

**Harry Ollrich American Legion Post 4
401 N. Groesbeck HWY
Mt. Clemens, MI 48043**

American Legion Riders By-Laws

February 2021

**Harry Ollrich American Legion Post 4
American Legion Riders By-Laws**

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Article I: Purpose

Section 1.

To participate in parades and other ceremonies that are in keeping with the aims and purposes of the American Legion.

To promote motorcycle safety programs and to provide a social atmosphere for American Legion members who share the same interest.

To use our association to promote and support programs of the American Legion.

ALR will be used throughout the document for reference to the American Legion Riders.

Article II: Membership

Section 1. Code of Conduct

- a. Applies to all membership categories
- b. Anytime a member is wearing any ALR, Post 4 insignias, patches, etc..

Section 2. Regular Membership

Full membership has four requirements:

- a. Prospective members must be a member of the American Legion, Auxiliary and/or Sons of the American Legion.
- b. Prospective members must own a motorcycle at least 500cc, or be the significant other of a member who is an association member that has a motorcycle meeting the requirements.
- c. Prospective members must complete, sign and turn in an ALR application for membership and meet all of the requirements as outlined in the ALR, Post 4 by-laws.
- d. Members must have a CY (or State issued motorcycle) endorsement and carry minimum insurance as required by the State the motorcycle is registered, if they are the operator of the motorcycle.

Section 3. Special

You or your spouse may continue your membership as a special class member (with full membership privileges) if you fail to meet the membership requirements of Article II, Sec. 2, Clause b, pursuant to the following, and subject to the approval of the general membership.

- a. Death of the spouse and a or significant other who was the owner of the motorcycle as defined in Article II, Sec. 2, Clause a.
- b. Disability, which prevents you from physically being able to operate a motorcycle and ownership of the motorcycle, was relinquished; due to this disability (this would allow the spouse to continue membership under these conditions for special membership.
- c. In order to be eligible for exceptions listed in Article II, Sec. 3, Clauses a and b, you must have been a regular member for at least one full year.
- d. If you have been a member for ten consecutive years and have reached the age of 70, you are entitled to the distinction of being a “Special Class Life Member.”
- e. You must continue to meet all of the requirements listed in Article II.

Section 4. Supporting Membership

An individual may, at the discretion of, and by a majority vote of the general membership, grant supporting membership to an individual under the following guidelines:

- a. The individual must be a member of the American Legion Family, which includes: American Legion member, Auxiliary and/or Sons of the American Legion.
- b. Supporting membership does not constitute or grant voting rights or privileges to individuals holding this type of membership. Only individuals who have demonstrated themselves to be assets to the organization and excelled in promoting the aims and purposes of the ALR.
- c. Individuals granted supporting membership are entitled to wear the ALR back patch. However, under the back patch, a “Supporting” bottom rocker must be placed. Such rocker identifies the individual as holding a supporting membership
- d. Any ALR apparel worn by a supporting member must contain the words “Support” under the ALR emblem.

Section 5. Honorary

An individual may, at the discretion of, and by a majority vote of the general membership, grant honorary membership to an individual under the following guidelines:

- a. The individual must be a member of the American Legion Family, which includes: American Legion member, Auxiliary and/or Sons of the American Legion.
- b. The individual must have excelled in promoting the aims and purposes of the “American Legion Riders.” This individual has gone above and beyond in supporting the chapter.
- c. If the ALR back patches are granted to this honorary member, they must contain the “rocker” which states the word “Honorary” to clearly identify the class of membership.
- d. All American Legion Post 4 Commanders will be given an Honorary Membership.
 - i. Honorary membership will include a vest with necessary patches.

Article III: Election of Chapter Officers

Section 1.

Election of Post 4 officers will be held annually with nominations held in October, elections in November and new officers taking office January 1.

- a. Exceptions to the election cycle would take place only in exceptional circumstances, i.e. national emergency, health pandemic or unforeseen emergencies. Such a delay would require the general membership to vote on the delay, and a new date being set for the election cycle to take place.

ALR, Post 4 elected officer positions are as follows: Director, Assistant Director, Secretary, Treasurer, Historian, SGT at Arms, Chaplain, Membership Chairman and Road Captain.

An individual must be a “Regular” paid member for one year in order to be eligible to be nominated or hold an elected officer position.

Regular members in good standing (all dues up to date) are the only members afforded voting rights.

Any individual nominated or holding an elected position must own a motorcycle and be the primary operator.

Article IV: Duties of Chapter Officers

Section 1. Director

Will serve as the Chief Administrative Officer of the chapter and will preside over all meetings. The director shall have general supervision over the affairs of the chapter, and shall perform such other duties as directed by the general membership. The director will have final say on all matters involving the chapter. This authority does not supersede issues requiring general membership or the elected officer board approval.

Section 2. Assistant Director

Will assume the duties of the Director in his/her absence. Assists the director in the performance of their duties when called upon to do so. Duties as assigned by the director.

Section 3. Secretary

Keeps a full and correct record of all proceedings(minutes) at general membership and elected officer board meetings. Creates and distributes correspondence for the chapter. Responsible for keeping the director informed of all records for the chapter. Making minutes available to the general membership. The chapter bulletin board within the Post lounge will be maintained and updated by the secretary.

Section 4. Treasurer

The chapter treasurer shall be the custodian of the funds for the ALR Chapter. The treasurer is responsible for collecting and disbursing funds as directed by the general membership. Make reports when called for by the ALR Chapter Director. The chapter treasurer shall perform such other duties as are usually incident to the office. The treasurer shall present financial reports to the Harry Ollrich American Legion Post 4 on a quarterly basis.

Section 5. Road Captain

Responsible for the logistics of all chapter rides. Logistics include the planning, setting dates, times, routes, starting and finish points. Responsible for assigning and training assistant road captains as necessary. Has carte blanche authority on all chapter rides. May remove any rider that he/she feels is a danger to fellow riders, the public or themselves from a chapter ride. Responsible for resolving issues between riders that occur during a chapter ride. Answers only to the director or assistant director while on rides

Section 6. Membership Chairman

Maintains accurate records of all members. Records to include: members are in good standing with the American Legion, payment of ALR annual dues, proper motorcycle endorsements and insurance for all riders.

Section 7. Historian

Responsible for creating and maintaining historical records for the chapter. Records will include, but are not limited to awards, citations, pictures, etc.. The historian will post ALR related pictures and summaries of events on the Harry Ollrich American Legion Post 4, Legion Riders page and on the ALR Post 4 Facebook page, or other social media as directed.

Section 8. Chaplain

Will assist in the religious welfare of the Chapter.

Section 9. Sergeant at Arms

Responsible for preserving order at meetings and shall perform such other duties as may be from time to time as assigned by the ALR Elected Officers.

Article V. Resignation/Removal of Elected Officer

- a. An elected officer may resign at any time.
- b. An elected officer may be removed from their position for cause, pending the following actions are taken:
 - i. Any member calling for the removal of an elected officer must bring their grievance and request to the Riders Director. If the grievance is against the Rider Director, then the grievance will be brought to the Assistant Rider Director.
 - ii. Upon receipt of the grievance and request for removal, the Rider Director, will either call for a special membership meeting, or bring forward the issue at the next membership meeting. That meeting will be for Full Members in good standing only.
 - iii. The Riders Director is bound by these by-laws to bring the grievance and request for removal forward to the Full Membership.
 1. If the grievance and request for removal is against the Rider Director, then the Assistant Rider Director will follow and be bound by the above by-laws.
 2. The elected officer being brought forward for removal shall be notified a minimum of seven calendar days prior to the scheduled meeting. That notification will be in writing, specifying the reason for removal, as well as the name of the individual requesting the removal.
 - iv. The Membership Chairman will ensure that only Full Members in Good Standing are present at the meeting.
 - v. At the special/regular meeting for Full Members in good standing, the individual requesting the removal of the officer will be called forward and explain the reason why they feel said elected officer should be removed from their position.
 - vi. The elected officer shall be entitled to speak on their behalf following the member who has levied such a request against them.
 - vii. After both parties have been allowed to speak, the Rider Director or Assistant Rider Director will call for a vote from the membership.

1. Sergeant at Arms Responsibilities:

- a. Confirming with the Membership Chairman that only Full Members in good standing are present at the meeting, and only those members are allowed to vote.
 - b. The Sergeant at Arms will be responsible for creating the ballot, distribution of the ballot, collecting ballots and tallying the official results.
 - c. The tally of ballots will be conducted in the presence of all participants, the Secretary shall be responsible for keeping a written tally.
- viii. Ballots will be secret in nature
- ix. Members may only vote Yea or Nea, no abstentions
- x. In order for the elected officer to be removed, two-thirds of the membership present at the meeting must vote in favor of removal.
- xi. If the membership votes to remove an elected official, the elected officer will be removed from office immediately upon the vote being recounted and certified.
- xii. Dependent on the officer being accused, the presiding officer may appoint another officer to oversee any specific position during the proceedings.

Article VI: Meetings

Section 1. General Membership

General membership meetings will be held on the third Monday of the month at 1930 hrs at Harry Ollrich Post 4. Seven members constitute a quorum.

Section 2. Executive Board

Board meetings are to be held the second Thursday of the month at a time to be determined by the Director. Five Board members constitute a quorum.

Article VII: Finances

Section 1. Funds

Monetary funds of the chapter shall be derived from ALR membership dues, charitable donations and other sources as approved by the membership.

Section 2. Membership Dues

a. Calendar

- i.** Full year membership begins January 1 and ends December 31.
- ii.** A new member joining any time between November 1 and December 31 will have their dues credited to the following year. New members in this situation will be afforded all rights for the remainder of the current year.

b. Dues

- i.** Dues will be \$25 per annum.
- ii.** Membership dues are to be evaluated each year at the September meeting. A motion will be made to change or accept current dues and be voted on at the October meeting.
- iii.** Any increase in dues will take effect January 1 of the following year.

c. Chapter Accounts

The chapters' account will not exceed \$10,000 in any given year. Excess amounts will be dispersed by membership vote, as per Article X.

Article VIII: Suspension/Expulsion

Any meeting of the ALR that involves the matter of disciplinary action against an ALR member shall be a Closed/Special Meeting. Only full members in good standing will be allowed to attend.

Section 1. Suspension

A suspension is disciplinary action taken by the ALR membership against another member. Such action forbids the affected member from participating in any ALR membership meetings or activities.

- a. If a member is being brought to the general membership for suspension, the director of the chapter is required to lay out all of the facts of the matter, and present a recommended course of action, i.e. length of suspension.
- b. Any member that faces the possibility of suspension must be afforded the opportunity to hear the complaint against them and then time to defend themselves in the closed/special membership meeting.
- c. In order for a member to be suspended from the chapter a simple majority of the members present must vote in favor of said suspension.
- d. A suspension can last no longer than 90 days.
- e. A member suspended as per this section is not entitled to reimbursement of membership dues for that period of time.

Section 2. Expulsion

An expulsion from the chapter means that an individual is no longer a member of the ALR, and forfeits all rights as outlined in this document.

- a. If a member is being brought to the general membership for expulsion, the director of the chapter is required to lay out all of the facts of the matter, and present a recommended course of action, i.e. expulsion.

- b. Any member that faces the possibility of expulsion must be afforded the opportunity to hear the complaint against them and then time to defend themselves in the closed/special membership meeting.
- c. In order for a member to be expelled from the chapter a simple majority of the members present must vote in favor of said expulsion.
- d. A member expelled as per this section is not entitled to reimbursement of membership dues.

Section 3. Major Infractions

A major infraction is defined as any action taken by an ALR member that:

- a. In any way brings dishonor or besmirches the American Legion, American Legion Riders, Auxiliary and/or Sons of the American Legion.
- b. An action that purposely jeopardizes the safety or welfare of another ALR member.
- c. Other major infractions include, but are not limited to the following:
 - i. Fighting
 - ii. Stealing
 - iii. Riding/Driving in an ALR sanctioned activity without a valid driver's license and/or motorcycle endorsement (if on a motorcycle).
 - iv. Riding/Driving in an ALR sanctioned activity without valid insurance on the motorcycle or motor vehicle.
 - v. Driving under the influence of alcohol or controlled substances resulting in a DUI.

Article IX: Chapter Organization

Section 1. Sponsor

- a. Each chapter must be sponsored by a local American Legion Post.
- b. Eligible members in the American Legion Riders are not required to transfer their Post, Auxiliary, or Sons of the American Legion membership to the sponsoring post.
- c. Post sponsored chapters shall not participate in, or organize any programs which would be in direct conflict with the sponsoring post.
- d. Membership is limited to one American Legion Post only.

Section 2. Recognition

- a. Each chapter will be known by the State in which its majority members reside. Chapters may be further broken down into District and Post (i.e. Michigan Chapter District 7 Post 4).

Article X: Standing Rules

Each chapter may elect to adopt a set of standing rules to govern its membership. These standing rules shall be no less stringent than those contained in these laws, nor can they be in conflict with the National Constitution and the Bylaws of the American Legion, The Department of Michigan or the sponsoring post.

Section 1. Procedure

- a. Any member can bring up and request a change to the standing rules which would include an addition, deletion or modification.
- b. The general membership will vote on the proposed changes at the next general membership meeting.

Article XI: Disbursement of Funds

Disbursement of funds will be only to those authorized at any regular meeting of the chapter. Each chapter will be a non-profit organization and may only disburse funds in a manner that is in keeping with all Local, State and Federal Laws in regards to non-profit organizations. See Amendment 1.

Article XII: Amendments

Section 1. Amending by-laws Process

- a. A committee will be selected to amend the by-laws. The committee will contain no less than five members.
- b. The committee will have a fixed amount of time, as determined and approved by the membership at the time the committee is selected.
- c. The committee will submit all revisions to the membership for review at the designated meeting per Article XI, Section 1, Clause b. Failure to submit proposed revision at that time will result in the committee being disbanded and the amendment dying in committee. The E-Board can vote to extend the deadline.
- d. The revised by-laws will be approved by a simple majority vote of the membership. The vote can come no earlier than a one month period between submission of the revision and the final vote.

Article XIII: Order

All meetings will be conducted based on "Robert's Rules of Order." (See attachment 2)

Article XIV: Ratification

Ratification of these by-laws will consist of a simple majority vote by the Elected Board.

Amendment 1: Spending

No sponsorship of a personal nature. Only charitable sponsorship (as designated by Federal and State authorities) shall be supported by the Post 4 chapter of the ALR.

Charitable donations are capped at \$300 per donation. Exception to this rule is if the purpose of the fundraising was to specifically support this charity.

Donations to non-charitable organizations shall be capped at \$100. Such requests for donations must be made to the Elected Board, prior to request being presented to the membership.

Flowers may be sent to an ALR chapter member in good-standing, if that member will be having an extended hospital stay of three days or more, or an extended illness (home convalescent) with notification to the ALR chapter. Cost will not exceed \$50.

Discretionary spending up to \$250, as needed, with the approval of a quorum of Chapter Board Officers.

Discretionary spending, exceeding \$250 must be discussed and approved by the membership prior to the event.

Any spending or donations that exceed the above stated caps must be discussed, debated and then voted on at the next month's membership meeting.

Amendment 2: Special Committees

Special committees will be appointed at general meetings, as required.

Amendment 3: Guests

Guests will be allowed to attend all general meetings, with the exception of meetings that involve electing chapter officers and meetings that involve disciplinary action as stated in Article VII.

Amendment 4: Grievances

Section 1. General

Members in good-standing have the right to have their grievances heard. The following procedures will be followed for any member bringing forward a grievance. Failure of a member to follow the grievance protocol shall be subject to dismissal of their grievance and possible disciplinary action.

Section 2. Member v. Member

- a. Members that have any issue with another member of the ALR should attempt to resolve that issue with the member prior to bringing it to the attention of the membership, Sgt. at Arms or the ALR Chapter Director.
- b. If attempts to resolve the issue have been made, the grievance should be brought to the attention of the Sgt. at Arms. The Sgt at Arms will hold a meeting with the two members and attempt to resolve the situation.
- c. As a last resort, any grievance that cannot be solved through above means shall be brought to the attention of the ALR Riders Director. The director will listen to both sides and make a decision based on information given by both members. The director's decision is final, and all parties are expected to abide by the decision.
- d. Member v. member grievances will not be brought before the membership.

Section 3. Organized Ride

- a. Members that have an issue with another member of the ALR during an organized ride should attempt to resolve that issue with the member prior to bringing it to the attention of the Road Captain or the ALR Riders Director.
- b. Issues that arise during the ride should be brought to the attention of the Road Captain. The Road Captain has final say on any issue that occurs during the ride. Should a member feel that the Road Captain has not addressed, or improperly handled a situation, that member shall bring the grievance to the Riders Director. The director and road captain will meet with the member and address the issue. The director has final say on the grievance.

Amendment 5: Wear of Vest/Jacket

Section 1. Patches/Rockers

- a. American Flag
 - i. Must be a Left Shoulder Embroidered Patch.
 - ii. 2"x3" in size.
 - iii. Flag/patch will only contain the colors Red, White, Blue with a yellow trim.
 - iv. Flag will be worn as the highest patch on the left side of the vest or jacket.

- b. American Legion Riders Back Patch
 - i. When purchased from American Legion Flag & Emblem, the back patch may have embroidered options on it. This will be left up to the individual rider.
 - ii. Patch will be worn in the center of the back on the vest or jacket, both vertically and horizontally.

- c. Rockers
 - i. Top Rocker
 - 1. The Mt. Clemens Post 4 rocker will be above the ALR Back Patch
 - 2. If a member is an Honorary Member, the Honorary Member Rocker will go over the Mt. Clemens Post 4 Rocker.
 - ii. Bottom Rocker
 - 1. The bottom rocker is optional, but can designate Legion Family membership affiliation, veteran, branch of service, or combat veteran with conflict.
 - iii. No offensive patches will be tolerated or allowed.
 - iv. This amendment is designed to bring uniformity to the Chapter, and the patches that are specific to the ALR Chapter 4 patches. Members are encouraged to display their personal style and achievements.

- v. Rider vests and jackets in their current state, of current members, will be grandfathered in upon approval of these by-laws.

IN WITNESS WHEREOF, the parties have executed this document by their duly authorized representatives the day and year first above written.

Harry Ollrich American Legion Post 4

By Richard Steele 3/8/2021
Post Commander

By Mont. J. Kolotzki 3/8/2021
Director, Post 4 Chapter Legion Riders