

# **Victor H Miliza**

# **VFW POST 9401**

## **By Laws**

**01-29-2025, Revision**

**Approval Date:** \_\_\_\_\_

**Post Commander, Omer Ethier:** \_\_\_\_\_

**BY LAWS**  
**VICTOR H. MELIZA**  
**POST NO. 9401**  
**VETERANS OF FOREIGN WARS OF THE UNITED STATES**

***ARTICLE I***  
***NAME AND LOCATION***

- Sec. 1. By virtue of charter granted, and a vote of membership on August 3, 2006, this Post shall be known as Victor H. Meliza Post No. 9401 Veterans of Foreign Wars of the United States.
- Sec. 2. The location of this Post shall be in the City of Lake Havasu City, County of Mohave, State of Arizona, 86403.

***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 Arizona, orders issued by authority of the National Convention, National Council of Administration, the Commander-in-Chief, the Department Convention, Department Council of Administration and the Commander of the Department of Arizona. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.
- Sec. 2. The Rules of Order governing all meetings within this Post shall be in conformity with the National Bylaws, the Bylaws of the Department of Arizona, and the Bylaws of this Post. The Robert's Rules of order, Newly Revised shall govern procedural matters not covered within.

### ***ARTICLE III MEETINGS***

- Sec. 1. Place: The regular meeting place of this Post shall be Veterans of Foreign Wars Post 9401, 266 London Bridge Road, Lake Havasu City, Arizona 86403.
- Sec. 2. Time: The regular meetings of the Post shall be held on the First Thursday of each month, to be called to order at six p.m.
- Sec. 3. The Post may, after at least fourteen (14) days written notice to the Department Commander and the members of the Post, change its meeting place, appointed day or time upon a majority vote of the members present at a regular or special meeting called for such purpose.
- Sec. 4. Special meetings may be called in accordance with the provisions of the National Bylaws.
- Sec. 5. Quorum: IAW National Bylaws Art. II Sec 205 requires 5 members in good standing constitutes a quorum.

### ***ARTICLE IV MEMBERSHIP***

- Sec. 1. Membership 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.
- Sec. 2. The admission fee for all new members of this Post shall be \$10.00 more than National dues, payable in accordance with the National Bylaws.
- Sec. 3. The dues of this Post shall never be less than the amount required to cover Department and National dues.

**ARTICLE V**  
**OFFICERS**

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

Sec. 2. The duties of all officers shall be those prescribed by National and Department Bylaws, lawful orders as the Post may direct and as these Bylaws may provide.

Sec. 3. Officers

a. The Officers of the Post will be a Commander, Senior-Vice Commander, Junior-Vice Commander, Quartermaster, Adjutant, Chaplain, Surgeon, Officer of the Day, and three Trustees.

b. The Commander, Senior-Vice Commander, Junior-Vice Commander, Quartermaster, Third-year Trustee and Third Year House shall be elected annually.

c. The Adjutant, Chaplin, Officer of the Day, Service Officer, Judge Advocate, Surgeon, and Committee Chairmen shall be appointed by the Commander on the night of the elections or as soon thereafter as possible.

Sec. 4. Vacancies will be declared and filled in accordance with Article II Section 218 of the National Bylaws and as supplemented by these Bylaws.

**ARTICLE VI**  
**COMMITTEES AND DUTIES**

Sec. 1. All Committees and their chairmen, unless otherwise provided, shall be appointed by the Commander as promptly as possible after election to office. The Commander retains the authority to remove any appointed committee chairmen

or committee member at any time. The Post Quartermaster 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 and will vote only in cases of a tie.

Sec. 2. The Standing Committees of the Post shall be as follows:

- (a) Membership
- (b) Relief
- (c) Buddy Poppy
- (d) Activities
- (e) Youth Activities
- (f) House Committee
- (g) Americanism
- (h) Ways and Means

Sec. 3. **House Committee:**

- (a) The House Committee shall be elected by the Post members to manage all matters related to the Post property. It shall consist of not less than three members. Initially, one member will be elected for a one (1) year term, one member will be elected for a two (2) year term and one member will be elected for a three (3) year term. Thereafter, the one (1) year member will be replaced by the two (2) year member and the two (2) year member will be replaced by the third (3) year member and a newly elected third (3) year member will constitute the House Committee for that year. In addition, the Post Commander and Post Quartermaster by virtue of their offices shall be members of the House Committee. The Post Quartermaster shall be the financial consultant and shall not have an official vote on matters of the House Committee. The Post Commander in his advisory capacity shall have a vote only in the event of a tie. Commander reserves the right to veto any vote for "Good of the Order".
- (b) The House Committee shall be responsible for the cleanliness, order, and maintenance of the Post Home and all the associated equipment.

- (c) The Committee or appointed member shall be in charge of the sub-rental of the Post's quarters and shall exercise such supervision over sub-renters as will ensure the protection of the Post's name and property.
- (d) All monies received by the House Committee through the sub-rental of the Post's quarters or other sources shall be deposited promptly with the Post Quartermaster.
- (e) The House Committee shall keep a record of all its receipts and expenditures and shall, at every meeting of the Post, report all monies received and all expenditures made since the last meeting.
- (f) The Post may adopt such further rules and regulations governing the conduct of club or canteen as do not conflict with the provisions of this Article. Such rules and regulations shall only become effective upon their approval by a majority vote of members present at a regular or special meeting called for that purpose; at least thirty (30) days-notice as posted on Post website and bulletin board.

***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 at all times under the direct control of the Post.

- Sec. 2. All funds derived from any of the above shall be in the custody of the Post Quartermaster.
- 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, the Military Order of the Cootie and its Auxiliary, 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 OF FUNDS***

- Sec. 1. Expenditure of funds shall be made only after prior authorization by the Post membership. All checks for the expenditure of Post funds shall be numbered in sequence. 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. Such other authorized person(s) shall be bonded in accordance with Section 703 of the National Bylaws.
- Sec. 2. The adoption of this Article shall constitute authorization by the Post members for the payment of bills, when and as due, for monthly rental, public utility service, postage, janitor service, janitorial supplies and minor emergency repairs authorized by the House Committee, provided that the amounts to be paid for monthly insurance and for janitor service shall have been previously established by the Post membership.

Sec. 3. No other payment or expenditures shall be made except on the specific authorization of the Post membership in each and every case.

***ARTICLE IX  
COMPENSATION***

Sec. 1. No compensation shall be paid to any officer of this Post for their services, except as hereafter may be provided.

Sec. 2. For services rendered, the Post membership may, by majority vote, pay the annual dues of the Adjutant and Quartermaster for the periods or parts of periods they serve as such, and such other compensation commensurate with their duties as may be determined and specified by vote of the Post membership.

***ARTICLE X  
FUNDRAISING PROMOTIONS/SOLICITATIONS***

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.

Sec. 2. This Post shall not enter into any agreement with a promoter for the purpose of raising funds unless the said promoter shall have first furnished a good and sufficient surety bond and liability insurance in a principal sum sufficient to give the Post ample protection in the particular circumstances. The said bond shall be subject to the approval of the Post adjutant or Quartermaster, bear the endorsement of the Post Commander and be kept in the possession of the Post Quartermaster. The bond will be conditioned on the payment to the Post Quartermaster of all monies due the Post as a result of the solicitation within



thirty (30) days of the close of the campaign. If the promoter has made satisfactory settlement within the thirty-day period, then surety will be determined to be discharged, otherwise the bond will remain in full force and effect.

Sec. 3. If the bond cannot be furnished, then all collections shall be made by the members of the Post sponsoring the campaign or entertainment and said funds shall be paid to a bonded officer of the Post who shall hold the funds in his/her custody pending proper pro rata distribution.

Sec. 4. Fundraising organizations or individuals conducting solicitations, activities or projects for a profit shall not be engaged or used by the Post for such purpose unless such engagement is made by written agreement between the Post and the organization or individuals providing those services. The form of any such written agreement must be submitted to the Department Commander for review at least thirty (30) days prior to any Post entering into any such agreement.

Sec. 5. Unless previously authorized by a majority vote of the Post, no solicitations or ticket sales shall be permitted in the Post quarters or at socials or meetings unless such solicitations or ticket sales have been approved by the Post membership.

Sec. 6. The Ways and Means Committee and or elected Trustees shall confine any such approved solicitations or ticket sales to stated meetings and socials of the Post in or around the Post quarters.

## ***ARTICLE XI*** ***MISCELLANEOUS***

- Sec. 1. Every member of this Post shall keep the Post Adjutant and Quartermaster advised of their current address by promptly reporting any change of same.
- Sec. 2. One copy of these Bylaws , Robert's Rules of Order Newly Revised be issued to each elected and appointed officer of this Post.
- Sec. 3. In all Post procedures not provided for by the Congressional Charter and Bylaws or these Bylaws, Demeter's Manual shall be the Authority, and it shall be the duty of the Judge Advocate, in an advisory way, when called upon to do so by the Post Commander to advise the Post Commander on the proper rule or rules.

## ***ARTICLE XII SPEECHES***

- Sec. 1. No member will be permitted to speak on any one subject (Pro or Con) more than twice on the same question; nor longer than 10 minutes each time. No member shall speak a second time on the same question if any member who has not spoken on that question arises to claim the floor to speak thereon. Nominating speeches shall not exceed 5 minutes each, nor exceed 2 seconding speeches of 2 minutes each.

## ***ARTICLE XIII AMENDMENTS***

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

Sec.2

Unless otherwise provided for, these Bylaws may be amended by the Post by a

two-thirds vote of the members present at a stated meeting provided each member had been notified at least twenty (20) days in advance in accordance with Article VII Section 202 of The National Bylaw and upon request provided a copy of the proposed amendments. All amendments shall be forwarded through channels and reviewed by the Department Commander and the Commander-in-Chief before becoming effective.

Sec. 3. Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future National Bylaws and Bylaws of the Department, the latter shall prevail and be binding upon this Post as though written herein.

These Bylaws were adopted, subject to the review of the Commander-in-Chief and the Commander of the Department of Arizona, Veterans of Foreign Wars of the United States on this \_\_\_\_ day of \_\_\_\_\_, , at a regular meeting of this Post in the City of Lake Havasu City and County of Mohave, State of Arizona.

Victor H. Meliza    Post No. 9401    Veterans of Foreign Wars of the United States

OFFICIAL:

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Adjutant

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Commander