

PALM VALLEY AMERICAN LEGION POST #233

House Rules and Regulations (Latest revisions Nov.-2018)

The intent of these House Rules and Regulations are that all persons who come to Post 233 will at all times conduct themselves in a manner such that reflects the high standard of the American Legion. These rules will further reinsure the adherence to this standard, as well as to the laws of St. Johns County and the State of Florida. It is further the intent of Post 233 to present a family friendly and enjoyable environment for all of our members and their guests at all times. (Amended 02-03-2018)

Ignorance of these rules shall not be a defense as a cause for exception from violations.

The Palm Valley American Legion Post 233 House Committee members shall be appointed, or reappointed, by the Post Commander elect at the start of each new term of office. The committee shall consist of five (5) Legionnaires, who shall also act in the capacity as a Disciplinary Sub-committee. Two (2) alternate Legionnaires may also be appointed to the committee. The Committee Chairman shall be selected as per Article V Section 3 of The Post By-Laws. Each of these members shall have a vote, except that the Chairman who shall only vote to break a tie. (Amended Nov.-2018)

The House Committee shall also consist of two (2) Auxiliary Unit members selected by the ALA President and two (2) SAL Squadron members selected by the SAL Commander. These four (4) additional members shall also have a vote. (Amended 02-03-2018)

In addition to the above 11 members, the House Committee should also consist of the following non-voting members; Club Manager, and ALR Director or authorized representative. Post bartenders may, from time to time, be asked to attend these meetings. (Amended Nov.-2018)

The House Committee shall hold monthly meetings at the direction of the chairman. The House Committee shall be responsible for the review, approval and general oversight of, monthly hall and pavilion bookings, entertainment bookings, Post parties, events, fundraisers and private parties, Post maintenance and cleaning, employee adherence to policy and procedures, community service volunteers, and other tasks as may be assigned by the House Chairman. (Amended 02-03-2018)

The Disciplinary Sub-Committee of the House Committee shall be chaired by The Post Judge Advocate as per Article V Sections 7b&c. This committee shall be responsible to oversee the adherence to the rules and regulations, by conducting reviews and investigations of reported incidents and when necessary hold hearings to determine action to be taken. The HC Disciplinary Sub-Committee may, from time to time, request the assistance of either an ALA or SAL officer with the review of an incident involving a member from their respective group. (Amended Nov.-2018)

The quorum necessary to conduct a House Committee meeting shall be at least three (3) Legion members, one (1) Auxiliary Member, one (1) SAL member and the Chairman or his/her designee. The quorum necessary to conduct a HC Disciplinary Sub-committee meeting will be three Legion members and either the Chairman or his/her designee. (Amended 02-03-2018)

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DEFINITIONS:

for the purposes of these rules the following terms are defined:

a/ Employee- any person who is employed by Post 233 and receives paid compensation from the Post treasury for services rendered.

b/ Member- any person who holds a current membership, in good standing, in either the Legion, Auxiliary or S.A.L. of Palm Valley Post 233.

c/ Guest- any non-member of Palm Valley Post 233, signed in by a member in good standing.

d/Guest-Member- Visiting members of bonafide Veterans organizations, ie other Legion Posts, AmVets, Veterans of Foreign Wars, etc., are also welcomed as guests and must sign in. (Amended 02-03-2018)

e/ Non-qualified guest- a guest who does not qualify for membership in The American Legion, Auxiliary or S.A.L.

f/ Frequency- a guest who qualifies for membership and lives in the regional area may only be signed in as a guest three times in a calendar year. A non-qualified guest has no restriction on the amount of times they can be signed in. (Amended 02-03-2018)

g/ Post- Palm Valley American Legion Post 233 located at 560 N. Wilderness Trail Ponte Vedra Beach, FL 32082, its buildings and grounds are hereinafter referred to as Post.

h/ Club- (formerly canteen) any area within the building of Post 233, its property inside or outside where the sale and/or consumption of alcoholic beverages and non-alcoholic beverages are allowed. (Amended 06-27-2018)

i/ Restricted areas- alcoholic beverages are prohibited from being taken out of the main building front door, or past the outside pavilion front yard fenced area. Alcoholic beverages are strictly prohibited in the front parking lot and flag ceremony area. The only exception will be authorized deliveries to the house bar(s). Only person(s) authorized by the Person in Charge, Commander, Club Manager or House Chairman, are permitted behind the inside bar or outside bar when operational. (Amended 06-27-2018)

j/ Person in Charge (PIC)- is the bartender on duty. Multiple PIC's are acknowledged during certain events when both the inside and outside bars are being operated.

k/ Incident Report- a report form as prescribed by the House Committee to be completed for the reporting of any incident of concern and also the reporting of violation(s) of house rules. See attached sample incident report. (Amended 02-03-2018)

l/ Disciplinary Review – Investigation – Hearing- The process by which incident reports will be handled by the HC Disciplinary Sub-committee. All reports and testimony will remain confidential with the committee. The actions imposed by the HC Disciplinary Sub-committee will however be made public within the Post membership. A disciplinary hearing may be scheduled for a regular house committee meeting date. (Amended 02-03-2018)

m/ Club Privileges- The ability to obtain/consume any beverage while visiting and remaining on the premises and property of Post 233. (Amended 06-27-2018)

n/ Disciplinary session- The portion at the end of a regular House Committee meeting or any meeting of the Sub-committee held to review incident report(s) for further action.

o/ Probation violation- the immediate reinstatement of the suspension period of the penalty imposed for the original violation charged. This is in addition to any new penalties imposed. (Amended 02-03-2018)

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1. Proper attire

Members and guests will be properly attired at all times. Service may be refused to anyone not meeting these standards.

a/ Shoes, sandals or other protective footwear is required on Post property. Bare feet are not allowed.

(Amended 02-03-2018)

b/ No see through attire is allowed unless appropriate undergarments are worn.

c/ Tank tops and sleeveless shirts on men, midriff bearing tops on women are not permitted after 6:00

pm . (Amended 02-03-2018)

d/ Other than for special sanctioned Post events, swim trunks, bathing suits and bikinis etc. are not allowed.

e/ Attire that displays printing of an obscene or vulgar nature or profane writing is not allowed. (Amended 02-03-2018)

2. Conduct

Any person may be refused service and will be required to vacate the Post upon committing any act not in the best interest of the Post. Acts such as (but not limited to):

a/ Any vulgar, obscene, offensive, profane, or loud disruptive language used while other person(s) are present in the immediate vicinity of the language or who are likely to be offended. (Amended 02-03-2018)

b/ Any vulgar, obscene, offensive, profane, or loud disruptive language or obscene hand gesture directed toward another person(s). (Amended 02-03-2018)

c/ Any public display of disrespect toward a Post Officer or Post employee.

d/ Immoral or indecent acts.

e/ Removal of an open alcoholic beverage from the Post.

f/ Any other act of unbecoming conduct, not listed above, must be specified in detail in an Incident Report.

(Amended 02-03-2018)

3. Check cashing

No personal or third party checks can be cashed by Post employees. Personal / Business checks will be accepted as payment for donations, events, parties, and membership dues only. Checks must be made payable to The American Legion, Auxiliary, SAL or Legion Riders. Checks made payable to CASH will NOT be accepted. (New/Amended 02-03-2018)

4. Minor Children

All minor children under the legal drinking age, will be required to vacate the Post at 9:00pm daily, except that for special occasions, minors under the legal drinking age, may be exempted by the Commander or House Committee Chairman for dances or special programs or events, etc. Once a special exempted function has ended the minors will be required to vacate. Minors will be prohibited from being seated at the bar(s) at all times. No one under the age of 13 will be allowed to play pool. Minors under the age of 18 are prohibited from playing any gaming machine.

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4. Minor Children – cont'd.

Minors must be under the constant supervision and control of the parent(s) or guardian(s) with whom they arrived. Unsupervised minors and their parent(s) or guardian(s) will be asked to leave for non-compliance of this supervision rule. (Amended 01-10-2018)

5. OFFENSES (Minor)

a/ Any infraction of the rules and regulations not categorized as a major offense.

b/ Any infraction of the rules of Conduct listed in section 2 a/ thru f/

c/ Uncontrollable demeanor and actions due to intoxication by a member resulting in conduct unbecoming of a member / guest. (Amended 02-03-2018)

6. Penalties (Minor)

a/ First Offense: Forty (40) days suspension of club privileges, followed by six (6) months probation.

b/ Second Offense: Ninety (90) days suspension of club privileges, followed by six (6) months probation.

c/ Third Offense: One hundred eighty (180) days suspension of club privileges, followed by one (1) year probation.

d/ Fourth Offense: One (1) year suspension of club privileges followed by two (2) years probation.

e/ The House Committee Chairman may in his/her discretion issue a written reprimand as the first offense penalty. Any member may only receive one (1) written reprimand, his/her next offense charged will be recognized as a second offense.

f/ In certain circumstances, a letter(s) of apology may be ordered as a condition of the penalty. (Amended 06-27-2018)

7. Offenses (Major)

a/ Any act of physical violence that results in or could have resulted in injury to person(s) on Post property.

b/ Any act of intentional and/or malicious damage to Post property.

c/ Any act or contribution to such an act, that could potentially result in legal liabilities to the Post and/or its members. (Inclusive of any violation of State or Federal statutes and statutes governing sexual harassment).

d/ Any theft or unlawful taking or giving away of any currency or legal tender, club or Post property, consumables or beverages. (Amended 06-27-2018)

e/ Intentional unlawful threats, by word or act, to do violence to any member, guest or employee.

8. Penalties (Major)

a/ First offense: One (1) year suspension of club privileges followed by three (3) years probation.

b/ Second offense: Permanent revocation of Post membership by authority and procedure as outlined in the Constitution and By-Laws of the American Legion of Florida Article VII sections 1 through 18. (Amended 06-27-2018)

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8. Penalties (Major) cont'd.

c/ Where the offense involves damage to Post property, restitution will be ordered, within a prescribed timeframe.

(The above penalties do not preclude the filing of additional criminal or civil charges under the State of Florida applicable statutes or the penalties imposed under those statutes).

d/ After a disciplinary hearing is held on the charged offense, the House Committee Chairman may in his/her discretion, modify the penalties proposed for a First Offense, after careful consideration of all of the facts of the case, whereby a lesser penalty would be warranted. (Added-amended to on 02/03/2018 11/21/2011), (Amended 06-26-12)

9. Enforcement of Rules

The Person in Charge (PIC) must enforce all House Rules and retain the right to question the membership status of any person present in the Post. The PIC shall have the authority to refuse service to any person in violation of House Rules. The PIC is legally obligated to refuse service to any person who appears intoxicated and/or incoherent. Persons entering the Post in this condition will immediately be refused service and asked to vacate the Post. The PIC may request the help of any Post Officer to assist in the enforcement of the rules. The PIC is obligated to request the assistance of the St. Johns County Sheriff's Department should the seriousness of the offense/violation necessitate that need. Whenever the Sheriff's Department responds to the Post, both the Commander and the House Committee Chairman are to be notified immediately. (Amended 02-03-2018)

10. Incident Reporting

The PIC or any member of Post 233, Legion, Auxiliary or SAL are free to complete an incident report. The report is intended to make the House Committee as well as the Post administration aware of member concerns and incidents occurring around the Post. Think of it as a suggestion box for your concerns for things, physical or administrative, that you feel may need correcting or attention at the Post. If it is a simple fix and you corrected it satisfactorily, there is no need for a report. Any type of accident inside or outside of the building needs to be reported. If an injury is sustained it needs to be listed, no matter how minor it may seem at the time.

When it comes to violations of House Rules, by a member or even a guest, the PIC should be made aware immediately and a report should be filed at that time. Try to be detail specific of your observations and be sure to list any other witnesses to the violation. Please keep in mind, that by filing an incident report for a violation, you are not necessarily the plaintiff, just the reporting member. The HC Disciplinary Sub-Committee will review the report, investigate and then determine the follow up action to be taken.

All incident reports for violations of the house rules must be submitted within 48 hours of the incident. The existence of each such report must be verbally communicated to the House Committee Chairman as soon as it is received. A procedure will be established for the PIC for collection and preservation of all incident reports and published on the bartenders bulletin board. (New/Amended 02-03-2018)

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11. Protocol for incident reports

All incident reports will be turned into the PIC of the day.

For house rules violations:

- PIC receives and/or authors an incident report.
- House Chairman is verbally advised of report with a summary of the incident and then determines if an emergent need exists for a special meeting after consulting with the Disciplinary Chairman. If no emergent need exists all incident documentation will be forwarded to the Disciplinary Committee as soon as possible.
- HCD Sub-Committee review of report. Investigation assigned if needed.
- Member will be contacted and interviewed.
- Member will be advised of HCD Sub-Committee findings and/or penalties to be imposed.
- Post membership will be advised of HCD Sub-committee findings. (Amended Nov.-2018)

For all other incident reports:

- PIC receives and/or authors an incident report.
- PIC determines the need to verbally notify the House Chairman and Commander.
- PIC follows procedure for in-house filing.
- Non-violation of rules incident reports will be reviewed by the House Committee at the next regular meeting.
(Amended Nov.-2018)

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INCIDENT REPORT FORM

Date of incident: ___/___/___ **Approximate time:** _____ am / pm

Person in Charge _____ **Reported by:** _____

Witnessed by: _____

Details: _____

USE BACK OF FORM IF NEEDED

I swear and affirm to the best of my knowledge that the above information is both accurate and truthful as I have recorded it.

Signature: _____ **Date of report:** ___/___/___

Rec'd by House Chairman - Date ___/___/___

Rec'd by Disciplinary Chair – Date ___/___/___

First review/action taken:

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The aforementioned Rules and Regulations were originally approved on 23 August 2011.

The original document has since been amended and approved as follows:

Amended 21 November 2011

Amended 26 June 2012

New & Amended 7 March 2018

Amended 27 June 2018

Amended 14 November 2018

Attest:

Caroline Merillat, Commander

Torsak Vimoktayon, Adjutant

Chip Robinson, 2nd Vice Commander

Roy Havekost, Judge Advocate