PALM VALLEY AMERICAN LEGION POST #233
House Rules and Regulations (Rev.06-26-2012)

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 and further reinsure the adherence to this standard and to the laws of St. Johns County and the State of Florida. Ignorance of these rules shall not be a defense as to cause for exception from violations.

The Palm Valley American Legion Post 233 House Committee, in accordance with the recommendations of the Department of Florida Judge Advocate at the 94th Annual Department Convention, shall be appointed by the Post Commander and consist of five (5) Legionnaires, who shall act in an executive capacity on the committee. The Committee Chair shall be selected by the Post Commander from these members. Each of these members shall have a vote, except for the Chair who shall only vote to break a tie. A sub-committee, of two (2) each, Post Auxiliary and SAL members shall be selected by their respective president and commander. The sub-committee members shall each have a vote. The Canteen Manager and the Director of the Riders Chapter shall be appointed as liaison members, but shall not have a vote.

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 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 Commander.

The executive members of the House Committee shall be responsible to oversee the adherence to the rules and regulations, conduct disciplinary hearings when necessary and to administer penalties for violations of said rules and regulations.

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 either the Chairman or Commander. The quorum necessary to conduct an Executive Session meeting will be three Legion members and either the Chairman or Commander. (Amended 06-26-12)

1. DEFINITIONS: for the purposes of these rules the following terms are defined,
a/ Employee- any person who is employed by the Post and receives compensation from the Post treasury.
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. Visiting members of bonafide Veterans organizations are also welcomed as guests and must sign in.
d/ Non-qualified guest- a guest who does not qualify for membership in the Legion, Auxiliary or S.A.L.

e/ Frequency- a guest who qualifies for membership and lives in the local 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.
f/ 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.
g/ Canteen- any area of the Post, inside or outside where the sale and/or consumption of alcoholic beverages are allowed.
h/ 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, Canteen Manager or House Chairman, are permitted behind the inside or outside bar.
i/ Person in Charge (PIC)- is the bartender on duty. Multiple PIC's are acknowledged during certain events.
j/ Write-ups- a report form as prescribed by the House Committee executive session, to be completed for violations of the rules and regulations. See attached sample incident report.
k/ Disciplinary Hearing- The House Committee Executive Session will hold a hearing on all violations of the house rules and regulations, charged against any member. All reports and testimony will remain confidential with the committee. The penalty imposed by the committee will however be made public within the Post membership. A disciplinary hearing may be scheduled for a regular house committee meeting date. (Amended 06-26-12)
l/ Canteen Privileges- The consumption of an alcoholic beverage on Post property. (Added-amended to on 11/21/2011)
m/ Executive Session- Portion of a meeting or any meeting held regarding disciplinary action which is to be conducted with only the executive members (Legionnaires) of the House Committee. (Amended 06-26-12)

2. 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. Bare feet are not allowed.
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 5:00pm .
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 nature or profane writing is not allowed.

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3. 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 or obscene language directed toward another person(s).
b/ Vulgar or obscene hand gestures directed toward another person(s).
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, must be specified in a write-up.

4. Check cashing

Only members in good standing of Post 233 may be allowed to cash checks at the bar. The amount may not exceed $50.00 increments and will be at the sole discretion of the PIC, depending on the availability of general cash funds. If a cashed check is returned to the Post, a penalty charge will be imposed on the member in the amount charged by the bank but in no case less than $25.00. The members check cashing privilege will be suspended until restoration and penalties are paid to the Post to the satisfaction of the Finance Officer. Any two occurrences will result in a permanent suspension of check cashing privileges. (Amended 06-26-12)

5. Minors

All minors 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 for dances or special programs, 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 or the jukebox.

6. Offenses (Minor)

a/ Any infraction of the rules and regulations not categorized as a major offense.
b/ Any person to which verbal outbursts of vulgar and/or profane language is used and resorts to conduct unbecoming of a member.
c/ Uncontrollable demeanor and actions due to intoxication by a member resulting in conduct unbecoming of a member.

7. Penalties (Minor)

a/ First Offense: Forty (40) days suspension of canteen privileges, followed by six (6) months probation from date of incident.
b/ Second Offense: Ninety (90) days suspension of canteen privileges, followed by six (6) months probation from date of incident.

c/ Third Offense: One hundred eighty (180) days suspension of canteen privileges, followed by one (1) year probation from the date of incident.
d/ Fourth Offense: One (1) year suspension of canteen privileges followed by two (2) years probation from the date of incident.
e/ After a disciplinary hearing is held on the charge, the House Committee Executive Session may in its 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. (Amended 06-26-12)

8. 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, bar drink chips, canteen or Post property, consumables or beverages.
e/ Intentional unlawful threats, by word or act, to do violence to any member, guest or employee.

9. Penalties (Major)
a/ First offense: One (1) year suspension of canteen 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.
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 Executive Session may in its 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 11/21/2011), (Amended 06-26-12)

10. 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 or in a Post Officers absence, any other Post member.

11. Write-ups

All write-ups for violations of the house rules must be submitted within 48 hours of the incident. Write-ups should be submitted to the House Committee Chairman or the Commander and in their absence to the Canteen Manager. The manager shall, as soon as possible, notify both the Commander and House Chair of the write-up submitted. A House Committee executive member may be asked to complete a follow-up investigation of the violation. If the violation involves a PIC, the Canteen manager will complete a follow-up investigation. All follow-up investigation reports must be submitted within 48 hours of being notified. The accused person shall be notified in writing of the charge(s) filed against them. This notification shall be sent by the House Chair and include the hearing date set for the violation. The accused shall notify the House Chair of their intent to appear. Any member, in good standing, may submit a write-up (incident) report. (Amended 06-26-12)

12. Disciplinary Hearing

Any person written-up for an offense has the right to appear at the hearing held by the House Committee executive session on the charge(s) filed. The accused person may bring written documentation to support his/her case. The House Committee Executive Session will assess all reports submitted and testimony received before rendering their findings. In the event a vote on penalties is needed, the Commander will be the tie breaker. In the event the accused is a House Committee member or the Commander then a replacement member will be appointed pro tem for the hearing by the next highest Post Officer. All hearings will be taken full term whereby either penalties will be imposed or charges will be dismissed. In the case of a dismissal, the charge filed will not be considered in the penalty phase of any subsequent charge filed. All decisions made by the House Committee Executive Session for violations of the House Rules and Regulations are final. (Amended 06-26-12)

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INCIDENT REPORT FORM

Date of incident: ____/____/____ Time: _____ am / pm

Person in Charge _____ Reported by: _____

Witnessed by: _____

Details: _____

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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: ____/____/____

The aforementioned six (6) page Rules and Regulations document originally approved on 23 August 2011, amended and approved on 21 November 2011, was again amended on 26 June 2012 and unanimously approved by the House Committee Executive Session.

Attest:

Commander Roy Havekost

Donald C. Mills, House Chairman

House Committee Executive Session members present:

Roy Havekost, Commander
Donald C. Mills, Chairman
Patty O'Callahan, Adjutant
Wilbur Burnett
Dan Wortmann