

LAKWOOD AMERICAN LEGION

POST 178

BY-LAWS

Article I: Name

Section I The name of this organization shall be Lakewood Post 178, The American Legion Department of Colorado.

Article II: Officers

Section I The officers of this Post shall consist of the Post Commander, 1st Vice Commander, 2nd Vice Commander, District 5 Executive Committee Person, Adjutant, Finance Officer, Historian, Chaplain, Judge Advocate, Post Service Officer, Sergeant-at-Arms, Assistant Sergeant-at-Arms and Executive Committee Persons.

Section II Election and term of office: The officers of this Post shall be elected annually (except those elected to a specific term), provided they are in good standing and have been a member of this Post for at least one year. To be elected as commander of this Post, you must also have held a minimum one-year term as a Post officer. Officers shall be elected at the first general membership meeting of this Post, held in May, and installed before the Department of Colorado Convention of that same year. They shall take office after the adjournment of the Department Convention. They shall hold office until their successors are duly elected, qualified and sworn in.

Section III Holding of two elective offices: No officer of this Post shall hold more than one elective office at any one time, except for temporary appointments.

Section IV The Post Commander, with the approval of the Executive Committee and the general membership, shall appoint the Adjutant, Judge Advocate and Service Officer.

Section V Rights of past officers: Officers who resign without due cause shall have no rights or privileges as a past Post officer.

Section VI All Post officers shall be required to familiarize themselves with their duties as prescribed by the current officers' handbook of the American Legion, and the Lakewood American Legion Post 178 By-Laws.

Article III: Duties of Elected Officers

- Section I Post Commander: It shall be the duty of the Post Commander to preside at all meetings of this Post, and to have supervision over the business and affairs of the Post and American Legion activities. The Post Commander shall be present at all meetings of the Corporation Board. The Post Commander shall approve all orders from the general membership directing the disbursement of funds. All funds will meet with the approval of the Executive Committee and general membership. The Post Commander shall require the Finance Officer to make regular monthly reports covering the business of this Post, showing receipts and disbursements of funds. The Post Commander shall make written reports, making recommendations for the ensuing year. Both written reports and recommendations shall be read at the general membership meetings. The Post Commander shall perform such other duties as directed by the general membership, and all other duties as prescribed by the current officers' handbook of the American Legion.
- Section II 1st Vice Commander: The 1st Vice Commander shall assume and discharge the office of Post Commander in his/her absence or disability when called upon by the Post Commander. The 1st Vice Commander shall be the chairperson of the Achievement Awards, Publicity and Membership committees, and shall perform all other duties as prescribed by the current officers' handbook of the American Legion.
- Section III 2nd Vice Commander: In the absence or disability of both the Post Commander and the 1st Vice Commander, the 2nd Vice Commander shall assume and discharge the office of Post Commander. The 2nd Vice Commander shall be the social director of the Post, the chairperson of the Ways, Means and Budget Committee and shall perform all other duties as prescribed by the current officers' handbook of the American Legion.
- Section IV Finance Officer: The Finance Officer shall have charge of all finances of this Post. He/she shall see that all funds are safely deposited in a local bank(s) designated by the Executive Committee and approved by the general membership. The Finance Officer shall make detailed monthly reports of the finances of this Post at the general membership meeting, with such recommendations as he/she may deem necessary for raising funds to carry on the Legion activities of the Post. The Finance Officer shall sign all check disbursements of monies of this Post, under orders of the Post Commander, and with the approval of the general membership, and shall perform all other duties as

prescribed by the current officers' handbook of the American Legion.

Section V Post Historian: The Post Historian shall collect and compile all materials bearing on the history of the Post during his/her term, and shall deliver all materials to his successor. He/she shall make a report to the Post annually, and shall perform all other duties as prescribed by the current officers' handbook of the American Legion.

Section VI Chaplain: The Post Chaplain shall be the spiritual advisor of the Post. He/she shall offer prayer at the opening of each general membership meeting, and at the closing of ceremonies, and shall perform all other duties as prescribed by the current officers' handbook of the American Legion.

Section VII Sergeant-at-Arms: The Post Sergeant-at-Arms shall be the color bearer of the Post. He/she shall preserve order under the direction of the presiding officer at each general membership meeting. The Sergeant-at-Arms shall perform all duties as prescribed by the current officers' handbook of the American Legion.

Article IV: Duties of Appointed Officers

Section I Post Adjutant: The Post Adjutant shall be the administrative officer of the Post. He/she shall have charge of and keep a full and complete record of all proceedings of all meetings, keeping such records as the Department and National organizations may require. The Post Adjutant shall render reports of membership annually or when called upon at the general membership meetings. Under the direction of the Post Commander, the Post Adjutant shall handle all correspondence of the Post, and perform all other duties required by the Post Commander and Executive Committee. The Post Adjutant shall perform all other duties as prescribed by the current officers' handbook of the American Legion.

Section II Assistant Sergeant-at-Arms: The Assistant Sergeant-at-Arms shall assist the Sergeant-at-Arms in the performance of his/her duties.

Section III Judge Advocate: The Judge Advocate may be a member of the Colorado Bar Association, and must be a member of this Post. His/her duties will be to give advice to officers and the Executive Committee in matters pertaining to their duties. No opinion shall be rendered affecting Department or National policies of The American Legion until a conference is held with the Department Judge Advocate.

Section IV District 5 Executive Committee Person: The District 5 Executive Committee Person shall be under the supervision of the District Commander. He/she shall assist the District Commander and District committee members in the performance of their duties in carrying out Legion functions.

Section V Post Service Officer: The Post Service Officer shall perform such duties as prescribed in the Constitution of The American Legion Department of Colorado.

Article V: Membership

Section I Eligibility to Membership: Membership in this Post is set forth and prescribed by the National Constitution of The American Legion.

Section II All applications for membership shall be made in writing. Applications shall be turned over to the Adjutant for review of the DD Form 214, other discharge documentation or current military ID. After review, it shall be turned over to the Executive Committee for approval, with final approval by the general membership.

Section III Each and every member of this Post shall be eligible to hold office, providing he/she is a member in good standing and has been a member of the Post for at least one year. This section shall not be deleted for the purpose of election of Post officers.

Section IV Any Post officer or member of the Executive Committee may be removed from office for cause by a majority vote of the Executive Committee. Upon notification of the vote to the general membership and upon a majority vote by the general membership, the officer or member shall be removed from office forthwith.

Section V Any officer of this Post may be removed from office when he/she has failed to attend three consecutive general membership meetings without good cause. Any member of the Executive Committee who fails to attend three consecutive regular meetings of the Executive Committee or three consecutive general membership meetings without good cause shall be removed from office.

Section VI A written charge of disloyalty, neglect of duty, dishonesty or conduct unbecoming an officer or Legionnaire shall be considered sufficient cause for removal from office. Refer to the National By-Laws.

Section VII Each member of this Post has the right to one vote, in-person, and not by proxy, after 90 days of membership in this Post.

Section VIII Any member(s) may be expelled from this Post for cause. Charges must be submitted in writing to the Executive Committee. A Post Committee shall be convened to review the charge(s), consisting of six members of this Post, who shall be selected by the Executive Committee, and approved by a majority vote of the membership held at the next general membership meeting, or at a meeting prescribed for in the Post By-Laws. Further, the member(s) shall be served with a copy of the charge(s) at least ten days prior to the review date fixed by the Post Committee, allowing adequate time for the member(s) to prepare a defense.

Section IX Right of Appeal: Any member has the right to appeal the decision of the Executive Committee or Post Committee to the Department Executive Committee.

Article VI: Executive Committee

Section I Officers of the Executive Committee: The officers of the Executive Committee shall be those officers set forth in the Post Constitution, Article VIII, Sections I and II.

Section II A vacancy in the Executive Committee may be declared upon a member's departure as described in these By-Laws, Article V, Sections IV and V.

Section III When a vacancy occurs in the Executive Committee, it will be filled as described in the Post Constitution, Article VIII, Section III.

Section IV Elected members of the Executive Committee shall take office as described in the Post By-Laws, Article II, Section II.

Section V The Executive Committee shall meet for the purpose of conducting business as may come before it, within 10 days after the adjournment of the Department Convention at a time and place specified by the chairperson (Immediate Past Post Commander). Thereafter, the Executive Committee shall meet on the last Tuesday of the month, and at such other times as the chairperson deems necessary, at a time and place set by the chairperson.

Section VI A special meeting of the Executive Committee shall be called when a joint request of seven or more members is received.

Section VII A quorum shall consist of one officer and two voting members.

Section VIII The Executive Committee shall hire such employees as may be necessary (except club employees) to carry out the work of The American Legion. The Executive Committee shall recommend all expenditures, and shall require adequate bonds from all persons having custody of Post funds. The Executive Committee shall select and employ a bookkeeper to make monthly reports of all financial affairs of the Post.

Section IX The duties of the Executive Committee: The duties of this committee shall be those usually pertaining to such committees, advisory recommendations, approvals of expenditures, review of amendments, review of the budget, audit of finance and the employment of clerical help. The Executive Committee shall make recommendations pertaining to all American Legion activities, such as bingo, membership, budget and disbursements.

Article VII: Corporation Board

Section I There shall be established a Corporation Board consisting of five members. Three members will be elected: one to a three-year term, one to a two-year term and one to a one-year term. The chairperson shall be elected by the members at a regular meeting of the Corporation Board. The duties of the Corporation Board shall be restricted to lounge, kitchen and internal management of the Post.

Article VIII: Committees

Section I There shall be the following standing committees of this Post: Americanism; Athletic; Children and Youth; Achievement Awards; Publicity; Ways, Means and Budget; Membership; Nominating and Bingo.

Section II Americanism Committee: This committee shall be charged with the inspiration of patriotism and good citizenship, arrangements for the proper observance of patriotic occasions and encouragement of patriotic and civic phases of instruction in schools, including the combating of anti-Americanism propaganda. This committee shall also be charged with the education of the general public in American ideals through public forum and activities for community and civic betterment.

Section III Athletic Committee: The Athletic Committee shall be charged with the promotion of physical development through clean sports. The committee will be in charge of organizing athletic and recreational teams with the cooperation and support of these types of programs within the community.

Section IV Children and Youth Committee: The Children and Youth Committee shall be charged with the aid and service of children of veterans in cooperation with other establishments and agencies within the community laboring for the betterment of children's conditions. This committee will coordinate the available services of agencies in the community for the above purposes, and will act as an intermediary for needy children of veterans, fulfilling the pledge of The American Legion that the child of every veteran have the core necessities of life.

Section V Achievement Awards Committee: The Achievement Awards Committee shall be under the chairpersonship of the 1st Vice Commander, with two Post members (other than elected officers) to be appointed by the Post Commander. This committee shall convene at the discretion of the chairperson, and will be governed by the following:

1. To recognize and present awards for outstanding feats, praiseworthy efforts and achievements.
2. Awards may be presented to any Post member, as well as the members of associated Post units and individuals with civic and community programs as prescribed in the *Americanism Manual* of The American Legion.
3. Presentation of awards in writing: Requests will be complete with all facts and pertinent data to substantiate the recommendation. The committee will be guided in all its actions with the thought of promoting The American Legion within the organization and associated Post units, as well as the community. This committee will state its findings and recommendations as an endorsement on the original request and forward same to the general membership for final action.
4. This committee, with the approval of the general membership, will devise and design the type of award(s) to be presented.

Section VI Publicity Committee: The Publicity Committee shall be under the chairpersonship of the 1st Vice Commander and be charged with dissemination of news of Post activities to the local community through media sources, The American Legion Department of Colorado newspaper and all other sources. All publications and materials will be given to the Post Historian.

Section VII Ways, Means and Budget Committee: The Ways, Means and Budget Committee shall be under the chairpersonship of the 2nd Vice Commander, with two Post members (other than elected officers) to be appointed by the Post Commander. This committee will be charged with the ways and means of raising funds and distributing those funds for Post projects. This committee may also be charged with the expenditure of Post funds. All monies procured by this committee will be transferred to the Post Finance Officer, who will receipt the amount, credit the project for which the funds were derived and disburse the funds.

Section VIII Membership Committee: The Membership Committee shall be under the chairpersonship of the 1st Vice Commander, with one or more members appointed by the Post Commander. This committee is charged with securing membership to meet or surpass the quota set by The American Legion Department of Colorado.

Section IX Nominating Committee: The Nominating Committee shall be under the chairpersonship of an individual appointed by the Post Commander and two members (other than elected officers), to be appointed by the Executive Committee. All members of this committee are eligible for selection as nominees to any elected office.

Section X Bingo Committee: The Bingo Committee shall comply with all State of Colorado bingo regulations. This committee is charged with the distribution of all funds from pickle and bingo games. This distribution includes, but is not limited to:

Parties

Christmas

Easter

Halloween

Dinners

American Legion Birthday

Membership

Installation

Boys/Girls State

Picnics

Memorial Day

4th of July

Labor Day

Donations

Veterans Needs
Veterans Homes/Hospitals
Thanksgiving
Christmas
Boys/Girls State

Hired Help

Bookkeeper (paid accountant)
Adjutant
Newsletter Editor
Club Secretary

Excess Monies

CDs

Article IX: Meetings

- Section I General Membership Meetings: General membership meetings of this Post shall be held at The American Legion home on the first Tuesday of each month (except for holidays – a new date and time will be set by the Post Commander), at which time business deemed proper for action will be discussed.
- Section II Special General Membership Meeting: A special general membership meeting may be called by the Post Commander or the Executive Committee, at any time, providing the membership has been notified at least ten days in advance.
- Section III Upon the written request of ten or more members, either the Post Commander or the Executive Committee shall call a special general membership meeting of the Post, with written notice of the time, place and purpose. A notice of the special general membership meeting must be given to each member at least ten days prior to the date of the special meeting. No business other than that which was approved in the written notice shall be transacted.
- Section IV All board, corporation and committee meetings shall be open to the general membership. Each entity will report at the next general membership meeting.

Article X: Recognized Organizations

- Section I Sons of The American Legion: This Post recognizes the organization known as the Sons of The American Legion, Squadron 178, as an American Legion program.

- Section II The Post Commander shall appoint a director to preside at all meetings of the Sons of The American Legion, Squadron 178.
- Section III The Post Commander may appoint an assistant director to assist the director, if the need arises.
- Section IV The director shall advise, counsel, instruct and maintain order at all meeting.
- Section V American Legion Auxiliary: This Post recognizes the organization known as American Legion Auxiliary, Unit 178.
- Section VI This Post recognizes the organization known as American Legion Junior Auxiliary.
- Section VII This Post recognizes the organization known as American Legion Riders as an American Legion program.

Article XI: Review of By-Laws

- Section I These By-Laws shall be reviewed every three years for additions or corrections, or as required.