1<sup>st</sup> of the following year, unless modified by a simple majority of the Executive Board. The Post Treasurer, with the advice and consent of the Executive Board, is authorized to make disbursements in accordance with the adopted budget without further authorization of the membership.

Contingency expenditures in excess of \$500 shall require a majority vote of the general membership.

- (c) The expenditure of any funds in excess of \$500, which have not been previously approved on the current fiscal budget, excluding general operating expenses, must be approved by the general membership at two successive meetings. Prior to the second vote on such proposed expenditure, notification shall be published in a regular or special newsletter to the general membership.

2. House Committee:

This committee shall be responsible for the development and enforcement of an effective set of House Rules. The House Committee is authorized to recommend suspension of a member for violation of House Rules, subject to the approval of the Executive Board. The committee shall enforce all pertinent federal, state and local laws.

3. Buildings and Grounds Committee:

It shall be the duty of this committee to maintain and operate the Post home and grounds and to suggest improvements to the Post.

4. Entertainment Committee:

This committee shall be responsible for developing and conducting a monthly social calendar for members. This includes dinners, parties, Easter Egg Hunt, tournaments, Christmas Party, New Year's Eve Party, etc.

5. Membership Committee:

This committee shall consist of the Vice-Commander as chairperson and such other members as are considered necessary to examine and recommend all applications for membership, issue membership cards, maintain statistics of membership, and assist in preparing, collecting, and counting ballots in an election of officers. The committee is also charged with determining member compliance with Article II, Section 3, Paragraph (d).

6. Trustee Committee:

This committee shall consist of three (3) members, one of whom shall be elected each year at the annual meeting for a term of three (3) years. Immediately after each annual election, the committee shall arrange for such loans as shall be authorized by the Post and shall have the duty to provide for repayment of all loans. Whenever there is a transfer of accounts, as in the case of a new Post Treasurer or a new Bar Chairperson, but not less than annually, this committee shall audit all funds of the respective accounts. This committee shall audit any Post fund upon demand of the Executive Board.

7. Bar Committee:

This committee shall consist of a chairperson and such other members as are considered necessary to operate the Post bar. The chairperson shall keep a sufficient inventory of spirits, beer, and other bar supplies; hire and supervise the bartender(s); make all reports required by the Executive Board and the Delaware Alcoholic Beverage Control Commission; and ensure compliance with the rules and regulations of the Delaware Alcoholic Beverage Control Commission and/or any government agency related to the overall operation of a bar including the employment of persons working in the bar. [Amended June 2012]

8. Bingo Committee:

This committee shall consist of a chairperson and such other members as are considered necessary to conducting Bingo within the Post, procuring supplies and equipment required, establishing teams of workers to administer games, accounting for and depositing monies received from the players and making all reports required by the Executive Board and the Delaware Bingo Commission.

9. Scholarship Committee:

The Scholarship Committee shall consist of three (3) members, one of whom shall be appointed at the regular June meeting each year for a term of three (3) years. Immediately after the June appointment, the committee shall select its chairperson. The committee persons shall act as resume judges and administer the fund for the succeeding year. The award shall be presented to an applicant at the May general membership meeting.

## ARTICLE V

### Section 1. Dissolution of Assets:

Upon the dissolution of this Post, the assets shall be distributed according to the rules and regulations mandated by the current Federal Government for non-profit organizations.

## ARTICLE VI

### Section 1. Fiscal:

- (a) The Post Treasurer and the Bar Chairperson each shall be bonded in the amount of not less than one thousand dollars (\$1,000).
- (b) All checks payable from the General Fund shall be signed by two (2) of the following officers: Commander, Vice-Commander, or Treasurer.
- (c) All bills shall be paid by the Post Treasurer by check or other means authorized by the Executive Board. [Amended June 2012]
- (d) The Bar Chairperson will establish and maintain a credit account (bar tab) system for the purpose of extending credit to Post members. The Commander or Bar Chairperson may rescind the credit account system, in part or as a whole, at any time for any reason. Only Post members, in good standing, may initiate or carry a bar tab. No credit account may exceed fifty dollars (\$50). No credit account may be carried in excess of thirty (30) calendar days. Post members who exceed the monetary or time limit provisions will be refused bar service until such time as their account has been settled. [Added June 2012]

### Section 2. Publications:

The Post shall publish a newsletter, or newspaper, on a regular schedule in order to inform members of business and social activities at the Post. Any articles of an editorial nature must be approved by the Commander before publication.

### Section 3. Parliamentary Authority:

Robert's Rules of Order, Newly Revised, shall govern the Post business meeting. In cases where they are applicable and when they are not inconsistent with the Post's By-laws or special rules of order.

#### **Section 4. Amending Bylaws:**

These By-laws shall be amended as follows:

- (a) A proposed amendment shall be presented in writing, signed by the originator and nine concurring members, to the Executive Board. The Executive Board shall present the proposed amendment to the general membership at the next regular, or special meeting for full discussion. The By-laws shall be considered amended upon concurrence of a simple majority of members present at the following regular, or special meeting.

#### **Section 5. Effective Date of ByLaws:**

Date of first reading: 6 June 2012

Date of second reading and effective date: 11 July 2012

Certified by Post Commander: 12 July 2012



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