

BYLAWS
PACIFIC BEACH POST NO. 5985
VETERANS OF FOREIGN WARS OF THE UNITED STATES
Post Approved on 9 February 2023

ARTICLE I - NAME AND LOCATION

- Sec. 1.** By virtue of the charter granted, this Post shall be known as Pacific Beach Post No. 5985, Veterans of Foreign Wars of the United States.
- Sec. 2.** This location of this Post shall be in the City of San Diego, County of San Diego, State of California.

ARTICLE II - SUBORDINATION

- Sec. 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 Bylaws of the Veterans of Foreign Wars of the United States, the Bylaws of the Department of California, and orders issued by authority of the National Convention, National Council of Administration, the Commander-in-Chief, the Department Convention, Department Council of Administration, and/or the Commander of the Department of California. Resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE III - MEETINGS

- Sec. 1.** Place: The regular meeting place of this Post shall be at 853 Turquoise Street, San Diego, California.
- Sec. 2.** Day and Time: The regular meetings of the Post shall be held on the second Thursday of each month and to be called to order at 6:00 p.m.
- Sec. 3.** Shall the Post permanently change its location, meeting place, day and/or time, Section 205, Manual of Procedure shall govern the procedure; membership to be notified via website, email, and bulletin board notification. Should a regularly scheduled meeting conflict with a holiday or other special event, the members of the Post shall be notified of the meeting change per previous meeting minute announcement, website, email, and bulletin board.
- Sec. 4.** Quorum: Five members in good standing, to include the officers, shall constitute a quorum for the transaction of business.
- Sec. 5.** Special meetings may be called per Section 203, Manual of Procedure, with at least four (4) day notification (previous meeting minute announcement, website, email, and bulletin board) to the membership.
- Sec. 6.** Meetings may be electronically conducted per the National Bylaws and Manual of Procedure.

ARTICLE IV - MEMBERSHIP

- Sec. 1.** Members in this Post, eligibility to, application for, acquiring and maintenance of, loss of, and discipline shall be in accordance with the provisions of the National Bylaws and Manual of Procedure.

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Sec. 2. The annual dues of this Post shall never be less than the amount required to cover Department and National dues; the Post shall not charge an admission fee.

ARTICLE V - OFFICERS

Sec. 1. Eligibility to, nomination, election or appointment, installation, removal, succession, and term of office shall be in accordance with the provisions of the National Bylaws and Manual of Procedure.

Sec. 2. Post officers shall be in accordance with Section 216 of National Bylaws. The Commander shall appoint a Chaplain, Judge Advocate, and Service Officer and may appoint a Surgeon, Officer of the Day, and Guard. The Commander shall make other appointments to include committees and chairpersons as required and/or needed, or as the voting membership may direct, for the successful functioning of the Post. All appointments shall be made as promptly as possible after the election to office.

Sec. 3. The duties of all officers shall be those prescribed by the Department and National Bylaws and Manual of Procedure, as these Bylaws may provide, and as the lawful orders as the Post may direct.

Sec. 4. At the discretion of the Commander, the positions of Adjutant and Quartermaster may be combined.

ARTICLE VI - COMMITTEES AND DUTIES

Sec. 1. All committees and their chairpersons, unless otherwise provided, shall be appointed by the Commander. The Commander retains the authority to remove any appointed committee chairperson or committee member at any time. The Quartermaster, by virtue of office, shall be the treasurer of all committees handling funds. In addition, the Post Commander, by virtue of his/her office, shall be a member of all committees.

Sec. 2. There are five (5) Standing Committees that shall be:

MEMBERSHIP	YOUTH DEVELOPMENT	HOUSE
BUDDY POPPY	CITIZENSHIP/COMMUNITY SERVICE	

Sec. 3. House Committee

(a) The Committee should not exceed a total of five voting members. The Post Commander, considering the advice of the membership, shall appoint three permanent members with the terms of office the same as that of Post Trustees, i.e., one three-year, one two-year, and one one-year term or until the successor is appointed. Of these three term appointees, the Commander shall designate the Chairperson who shall not be the Post Commander. The Post Commander and Post Quartermaster, by virtue of their offices, shall be voting members of this Committee. Trustees shall

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not serve on the Committee but may attend meetings like other members without voting authority.

- (b) The Committee is responsible for oversight of all business activities and the cleanliness, health, safety and upkeep of the facility, property, and the equipment therein and shall make policy and procedure recommendations for the approval of the membership that consider such issues as efficiency, effectiveness, profitability, accountability, governance, safety, legality, employee selection and removal, employee pay and performance, etc.
- (c) The Committee shall make recommendations for the approval of the membership in matters concerning the above and the sub-rental of the Post's quarters to ensure the protection of the Post's name and property.
- (d) The committee shall not directly handle funds nor shall it have the authority to approve expenditures of funds and contracts, make investments, direct price change within the Canteen, or take other actions not in the interests, or purview, of the membership. However, in an emergency, as specified in the following paragraph, the Committee shall be directly involved with the approval of funds disbursement.
- (e) If an emergency need exists for monetary expenditure, as declared by the Commander or in his/her absence a Vice Commander, the Committee members shall each be contacted and vote taken for decision to remedy the emergency (phone call procedure is hereby authorized). The membership would then be informed on an "after the fact" basis. The situation and members' vote shall be fully documented for presentation to the membership at the next regularly scheduled membership meeting. An emergency is defined as, "A condition which adversely impacts the business activities of the Post, or the health and/or safety of its employees, volunteers and/or membership." An emergency maximum expenditure shall not normally exceed \$2,500.00 per instance.
- (f) The minutes of the committee meetings shall be provided to the membership no later than at the next regularly scheduled business meeting or special meeting that may be called. Other than the procedure for emergency declaration, the decisions of the membership shall only become effective upon their approval by a majority vote of members present and voting at a regular or special meeting called for this purpose.
- (g) The Post may adopt further rules and regulations governing the conduct of club and canteen operations and the subsidiary units, as may be necessary, and which shall not conflict with established Bylaws.

ARTICLE VII - CONTROL OF SUBSIDIARY UNITS

Sec. 1. Any activity, unit or clubrooms sponsored, conducted, or operated by the Post, incorporated separately from the Post or unincorporated, shall be always under the direct control of the Post.

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- Sec. 2.** All funds derived from any of the above shall be in the custody of the Post Quartermaster and retained within the facility and bank only.
- Sec. 3.** All money, property, and assets of every kind as well as all records in connection therewith used, held and owned by any of the above activities is the property of the Post and must be placed in the care and custody of the Post Quartermaster.
- Sec. 4.** The Veterans of Foreign Wars Auxiliary and the Military Order of the Cootie are governed by Articles XI and XII, respectively, of the National Bylaws and Manual of Procedure of the Veterans of Foreign Wars and their respective Bylaws, rules, and regulations.

ARTICLE VIII - EXPENDITURE AND RECEIPT OF FUNDS

- Sec. 1.** Expenditure of funds shall be made only after prior authorization by the Post and approved by the Commander except for an emergency situation as defined in ARTICLE VI, Section 3(e). Expenditure shall be per acceptable banking practices and properly documented. Unless otherwise provided for in these Bylaws, all disbursements of Post funds shall bear the signature of the Quartermaster or other person(s) authorized by the Quartermaster. All authorized personnel shall be properly bonded per Section 703 of the National Bylaws.
- Sec. 2.** The adoption of this Article shall constitute authorization of the Post for the prompt payment of, as applicable, bills for mortgages, rent and/or leases; insurance; contracts; utilities; bar and kitchen orders and supplies; taxes and fees; security; custodial; office supplies; internet and communications; approved employee(s) payroll and expenses; miscellaneous routine bills associated with the approved, business operations of the Post to include lounge entertainment; membership; VFW Supply for the needs of the Post; and the normal and proper assessments by District 1, Department of California, and/or National Hq.
- Sec. 3.** No other payment or expenditure shall be made except per the specific authorization of the Post membership in each case and per the approved budget.

ARTICLE IX - COMPENSATION

- Sec. 1.** All elected and appointed positions are non-paid positions, the exception being the Quartermaster (Adjutant/Quartermaster should the offices be combined) who **may** receive compensation per the approval of the House Committee and the voting membership. Such vote shall be taken only when it is certain (documented via signed contract) that with the payment of monetary compensation, there be absolutely no other obligation or expenditure by the Post for financial accounting, tax preparation, etc., and that if such is expended or obligated, then it shall be the Quartermaster (Adjutant/Quartermaster if the office is combined) who will then individually pay such expenditure or obligation which could require withholding of any earned compensation by the Post in the amount obligated or expended.
- Sec. 2.** For services rendered "above and beyond" (as determined and approved by the membership), the Post may, by majority vote, pay the annual or Life Member dues of the Post member but if already a Life Member, may authorize the payment for Legacy Life Membership and/or a Life Membership to the VFW National Home. The Post Commander is

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authorized to solely award three Life Memberships to the VFW National Home, per year, for service rendered "above and beyond" as determined by the Commander.

ARTICLE X – SOLICITATION OF FUNDS

- Sec. 1.** This Post shall solicit funds or donations only by prior vote of the members agreeing to the proposition. It shall not solicit funds or donations or otherwise engage in fundraising activities or projects outside the immediate geographical area or community of the Post. The requirements of Section 214, Manual of Procedure, shall be followed.
- Sec. 2.** Buddy Poppy distribution will consider, as a minimum, Memorial Day, Veterans Day, and the 4th of July. Funds collected shall be placed in the Relief Fund.
- Sec. 3.** No solicitations or ticket sales shall be permitted in the Post quarters or at socials or meetings unless such solicitations or ticket sales shall have been approved by the Post.
- Sec. 4.** Solicitation of funds not herein addressed shall follow the requirements of Section 214, Manual of Procedure, and shall first have the approval of the membership.

ARTICLE XI - MISCELLANEOUS

- Sec. 1.** Every member of this Post should keep the Post Adjutant and/or Quartermaster advised of their current physical and email address by promptly reporting any change of same if not already done by the member via the VFW National website.
- Sec. 2.** One copy of these Bylaws shall be issued to each elected and appointed officer of this Post and posted on the website.
- Sec. 3.** In all Post procedures not provided for by the Congressional Charter and Bylaws or these Bylaws, Robert's Rules of Order, Newly Revised shall be the authority and it shall be the duty of the Judge Advocate to advise the proper rule(s) to Post officers and membership.

ARTICLE XII - SPEECHES

- Sec. 1.** No member will be permitted to speak on any one subject (Pro or Con) more than twice; the first time no longer than five (5) minutes, and the second time no longer than three (3) minutes. The exception is a committee report, analyses and recommendations of an issue, and visiting guests who have a message to impart.

ARTICLE XIII - AMENDMENTS

- Sec. 1.** These Bylaws shall become effective upon adoption by this Post and the approval of the Department Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States.

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- Sec. 2.** These Bylaws may be amended by a two-thirds vote of the members present and voting at a meeting, provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments.
- Sec. 3.** Whenever these Bylaws or subsequent amendments may be found to conflict with the present or any future Department or National Bylaws, the latter shall prevail and be binding upon this Post as though written herein.

CERTIFICATION

These Bylaws were presented to the membership for first review at the 8 December 2022 regular business meeting and the second review was at the 9 February 2023 regular business meeting. Additionally, these Bylaws have been continually posted on the bulletin board and website since 8 December 2022.

These Bylaws were adopted, subject to the review of the Department Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States, on this 9th day of February 2023 at a regular meeting of this Pacific Beach Post No. 5985, Veterans of Foreign Wars of the United States.

ATTEST:

/s/ Signed 9 Feb 2023

Adjutant

/s/ Signed 9 Feb 2023

Commander