



## American Legion Riders Post 109 Chapter By-Laws

### Preamble

For God and Country, we associate ourselves together for the following purposes:  
To participate in parades and other ceremonies that are within the aims and purpose of the American Legion. To promote motorcycle safety: To provide a social atmosphere for the American Legion family member; and to use our programs to support other motorcycle riding groups, and most of all to our veterans, veteran's homes and hospitals.

### Mission Statement

We as American Legion Riders commit to supporting American Legion ideals, veterans' programs child welfare and local community.

### Article I—Name

*Section 1.* The Chapter existing under these By-Laws is to be known as American Legion Riders McCulloch-Wagner Post 109, The American Legion, and Department of Arizona.

*Section 2.* The name and nature of this Chapter are as set forth in the Constitution.

### Article II—Management

*Section 1.* The officers of the Chapter shall be President, Vice President, Secretary, Treasurer, Sergeant-at-Arms, Corporal-at-Arms, Road Captain, Road Lieutenant(s), Historian, Chaplain, Membership Chairman, Purchasing Agent, Communications and Gear Garage.

*Section 2.* President, Vice President, Treasurer, Sergeant-at-Arms and Road Captain, shall be elected annually; Road Lieutenant, Purchasing Agent, Corporal-at-Arms, Secretary, Historian, Chaplain, Membership Chairman, Communications and Gear Garage are appointed offices, which are appointed by the Executive Board coming in to office.

*Section 3.* Between Chapter meetings, the administrative power of the Chapter shall be vested in the Chapter Executive Board, which shall consist of all elective officers for the current year and in addition the immediate Past President.

*Section 4.* Officers of this Chapter shall be elected annually on the 2<sup>nd</sup> Tuesday in May during the Post 109 election process and take office at the first regular meeting after the annual Department Convention (normally held in Mid-June of each year). All elections of officers shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates. Ballots shall be held by the Executive Committee for six months after elections to be available for review at the general membership's request (by an impartial third party). Nominations for officers shall be submitted in March and April at monthly general membership meeting.

*Section 5.* All vacancies existing in any office of the Chapter from any cause other than the expiration of the term shall be filled by a majority vote of the remaining members of the committee, and a person so appointed shall hold office for the unexpired term of the member of the committee or officer whose position was vacated. The President may temporarily appoint someone to fill a vacated position until the Executive Board may convene and approve the new office holder.

*Section 6.* A vacancy shall exist when a member or officer is absent from the Chapter due to resignation, loss of qualifications, incapacitation from injury or illness, a continuous period of unexcused absences considered detrimental to the interest of the Chapter by the remaining members of the Executive Committee, or for behavior that brings disrepute upon the American Legion, Sons of the American Legion, American Legion Auxiliary, or the American Legion Riders..

*Section 7.* Immediate Past Chapter President shall be a member of the Executive Board with voice but without voting privileges.

*Section 8.* In the event of a tie, The Current President will cast the deciding vote.

*Section 9.* Upon taking office the new executive board will review and update by-laws as necessary.

## Article III—Meetings

*Section 1.* The regular meeting of the Chapter shall be held at American Legion Post 109 on the second Sunday of each month, at which may be transacted such business as may properly be brought up for action; such meetings may be converted into entertainment meetings, as may be deemed agreeable by the officers of the Chapter.

*Section 2.* The Chapter President or a majority of the Executive Committee shall have power to call a special meeting of the Chapter at any time or adjust the regular Chapter meeting from its regularly scheduled date.

*Section 3.* Upon the written, texting on cellular devices, or electronic mail request of any one current member, the Executive Committee shall call a special meeting of the Chapter with reasonable time allotted for planning and notification of officers and other persons of interest.

*Section 4.* Seven regular members and Three Executive Committee members shall constitute a quorum at General Membership meetings

*Section 5.* Four Executive board members shall constitute a quorum at Executive Board meetings.

*Section 6.* All official meetings will be held at American Legion McCulloch-Wagner 109.

## Article IV—Chapter Executive Committee

*Section 1.* The Chapter Executive Committee shall meet for organizational or such other business as may come before it at the call of the Chapter President within 10 days after the installation of the new officers. Thereafter the Chapter Executive Committee shall meet as often as Chapter President may deem necessary. The Chapter President shall call a meeting of the Chapter Executive Committee upon the joint written request of three or more members of said Chapter Executive Committee, and five members of the committee shall constitute a quorum thereof.

*Section 2.* The Chapter Executive Committee, based on a majority vote, shall hire employees as may be necessary; shall authorize and approve expenditures not to exceed \$500.00. Any expenditure exceeding \$500.00 will be approved by general membership present at meeting;-shall hear the reports of chapter committee chairs; and generally, shall have charge of and be responsible for the management of the affairs of this chapter.

*Section 3.* The President may authorize expenditures of up to, but not exceeding \$ 150.00 when deemed necessary or in emergency, but may be questioned by the Executive Committee who must be notified within 3 days through electronic mail or texting on a cellular device.

## Article V—Duties of Officers

*Section 1. Duties of President.* It shall be the duty of the Chapter President to preside at all meetings of the Chapter and to have general supervision over the business and affairs of the Chapter, and such officer shall be the chief executive officer of the Chapter. The President shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Chapter for the year, and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department adjutant.

The President shall perform such other duties as directed by the Chapter.

*Section 2. Duties of Vice President.* The Vice President shall assume and discharge the duties of the office of commander in the absence or disability of, or when called upon by the Chapter president. Further, the Vice President shall perform the duties of membership chairman, lead membership committee, and render reports of membership annually or when called upon at a meeting.

*Section 3. Duties of Chapter Secretary.* The Secretary shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Post and Department organizations may require and under direction of the President handle all correspondence of the Chapter. A copy of the minutes of every official meeting will be turned into the American Legion Post after every official meeting.

*Section 4. Duties of the Treasurer.* The Treasurer shall have charge of all finances and see that they are safely deposited in some local bank or banks. The Treasurer shall report once a month to the Chapter Executive Committee the condition of the finances of the Chapter, with such recommendations as he or she may deem expedient or necessary to carry on the financial activities of the Chapter. The Treasurer shall be a signer for all checks disbursing the monies of the Chapter, and shall be provided such surety bonds in such amounts as shall be fixed by the Chapter Executive Committee and obtained by the Chapter. The Treasurer prepares the Chapter's monthly financial report for the Post 109 Executive Committee and turns in a copy of the report to the American Legion Post 109 after every official meeting. The Treasurer shall ensure that there are at minimum two ALR Chapter 109 Executive Board members listed as a signatory on all ALR Chapter 109 accounts. The Treasurer shall ensure that an American Legion Post Officer is a signatory on any ALR Chapter 109 accounts.

*Section 5. Duties of the Purchasing Agent.* The Purchasing Agent and Chapter President are the only ATM/Credit card holder and is responsible for all online purchasing as well as any other purchasing approved by the Executive Committee and General Membership of the Chapter. Reports of all purchases are to be turned into the Finance Officer monthly for review as well as for reporting these activities to the general membership of the chapter at the official monthly meeting.

*Section 6. Duties of Chapter Historian.* The Chapter Historian shall be charged with the individual records and incidents of the Chapter and Chapter members, and shall keep during the term of office, a record of all events, which may have a historical value. The historian shall post to all ALR 109 social media outlets a monthly report with pictures as well as provide monthly report and pictures to Legion 109 Historian. The Historian shall perform such other duties as may properly pertain to the office as may be determined by the Chapter or the Executive Committee.

*Section 7. Duties of Chapter Chaplain.* The Chapter Chaplain shall be charged with the spiritual welfare of the Chapter members and will offer divine but nonsectarian service in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department headquarters from time to time. Sick call and relief call should be reported at all official chapter meetings.

*Section 8. Duties of Road Captain.* The Road Captain shall plan all tours, runs, activities, and events; lead the chapter in formation riding or parades; arouse interest in activities; enforce all rules of safe motorcycle operation and group riding. Additionally, the Road Captain may select Road Lieutenants to aid in special tasks and may chair appropriate activities committee as directed by the chapter President or Executive Committee. A sign-in sheet with a waiver attachment should be signed by all members and guests before every ride and collected by the Road Captain or designated Road Lieutenant(s) and given to the President for reporting on volunteer hours, miles and money donated to the respective entities.

*Section 9. Duties of the Road Lieutenant.* The Chapter Road Lieutenant(s) should fulfill all duties of the Road Captain in the event that he/she is unable to adhere to their responsibilities in addition to, when appropriate, leading a secondary group in formation and aid in the planning of events. The Road Lieutenant is also responsible for aiding the Road Captain in arousing interest in activities and enforcing all rules of safe motorcycle operation and group riding.

*Section 10. Duties of the Sergeant-at-Arms.* The Sergeant-at-Arms shall preserve order at meetings and gatherings, assist the Road Captain in enforcing all rules of safe riding during rides and runs. They will perform such other duties, or chair committees, as assigned by the President or Chapter Executive Committee. In addition, the Sergeant-at-Arms should be prepared to lead a small group in the event that they are separated from formation.

*Section 11. Duties of the Corporal-at-Arms.* The Chapter Corporal-at-Arms shall aid the Sergeant-at-Arms to preserve order at meetings and gatherings, assist the Road Captain in enforcing all rules of safe riding during rides and runs. In addition, the Corporal-at-Arms shall be responsible for fulfilling the Sergeant-at-Arms' duties in the event that he/she is unable to adhere to their responsibilities and be prepared to lead a small group when they become separated from formation.

*Section 12. Duties of Membership Chairman.*—Membership is responsible for maintenance of membership records. Membership shall collect membership dues of \$21.00 dollars annually, and provide same to Treasurer on a regular basis. The Membership is charged with the review and/or collection of eligibility documentation as required to demonstrate compliance with National membership requirements, and to demonstrate any additional requirements as may be defined by the sponsoring Post Executive Board, applicable Department rules; or State and Local laws. The Membership shall render detailed membership reports annually or when called upon to do so at regular meetings of the Chapter. Additionally, the Membership shall send renewal notification to members of record upon availability of Legion, ALA, and SAL membership cards for the following membership year. The current membership numbers shall be given monthly to the President for use at the General American Legion Executive Committee meetings. The Membership Chairman is charged applying all Department rules and State / local laws when reviewing and/or collecting eligibility documentation as required to demonstrate compliance with National membership requirements and to demonstrate any additional requirements as may be defined by the sponsoring Post Executive Board.

*Section 13. Duties of Communications Officer(s).* The communications officer is charged with ensuring through email or other means of notification; all members are notified of all functions, events or gatherings. The communications officer is charged with keeping a current record of members and contact information.

*Section 14. Duties of Gear Garage.* The gear garage officer is responsible for setting up ALR merchandise at events, notify the Purchasing agent of orders to be approved by the E-board, keep track of what is selling and what is not selling, to be presented to the E-board, The gear garage officer is responsible for setting up ALR merchandise at events, notify the Purchasing agent of orders to be approved by the Executive Committee, keep track of what is selling and what is not selling, and present all information to the Executive Committee upon request.

#### Article VI—Membership Eligibility

*Section 1.* Eligibility for basic membership in the American Legion Riders shall: be a member in good standing of the American Legion (Legion / Entity membership is renewed prior to renewing ALR 109 membership), the American Legion Auxiliary, or the Sons of the American Legion, demonstrate current individual membership in the American Legion, the American Legion Auxiliary, or the Sons of the American Legion.

*Section 2.* Prior to being voted into the American Legion Riders, prospective member must complete an application. Upon acceptance of application, there will be a probationary period of 90 days or longer. Many of the factors of becoming an American Legion Rider are rides that you attend, events or benefits that you participate in and the amount of hours/ time you donate. Current ALR members will observe how you ride and interact with other 109 riders. Your membership into the ALR will be decided based on your performance during the probationary period.

*Section 3.* Members will not at any time hold membership in more than one chapter of the American Legion Riders.

*Section 4.* In addition to sections 1-3 above, all members must be the legally registered owner of at least a 500cc

motorcycle or be the spouse or significant other of an American Legion Rider member. Exceptions are section 7, honorary, supporting and junior members. Prior to acceptance into ALR Chapter 109, prospective members must provide a valid motorcycle operator's license for their State of residence. Further, prospective members must provide proof of motorcycle insurance that is required by the State in which the motorcycle is registered. All ALR Chapter 109 members will maintain the required motorcycle insurance throughout the membership within ALR Chapter 109

To remain an American Legion Rider of Post 109 you must:

- Participate in not less than three (3) events per year. Examples are assisting with Slingo, helping with ALR dinners and ALR sanctioned rides and meetings.

We will ring the bell and / or announce five (5) minutes prior to kick stands up to assure that all riders have signed up. If you have not checked in for the event you will NOT receive credit.

- Exceptions will be made for those members of the ALR that are deployed or who do not reside in Southern Arizona.
- To receive an-exception from participation you may request a meeting with the Executive Officers.

*Section 5.* Supporting members shall be appointed by the executive board through their support in the American Legion Riders. Supporting members may wear all authorized patches and emblems in conjunction with the chapter supporter patch. These memberships are of a nature to provide recognition to those who show strong support to the individual American Legion Riders chapter. All supporters of the American Legion Riders must further demonstrate current individual memberships in the American Legion, the American Legion Auxiliary, or the Sons of the American Legion. Supporters are welcome to all functions and meetings, but have no voice, no vote at meetings, and shall not hold office within ALR Chapter 109..

*Section 6.* ALR program may allow for continued membership for those members who have given up motorcycle ownership because of age, illness, injury, or other reasons outside the member's control such as, but not limited to, repossession and divorce. Continued membership will be in accordance with Article 6 Sections 5 or 8.

*Section 7.* Honorary members; by vote of  $\frac{3}{4}$  the members present and voting, an honorary membership may be bestowed upon an individual who has continuously demonstrated his or her support of the American Legion Riders. Honorary members shall not be entitled to a vote or hold an office in the Chapter. The honorary member will be entitled to wear the American Legion Riders patches with approved rocker (touching the ALR issued back patch), and entitled to attend chapter functions.

*Section 8.* Membership may be refused or revoked in the event a member belongs to a motorcycle club, being suspended or banned from their other respective entity (Legion, ALA SAL) for disciplinary reasons until the suspension is lifted, for disrespecting The American Legion or American Legion Riders such as but no not limited to, being arrested while representing said entity, and/or for not being in "good standing" with The American Legion.

*Section 9.* Patches may be collected from a member, without refunding the cost of the patches, as a disciplinary action for disrespecting The American Legion and/or The American Legion Riders while representing said entities.

First Offense: Warning or infraction / Disciplinary proceedings;

(If you have been seen riding in an aggressive manor while wearing your patches, that is considered to be unsafe to others as well as yourself.)

Second Offense: Member's patches will be surrendered to Executive Board. No exceptions.

*Section 10.* American Legion Riders Post 109 membership dues are due between August 1st and December 31st for the following year. If dues are not current, then your Riders membership will be formally revoked. That means you are not eligible to participate in meetings or wear the American Legion Riders patch. To regain membership in good standing with the American Legion Riders Post 109, another application must be filled out, and it must be brought up to the E-board and general membership for a vote. Until that time, a rider whose membership has been revoked is no longer eligible to come to Legion Riders meeting or to wear the Legion Riders back patch. Be advised that if a membership was revoked and the former member continues to wear the back patch, charges can be brought against the former member and that the former member will be liable for all court costs and attorney fees. This also applies to a former member who is not voted back into the Legion Riders but continues to wear the Legion Riders patch.

*Section 11.* The front of the vest or jacket should have an American flag patch. The American Flag Patch will be located on the upper left side of the vest or jacket. If worn, no other patches or pins will be located higher than the American Flag Patch.

Below the American Flag the POW/MIA Patch is worn.

Upper right hand side of the vest the entity patch, below the entity Patch is the name tags and officer patches.

All patches on the upper half of the front will be related to the American Legion, military service, or veteran memorial in nature. Run pins may be attached to the upper half on the front, but not higher than the American flag patch. Other motorcycle related patches may be worn on the lower half of the front.

The American Legion Riders back patch will be worn on the back of the jacket, along with top and bottom rockers as described below. The name of the Department may be embroidered at the bottom of the back patch. If rockers are worn with the back patch, they should be affixed to the vest or jacket adjoining the patch to resemble a one piece patch. The only authorized ALR logo and patch are those which are sold through Emblem Sales.

Patches made for the vest must be in good taste, reflect credit upon the American Legion and the use of profanity is not authorized. Members shall avoid any perception of being a "motorcycle" or "biker" club. No rockers may be worn in a fashion that suggests a 2 or 3 piece chapter. Bottom rocker must be touching the ALR issued back patch.

Section 12. The Chapter Secretary will inform any member pending disciplinary action of the decision of the ALR 109 Executive Committee's disciplinary decision. The notification will be a written letter signed by the President. The letter can be hand delivered to member and member will sign a second copy of the disciplinary letter signifying receipt of disciplinary letter. If hand delivery is not possible, the disciplinary letter will be delivered to member's address via USPS registered mail. Return receipt of delivery and signing for the letter will be confirmation of delivery. The member that disciplinary actions are being levied against shall also receive a copy of all pertinent documents used to reach a disciplinary decision. This shall include but not limited too; incident reports, photos, statements, etc..

Section 13. Upon receipt of disciplinary letter, member in question can accept the punishment and serve the discipline handed down by ALR 109 Executive Committee or the member can request a hearing at the very next ALR 109 Executive Committee meeting at which they will provide a defense for their actions and request the Executive Committee waive the disciplinary action. The request to conduct a hearing must be delivered to a member of the ALR 109 Executive Committee, in writing, within 5 business days of receipt of the disciplinary letter. The Executive Committee member receiving the request for hearing shall sign for the request indicating the request was delivered in the appropriate time. Upon member providing Executive Committee their defense, the Executive Committee will vote on the disciplinary decisions. After the hearing, the member in question may present their case to the ALR 109 General Membership at the next regular meeting. The Executive Committee disciplinary decision can only be overturned by a two thirds vote by the General Membership present at the ALR 109 General Membership meeting. The General Membership cannot alter the discipline to a lesser amount or greater amount.

#### Article VII—Delegates

*Section 1.* The Executive Committee shall pick delegates and alternates to a Department American Legion Riders meeting, convention, regional gathering or other activity prior to the date of such event.

#### Article VIII—Appointments

*Section 1.* The Chapter President, immediately upon taking office each year, may appoint standing committees or commissions for the furtherance of chapter programs.

*Section 2.* Such standing committees shall consist of such persons, and the chair thereof, as designated by the Chapter President.

Section 3. Habitual standing committees that the Chapter President shall appoint members to are: Disciplinary Committee (consisting of Vice President, SGT At Arms, and a third member too be appointed from General Membership / Actions will include reviewing disciplinary issues, discussing issue and potential disciplinary Acton to be taken by ALR 109, recommend potential disciplinary action to ALR 109 Executive Board)

#### Article IX —Resolutions

*Section 1.* All resolutions of state or national scope presented to this Chapter by a member or reported to this Chapter by a committee shall merely embody the opinion of this Chapter on the subject and copy of same shall be forwarded to the Post/Department headquarters for its approval before any publicity is given or action other than mere passage by the Chapter is taken.

#### Article X—Notices

*Section 1.* Every member shall furnish the Chapter Secretary with a valid email or postal mailing address and phone number.

*Section 2.* The Chapter Secretary shall cause notice of the annual election to be given at least two weeks prior thereto.

Section 3. The Chapter Secretary shall furnish any member pending disciplinary action of the Executive Board decision of said disciplinary action.

#### Article XI—Rules of Order

*Section 1.* All proceedings of this Chapter shall be conducted under and pursuant to Roberts' Rules of Order (Newly Revised), except as herein otherwise provided.

Article XII—Limitations of Liabilities

*Section 1.* This Chapter shall incur, or cause to be incurred, no liability nor obligation whatever which shall subject to liability any other Chapter, subdivision, members of The American Legion, post, departments, or other individuals, corporations or organizations.

Article XIII—Amendments

Section 1. These By-Laws may be amended at any regular Chapter meeting by a vote of two-thirds of the members of said Chapter attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the two preceding regular meeting. Any changes will be reported to the sponsoring department or post. ALR Chapter 109 members will be notified of potential By-laws changes by electronic communication and when that vote will take place.

*Section 2.* Written notice to the addresses of record indicated in Article IX, Section 1, shall have been given to all members at least 5 days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting there will be presented a proposal to amend the By-Laws.

**In TESTIMONY WHEREOF**, I have hereunto set my hand to be affixed, this 12<sup>th</sup> day of March 2019.

ATTEST:

/////original signed/////  
Jill Ray  
ALR 109 Secretary

/////original signed/////  
Kirk Affolder  
ALR 109 President

AMENDMENTS

(1) Amended March 10, 2018