



**BY-LAWS
OF
THE AMERICAN LEGION POST 171
FAIR LAWN, NEW JERSEY**

ARTICLE I- NAME

Section 1: The Post existing under these by-laws shall be known as the **Harry Coppendyke Post 171 of Fair Lawn-The American Legion, Department of New Jersey.**

Section 2: Hereafter where the word **Post** is used, it is understood to refer to the Harry Coppendyke Post 171 of Fair Lawn, New Jersey.

ARTICLE II - MEMBERSHIP

Section 1: Any person shall be eligible for membership in the American Legion who served honorably and was a member of the Army, Navy, Marine Corps, Coast Guard, Air Force, or Merchant Marine during World War II and assigned to active duty at some time during any of the following periods:

April 6, 1917-November 11, 1918 (W.W.I)
December 7, 1941-December 31, 1946 (W.W. II)
June 25, 1950- January 31, 1955 (Korean War)
February 28, 1961-May 7, 1975 (Vietnam War)
August 24, 1982- July 31, 1984 (Lebanon/Grenada)
December 20, 1989- January 31, 1990 (Panama)
August 2, 1990-(to cessation of hostilities as determined by the U.S. Gov't) (Persian Gulf)
(and any other dates to which the National American Legion will so have designated)

or who being a citizen of the United States at their time of entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods, provided however, that such service shall have been terminated by honorable separation, or honorable discharge, or continued honorably after any of said periods; provided further, that no person shall be entitled to membership, who being in such service during any said periods, refused on conscientious, political or other grounds to subject themselves to military discipline or unqualified service.



Section 2: Application for membership shall be in writing, on a form prescribed by the American Legion, accompanied by a copy of a DD-214 or honorable discharge, filed with and secured by the membership chairman

Section 3: Dues are payable by August 1st, in advance; the Legion year being from July 1st of the current year to June 31st of the next year. A member whose dues for the current year have not been paid by January 1st shall be classified as delinquent. If the dues are paid on or before February 1st, the member shall be automatically reinstated. If still delinquent after Feb 1st, the member shall be suspended from all privileges. If still under such suspension after June 30th of such year, the membership in the American Legion shall be forfeited. A member so suspended or whose membership has been forfeited, may be reinstated to active membership in good standing by a majority vote at a Post meeting and payment of current dues for the year in which reinstatement occurs; provided however, that the Post may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active U.S. military service.

Section 4: Application for membership shall be presented at a regular meeting of the Post and referred to the Executive Committee for investigation.

Section 5: When an application has been reviewed by the Executive Committee, it shall be reported on at the next regular meeting of the Post and each application shall be voted upon individually or collectively.

ARTICLE III- MEETINGS

Section 1- Regular meetings of the Post Shall be held on the second and fourth Fridays of each month at 8:00 P.M. in the American Legion Home, River Road Fair Lawn, except during the months of June, July and August, when meetings shall be held on the **fourth Fridays only**.

Section 2: In case of an emergency and only if the American Legion Home is not available, the Post Commander shall be empowered to change the place of a meeting to any location within the Borough of Fair Lawn and to move the day of the meeting forward or backward not more than **three (3)** days. Notice shall be given to the membership as provided for special meetings under Section 6.

Section 3: Ten (10) members shall constitute a **QUORUM**.

Section 4: Special meetings may be called for any purpose by the Commander of the Post.



Section 5: **Special Meetings** may be called by the Commander upon **petition in writing** by ten (10) members of the Post, said petition to set forth the reasons for which such meeting is requested.

Section 6: Due notice in writing shall be given to the membership of the time, place and reason for such a **Special Meeting** by depositing such notice addressed to every member of the Post at his or her current address, mailed from a Fair Lawn Post Office, at **least 5 days prior** to the date of the meeting.

Section 7: No business except that mentioned in the notice shall be transacted at any special meeting.

Section 8: The **ANNUAL MEETING** of the Post shall be held in May of each year, at which time the newly elected officers shall be installed and take office.

ARTICLE IV- OFFICERS

Section 1: The officers of the Post shall consist of a **Commander, a First, Second and Third Vice-Commanders, Adjutant, Finance Officer, Service Officer, Historian, Chaplain, Judge Advocate, Sergeant-at-Arms, five Trustees, and County Delegates and Alternates**, all of whom shall be elected by the membership of the Post, except for the **Adjutant and Service Officer** who shall be appointed by the Commander, subject to the approval of the members of the Post.

Section 2: Each of the foregoing elective officers, with the exception of the Trustees, shall be nominated at the first meeting in March, shall be elected at the last meeting in April and shall hold office until his/her successor shall have been elected and installed. The Trustees with expired terms, shall be nominated and elected each year in the manner provided for Trustees (one for one year, two for two years, and two for three years). Nominations shall remain open up to the date of elections.

Section 3: When two or more candidates aspire for the same office, voting shall be by secret ballot conducted by the Sargent-at-Arms, or in his absence an officer so designated by the Commander. The candidate receiving the highest number of votes shall be declared elected to the office for which he/she is a candidate.

Section 4: No candidate for, or incumbent of any elected public office will be an officer of this Post. If any officer of this Post shall become a candidate for, or incumbent of any elective public office, he or she shall be deemed to have resigned.



Section 5: Any duly elected or appointed officer of this Post who shall be absent from three or more consecutive regular Post meetings, may be deemed to have resigned provided no reasonable excuse can be offered, and the office may be declared vacant by the Commander.

Section 6: In the event of a vacancy of any elective office caused by death, resignation or other disability, the vacancy shall be declared by the Commander and shall be filled by a special election at the next regular meeting of the Post. If the vacancy is the office of the Commander, he/she will notify the First Vice-Commander. **Ten (10) days written notice** of such an election shall be given in the call of the meeting.

Section 7: Delegates and Alternates to the Department Convention shall be those elected as Delegates and Alternates to the County Committees. If the duly elected Delegate or Alternate cannot attend the Department Convention, the vacancy shall be filled by appointment by the Commander, subject to the approval of the membership.

ARTICLE V- DUTIES OF OFFICERS

Section 1: The Commander shall preside at all meetings of the Post and shall exercise general supervision over the affairs of the Post. He/she shall be a non-voting member of all committees.

Section 2: The duties of all the officers of the Post shall be as prescribed in the official **Manual of Ceremonies of the American Legion**.

Section 3: The **Finance Officer** may be required to furnish, at the expense of the Post, a minimum security bond in the sum of **\$2,500.00** for the faithful performance of his/her duties, such bond to be approved by the Board of Trustees, and annually reviewed. Should the bond be refused, or if issued, be called in by the bonding Company, the Board of Trustees shall demand through the Commander, the immediate resignation of the Finance Officer, and a successor shall be elected in accordance with **Article IV, Section 6**.

All bills shall be presented to the Commander for approval, to be reported on not later than the next regular meeting and passed on by the members of the Post.

All indebtedness of the Post shall be paid by **check only**, said checks to be signed by the Finance Officer or Commander. Bank statements are to be reviewed monthly by the Board of Trustees.



Section 4: The Board of Trustees shall consist of the five (5) regularly elected members and the Post Commander, ex-officio, without vote. A quorum will consist of three of the five members and minutes of such meetings will be reported at the next regular meeting of the Post.

The Board of Trustees shall have jurisdiction over and supervise the functioning of a **House Committee** to be appointed by the Commander. The duties of the House Committee shall be to see to the proper care and functioning of the Post quarters, kitchen and other facilities. The House Committee will draw up such rules and regulations as may be necessary and which shall be approved by the Trustees.

The Board of Trustees shall have jurisdiction over and supervise the functioning of a **Bar Committee** to be appointed by the Commander. The duties of the Bar Committee shall be to organize and operate the Post bar and the dispensing of bar foods and beverages. The Bar Committee shall draw up such rules and regulations as may be necessary and which shall be approved by the Trustees.

The Board of Trustees shall control all rentals and dates for the use of the Post building and grounds. They shall attend to making all repairs and alterations to all facilities, but shall not contract for any expenditure costing in excess of \$250.00, excepting in the case of an emergency. Proposed expenditures in excess of \$250.00 will not be made without first receiving the approval of the Post membership. The Board of Trustees shall see that the Post is adequately insured (property and casualty) at all times.

The Board of Trustees shall be charged with the development and administration of the financial policy of the Post, shall review the annual budget prepared by the Post Commander, and shall generally supervise the receiving, disbursing and accounting of all funds. They shall receive and hold all bonds of Post Officers and **shall audit the books, accounts, and funds of the Finance Officer and Bar Committee at least on or before the second Friday of May.**

ARTICLE VI- EXECUTIVE COMMITTEE

Section 1: The **Executive Committee** shall consist of all the elected officers of the Post and the Adjutant and Service Officer.

Section 2: The **Executive Committee** shall meet in advance of the regular meetings of the Post. Six (6) members shall constitute a quorum.

The **Executive Committee** shall have the power to summon before it, any member whose conduct has in any way been objectionable or detrimental to the Post and, upon an impartial hearing, report at any regular meeting of the Post with recommendations for further action, if necessary.

Section 3: Meetings will be chaired by the Post Commander, minutes will be taken and reported to the Post at the next regular meeting.



ARTICLE VII- POST PROPERTY

Section 1: All equipment, uniforms, firearms and other material owned by and entitled to by the Post shall at all times remain the property of the Post and must be returned on request or upon severing membership with the Post, to the Sargent-at -Arms, in satisfactory condition.

Section 2: Any item(s) loaned, will be accompanied by a signed receipt including person, item, and date, and filed with the Sargent-at-Arms.

ARTICLE VIII- ORDER OF BUSINESS

The Order of Business for Post Meetings shall be:

1. Opening of meeting
2. Minutes of preceding meeting
3. Reports of Officers
4. Reports of Committees
5. Sick Call,etc.
6. Unfinished Business
7. Balloting of Applications
8. Bills and Communications
9. New Business
10. Good of the Legion
11. Closing of the meeting

ARTICLE IX- AMENDMENT(S)

Proposed amendment(s) to these By-laws may be submitted in writing at any meeting of the Post. The By-laws may be amended by a two-thirds (2/3) vote of the members present, provided that full notice of the proposed amendment(s) shall be furnished in writing to members of the Post at least ten (10) days prior to the next meeting at which the proposed amendment(s) is to be acted upon.

ARTICLE X- RULES OF ORDER

Where not otherwise provided by these By-laws, **ROBERT'S RULES OF ORDER** shall govern all meeting of the Post.



ARTICLE XII

All By-laws heretofore adopted by the **Harry Coppendyke Post #171 of Fair Lawn-the American Legion, Department of New Jersey**, are hereby repealed and these By-laws, are duly adopted, and become effective immediately.

Respectfully submitted by Judge Advocate Jack K. Zellner May, 2000
