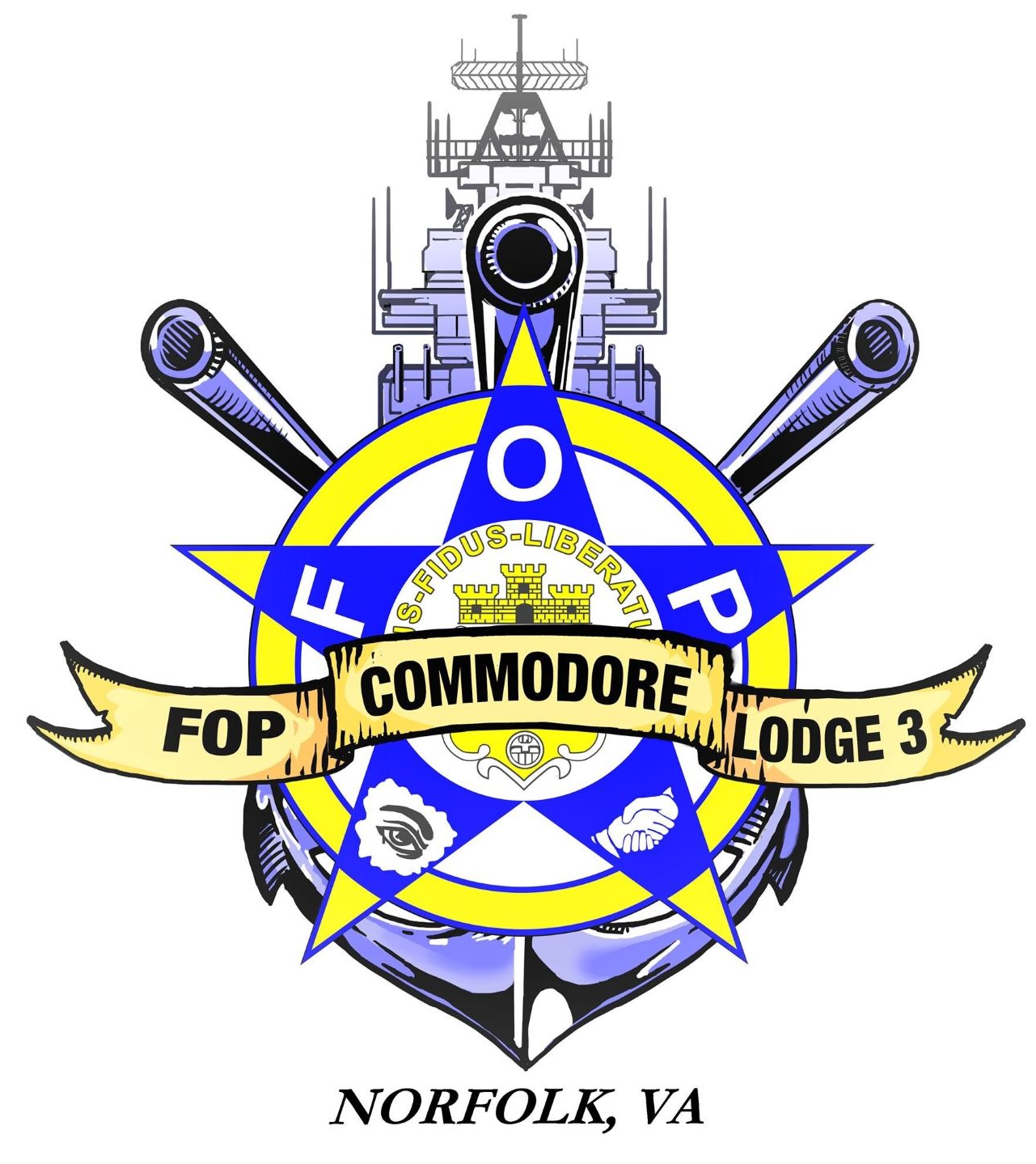
**CONSTITUTION AND BY-LAWS**

**OF THE**

**Commodore Lodge #3**

**FRATERNAL ORDER OF POLICE, INC.**



A NATIONAL POLICE ORGANIZATION

Commodore Lodge #3

Fraternal Order of Police, Incorporated

1111 Harmony Road

Norfolk, Virginia 23502



**Brian Lee Sidney G. Delepine, III, Ed. D.**

LODGE PRESIDENT LODGE SECRETARY/TREASURER

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**CONSTITUTION**

**OFFICIAL STATEMENT**

The Fraternal Order of Police is a non-profit corporation formed under the law of the Commonwealth of Pennsylvania. The Court of Common Pleas of Allegheny County, Pennsylvania, entered the Decree of Incorporation on the 17th day of November 1915. The original articles were recorded on the 18th day of November 1915 in the Office of Records of Deeds of Allegheny County, Pennsylvania, Charter Book Volume 49, page 350.

At a Charter Presentation Ceremony held in the Little Theater of the City of Norfolk, Virginia, on the 21 st day of July 1953, Commodore Lodge No. 3 was formed and by proper action said Lodge was authorized and empowered to use the corporate name of the Fraternal Order of Police and to exercise and perform all corporate rights, privileges, powers, authorities, and franchises of the Fraternal Order of Police.

Commodore Lodge No. 3 is incorporated under the laws of the State of Virginia. The decree of incorporation was issued on the 1 st day of October 1953.

The By-Laws set forth herein were revised and adopted by a meeting of the General Body of Commodore Lodge No.3 on the 18th of May 2011

**PREAMBLE**

**WHEREAS**: We, the police officers of Commodore Lodge No. 3 do hereby associate ourselves for the following purposes:

To support and defend the Constitution of the United States and the State of Virginia, to inculcate loyalty and allegiance to the United States of America; to promote and foster the enforcement of law and order; to improve individual proficiency for our members in the performance of their duties; to encourage social, charitable, and educational activities among **police officers**; to advocate and strive for uniform application of civil service merit system for appointment and promotion; to create a tradition of esprit de corps insuring fidelity to duty and the people we serve; to increase the efficiency of the police profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of life and property.

Commodore Lodge No. 3, Fraternal Order of Police, shall in no event join or be controlled by any labor organization, provided however, that the lodge is not prohibited from cooperative efforts with labor organizations for the common good of the membership.

Commodore Lodge No. 3, Fraternal Order of Police, Norfolk, Virginia, is strictly non-sectarian and shall have no affiliation, directly, with any labor union, congress, federation or committee of like nature, or similar organization by whatever name known. However, the Lodge is not prohibited from cooperative efforts with labor organizations for the common good of the membership.

The Fraternal Order of Police shall not strike or by concerted action cause cessation of the performance of the law enforcement duties or induce other members or lodges to do likewise. The penalty for such action by any member shall be immediate expulsion from the Fraternal Order of Police.

# **ARTICLE I**

## **NAME**

**Section 1.** The name of the association shall be Commodore Lodge No. 3, **FRATERNAL ORDER OF POLICE**

Seal

**Section 2.** The seal shall consist of the chart and emblem of the Grand Lodge of the Fraternal Order of Police and be inscribed with the name **"COMMODORE LODGE NO. 3".** The right to authorize control or restrict the use of the name and insignia shall lie exclusively with the **BOARD OF DIRECTORS of COMMODORE LODGE NO. 3.**

**ARTICLE II**

**BOARD OF DIRECTORS**

**Section 1.** The entire legislative, executive, and judicial government of this lodge shall be vested in the Board of Directors, which shall conduct the business and affairs of the Lodge between meetings of the general Body. The Board shall regularly report for approval or rejection of its actions at each regular general Body meeting. All decisions approved by the Board shall be by majority vote of the members present except as otherwise stated in this article. The Board shall function as the membership committee.

**Section 2.** The Board of Directors shall consist of the *President, Immediate Past President, Vice-President, Secretary/Treasurer, 2nd Vice-President, Sergeant-at-Arms, five (5) Trustees, and a Chaplain* to be appointed by a majority of the Board members.

**Section 3.** The Board of Directors shall have power to fill by nomination and election at any meeting, regular or special, by two-thirds vote of the full Board, any and all vacancies that may occur on the Board. This may be for reason of death, resignation, disability, failure to qualify, recall, suspension or expulsion, among its own membership, or among the subordinate officers, committees, employees, or agents elected or appointed by the Board. The person thus elected to such vacancy shall hold office for the remainder of the unexpired term thus filled.

**Section 4.** The Board of Directors shall have the power to appoint all agents and

employees of the Lodge who, except as may be otherwise provided by

lawful contract, shall serve only upon approval and consent and solely at

the pleasure of the Board. The Board shall fix and determine the salaries

and duties of employees and shall have the power, except as herein

otherwise provided, to increase or diminish the same at its pleasure

**Section 5.** No certificate of stock in the Lodge shall be at any time issued or sold. No dividends shall be paid directly or indirectly to any member of the Board,

nor shall the members of the Board be entitled directly or indirectly to any portion of the earnings or income of the Lodge. No earnings or income derived through increment or value of its property, or otherwise incidentally made, except under the decree of a proper court upon dissolution. The Board shall determine the salaries and expenses to be paid to the Secretary, Corresponding Secretary, and Treasurer of the Lodge for certain specified duties performed for the Lodge. No officer, who shall receive a salary, will be allowed to participate in any vote concerning the amount of his/her enumeration.

**Section 6.** The President of Commodore Lodge No. 3 shall be required to call a regular meeting of the Board of Directors at least once a month, on the third Wednesday of each month, unless changed by a majority of the Board of Directors present. Special meetings shall be held at such times as the Board may determine. **A quorum of *seven* (7) of its members shall be necessary for the transaction of business at any regular meeting of the Board.** A quorum of ten (10) members for a special meeting shall be necessaryunless waived by ten (10) members. **In no event shall there be less than eight (8) members for a quorum.** No employee of the Lodge Home (manager, bartender, etc.) shall be a member of the Board of Directors.

**Section 7.** Any member of the Board of Directors who is absent without good cause, from three (3) consecutive regular Board or General Body meetings, may be replaced at the discretion of two-thirds of the full Board of Directors.

**Section 8.** Prior to the fourth meeting following the installation of officers, the Board of Directors and all Standing Committee Chairpersons will meet to study their duties and responsibilities as contained in the Constitution and By-Laws of Commodore Lodge No. 3, Fraternal Order of Police. They will be given a copy of the Lodge, State, and National Constitution and By-Laws.

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**ARTICLE III**

**OFFICERS**

**Section 1. President:** The President shall preside at all Board and General Body meetings of the Lodge and shall be the Chief Executive Officer of the Lodge. At all such meetings, the President shall maintain order in compliance with these By-Laws and such rules and regulations which may be adopted pursuant thereto. While occupying the chair, the President shall not participate in any debate, unless a specific motion to enter into the discussion is made and passed by a majority of the members present.

The President shall nominate, and by and with the advice and consent of the Board, appoint the Chairperson and a majority of the members of all standing committees (except the nominating committee, where the President shall appoint two (2) members). All appointments are subject to approval of the Board and the President shall serve as an ex-officio member thereof, on all committees except the nomination committee. The President shall, with the Treasurer or Secretary, sign all orders on the treasury or other depository for disbursement of Lodge funds. The President shall furnish a surety bond in an amount approved by the Board of Directors and the Lodge shall pay such fee.

**Section 2. Immediate Past President:** The Immediate Past President shall advise and assist the President and Board of Directors at their request and shall execute such assignments as may be ordered by the Board of Directors.

**Section 3.** **Vice-President:** In the absence of the President for any cause, the Vice President shall discharge all duties of the President. The Vice-President shall appoint a minority of committees, except the nominating committee. The Vice-President shall serve as chairperson on the nominating committee and shall appoint two (2) other members, subject to the approval of the Board of Directors.

**Section 4. Secretary/Treasurer:** The **Secretary/Treasurer** shall have general custody of the seal of the Lodge and shall be responsible for all books, documents, papers, and records of the Lodge, not otherwise entrusted, temporarily, or permanently, to an officer of a standing or special committee. The **Secretary/Treasurer** shall take and transcribe minutes of all Board, General Body, or special meetings of the Lodge, and shall submit the same for approval or amendment at the next meeting thereof. When so requested, the **Secretary/Treasurer** shall conduct the general correspondence of the lodge. The **Secretary/Treasurer**, with the President, shall attest and seal all duly authorized and approved contracts and other documentation, as required, of the lodge and keep copies thereof in files designated for that purpose. At the expiration of the **Secretary/Treasurer's** term of office, the seal and all books and papers shall be delivered to the successor.The **Secretary/Treasurer** shall be the custodian of the funds of Commodore Lodge #3. The **Secretary/Treasurer** shall furnish a surety bond in the amount specified by the Board of Directors which shall be approved by the Board of Directors and paid by the Lodge.

The **Secretary/Treasurer** shall sign all checks, duly authorized by the Lodge, for disbursement of funds. Such checks shall be counter-signed by the Lodge president. The **Secretary/Treasurer** shall keep an itemized record of all receipts and disbursement. The **Secretary/Treasurer** shall deposit all funds collected in a bank approved by the Board of Directors, except that a contingency fund of not more than One Hundred Dollars ($100.00) shall be retained for the purpose of paying emergency expenses.

The **Secretary/Treasurer** shall set up special accounts for special funds and allocate to each, respectively, the amount allocated or collected thereof.

The **Secretary/Treasurer** shall perform such other duties as are usual and incidental to the office.

The **Secretary/Treasurer** shall make monthly reports to the Board of Directors as to the condition of funds.

At the first meeting of each quarter (January, April, July, and October) of each year, the **Secretary/Treasurer** shall submit a report of the number of members in good standing and those, if any, who may be in arrears. All members over thirty (30) days in arrears shall be notified of such by mail or electronic mail and after three (3) months of arrears. See Article V, Section I for definition of members in good standing.

The Trustees, or Board members, at all reasonable hours, shall open the **Secretary/Treasurer’s** books for inspection. At the expiration of the **Secretary/Treasurer’s** term of office, all monies and securities, books, and records, shall be delivered to the successor.

The **Secretary/Treasurer** shall not have to pay his/her dues during their term of office.

**Section 5: Trustees:** The Trustees, five (5) in number, shall constitute the general auditing committee of the Lodge. They shall be responsible for the conduct of a voucher system whereby the authenticity of all bills shall be verified as correct and having been properly authorized. Whereby all bills over one hundred dollars ($100.00) and up to five hundred dollars

($500.00) verified by vote at a meeting of the Board of Directors. The

Secretary/Treasurer and President shall be governed by the voucher system in the

signing of check for withdrawal from the Lodge treasury.

The Trustees shall, from time to time, examine the bankbooks and all other contracts; documents, ledgers, and papers pertaining to the business of the property and lodge. They shall annually provide for an audit and shall report thereon to the Lodge. They shall also perform such duties as the Board of Directors shall assign to them. The Trustees will investigate complaints of any misconduct at the Lodge property. The Trustees will then report to the Board of Directors any recommendations and any further action needed.

The General Body shall elect the Trustees in the first week of November of the even numbered years to serve a two (2) year term.

**Section 6: Second Vice President:** The 2nd Vice President shall receive the password, to assertion all persons are entitled to remain, and report thereon to the President. The 2nd Vice President shall conduct all candidates through the initiation ceremony and introduce them to members of the Lodge. The 2nd Vice President shall perform all other such duties as the President may assign.

**Section 7: Sergeant-at-Arms:** The Sergeant-at-Arms shall attend the doors and permit entrance of meetings to no person who is not qualified by membership, unless otherwise ordered by the President to admit guests.The Sergeant-at-Arms shall insure that every member entering a meeting sign the attendance log book. The Sergeant-at-Arms will assist the 2nd Vice President in the performance of their duties as the President may require. The Sergeant-at-Arms shall also be the keeper of the flag.

**Section 8:** **Chaplain:** It shall be the duty of the Chaplain to open and close each meeting with a prayer. Once each year, the Chaplain shall conduct a memorial service for all departed members who passed away the previous year. This shall be for local officers and shall not be confused with the Annual Peace Officers Memorial Day. The Chaplain shall also, when practical, visit all members sick and/or in distress and report to the General Body if they may be of any assistance. The Chaplain will immediately, upon notification of the death of a member of Commodore Lodge #3, contact the family or funeral director to offer any services in any way that may seem practical. The Chaplain should be available during such reasonable hours not in conflict with their professional duties to any member who shall seek confidence and advice in their time of need.

The Chaplain shall be charged with the sending of flowers, cards, or fruit baskets as is needed and thereby having the authority to order the same and have it charged to the Lodge treasury for payment. All of this the Chaplain shall do and any other duty which may be in keeping with the office. The Board of Directors shall appoint the Chaplain.

## **ARTICLE IV**

### **COMMITTEES**

**Section 1:** Committees will be formed as needed as determined by the Board of Directors and may consist of, but will not be limited to the following:

1. **Government Liaison Committee:** It shall be the duty of this committee to acquaint itself with problems of the Fraternal Order of Police that may require action by the governing officials of the City and to bring such problems to the attention of the Board and/or Lodge for action. When necessary, this committee shall evaluate candidates for political office and make recommendations for endorsement. This committee shall function as the Political Action Committee. As the political arm of the lodge, this committee may from time to time associate itself with organizations for the purpose of improving the welfare and/or working conditions for members of the Lodge. Any such association must be for a specific term, specific purpose, and be approved in advance by a two-thirds (2/3) vote of the Board of Directors.
2. **Public Relations Committee:** To handle all items of a public relations nature in an endeavor to always keep the Lodge before the eyes of the general public and to fully acquaint the public with the aims and works of the Lodge.
3. **Entertainment Committee:** To study plans for entertainment and offer it in the form of motions at the meetings of the General Body.
4. **Nomination Committee:** To prepare a slate of candidates at election time. Prospective candidates must state their willingness to serve before names are presented before the General Committee. **(See Article VI, Section 10-14 of the By-Laws).**
5. **Grievance Committee:** See Article VIII of the By-Laws.
6. **Building Committee:** Shall be composed of the President and Trustees.
7. **By-Laws Committee:** Shall be composed of not less than five (5) members. The duties of this committee shall be to study any amendments to the Constitution and By-Laws and recommend them for approval or disapproval of such to the General Body of the Lodge.
8. **Ways and Means Committee:** A committee of at least five (5) members who are responsible for devising methods of obtaining funds for the Lodge.
9. **Athletic Committee:** A committee of at least five (5) members to encourage, sponsor, and recommend recreational and athletic events.
10. **Revenue Distribution Committee:** A committee of at least five (5) members to receive member requests for funds and to make recommendations for their disbursal from the raffle and charitable accounts.

**(11) Command Representative Committee:** A committee composed of at least one (1) member from each command to inform members of his/her command issues and activities of importance, solicit new members, encourage attendance at meetings, and aid in the collection of dues from his/her command. When possible, members of this committee should be appointed from the Board of Directors.

**Section 2.** Members of the above committees must be selected as required in Article III, Section 1 and 3 of the Constitution.

**ARTICLE V**

**AMENDMENT AND REVISION**

**Section 1.** These articles may be amended, or a new article made, by resolution in proper written form proposing such amendment or article by the By-Laws Committee or signed by no less than 10 members in good standing and submitted at any regular meeting of the Board of Directors.

**Section 2.** At the next subsequent meeting of the General Body, such written proposals shall be presented for consideration and at the same time, a copy of it shall be presented to the By-Laws Committee for study.

**Section 3.** At the next subsequent meeting of the General Body, the By-Laws Committee shall report on the amendment or change in the Constitution and at this time a vote shall be taken of the General Body for or against the proposed change.

**Section 4.** Any revision or change in the drafted form of the change shall defer any vote and the amendment shall be returned to the By-Laws Committee. The committee shall incorporate this change and report at the next meeting, at which time a vote shall be taken provided there are no changes, in which case it must be returned to the committee again.

**Section 5.** At any time after an amendment has been presented to the General Body for the second (2nd) time, a motion to accept the amendment with the changes is in order. Upon carrying of this motion by two thirds (2/3) of the total; membership present, the amendment, in its revised form, shall be presented to the By-Laws Committee by the Secretary/Treasurer for the inclusion in the Constitution of Commodore Lodge #3, Fraternal Order of Police.

**BY-LAWS**

**ARTICLE I**

**MEETINGS OF THE GENERAL BODY**

**Section 1.** The stated meetings of the General Body of the Lodge shall be held at least once each month on a day and time to be determined by the President with the approval of the Board of Directors of the Lodge. A quorum shall consist of no less than ten (10) members, of which at least four (4) must be officers, which will be necessary for the transaction of business. All members present at a cancelled meeting shall be given credit for attending that meeting. Except for assessment purposes, special meetings shall be called by the President on the advice of the Board of Directors or on written application of no fewer than ten (10) members in good standing.

**Section 2.** Each and every meeting shall be opened and closed by the Lodge Chaplain or by a person acting in the Chaplains absence.

**Section 3.** At the opening of every meeting, the American Flag is to be displayed and the members led in the Pledge of Allegiance by the Lodge President.

**Section 4.** No political candidate will be invited to the Lodge Hall of Commodore Lodge #3, Fraternal Order of Police, or any Lodge property acquired in the future unless approved by a majority vote of the members present at any regular or special meeting. Once such an invitation has been approved, all candidates for the same office shall be sent an invitation to attend a special General Body meeting to present their views and positions on political matters of concern to the Lodge.

**Section 5.** **Order of Business:** At all meetings of the Lodge and Board of Directors, the order of business shall be as follows:

1. Opening Ceremony. Sergeant-at-Arms and 2nd Vice President perform their duties. 2nd Vice President reports to the chair that all present are members.
2. Prayer by Chaplain.
3. President leads the Lodge in the Pledge of Allegiance to United Stated Flag and then declares Lodge duly open.
4. Roll call of officers by Secretary
5. Reading of minutes by Secretary of the last regular and/or special meeting.
   * This may be dispensed with by majority vote of members present
   * May be adopted as read
   * May be adopted with additions or corrections.
6. Initiation of applicants for new members.
7. Report on new applications for membership.
8. Applications voted on by Lodge.
9. Officers Reports. Reports shall be in writing and a copy provided to the Secretary/Treasurer unless an oral report is approved by the President. Reports may be adopted as read or referred to the **committee chair**, **the board of directors or general body** for revisions, may be adopted with amendments.
10. Committee Reports. All reports shall be in writing and a copy submitted to the Secretary/Treasurer. Any report may be accepted as read or referred to the committee for further study. Reports may be adopted with amendments after a second reporting by the committee.
11. The Chair calls for bills. Any bill over fifteen hundred dollars **($1,500.00)** requires a vote by the General Body.
12. Communications are called for. These are read by Secretary/Treasurer and instructions for response, if any, shall be given.
13. Report of members sick or in distress.
14. Unfinished business.
15. New business. Any new business shall be referred to the appropriate committee if applicable or a motion is in order to debate and consider the question immediately. (See Article VI, Section 3 of the Constitution).
16. For the Good of the Order.
17. Nomination slate and election results (when applicable).
18. Closing ceremony. Chair call for any further business and after receiving none, calls for closing prayer and afterward, states that an adjournment is in order. President declares the Lodge duly closed.

**Section 6. Absent or incapacitated officer:** At all meetings of the Lodge and/or Board of Directors. The presiding officer may designate another person to fulfill the duties of any officer who is absent or unable to perform his/her duties.

**Section 7. Register:** At all regular meetings of the Lodge and the Board of Directors, the Sergeant-at-Arms shall keep a register of those members who are in attendance. Members shall sign the register in their own handwriting in ink. At the close of the meeting, the Sergeant-at-Arms shall sign his/her name last and return the register to the custody of the Secretary/Treasurer.

**ARTICLE II**

**MEMBERSHIP**

**Section 1.** Any regularly appointed or elected and full-time law enforcement officer of the United States, any state or political subdivision thereof, or any agency may be eligible for membership in the Fraternal Order of Police, subject to the provisions of the Grand, State and Lodge No. **3** Constitution and By-Laws. No person shall be denied membership on account of race, religion, color, creed, sex, age or national origin.

(Amended 2017 National FOP)

Definition of full-time employed: "Full-time employed" shall mean law enforcement officers that are engaged in such employment as their full-time occupation as to hours worked and income derived as determined by their lodge. The term may also include law enforcement officers that are employed with multiple law enforcement agencies and are engaged in such employment as their full-time occupation on average of at least 30 hours per week. (Added 2017 National FOP)

**Section 2.** The term "regular appointed law enforcement officer" with regard to the Norfolk Police Department shall mean any person who is appointed to the Norfolk Police Department from the Civil Service eligibility list who is eligible to take a Civil Service Promotional Exam within the Norfolk Police Department, as well as those who have risen to such rank that they are no longer eligible to take a Civil Service Promotional Exam.

**Section 3.** There shall be two (2) classes of membership; Active and Honorary.

**A.** Active membership:

1. Shall include regularly appointed or elected. full time law enforcement officer. Full time employed shall mean law enforcement officers that are engaged in such employment as their full-time occupation as to hours worked and income derived as determined by their lodge. The term may also include law enforcement officers that are employed with multiple law

enforcement agencies and are engaged in such employment as their full-time occupation on an average of at least 30 hours per week.

2. Shall include retired regular appointed or elected full time law enforcement officers.

3. May include, subject to the approval of the Lodge, regularly appointed or elected law enforcement officers who have resigned from their law enforcement duties and have remained in good standing with the Lodge.

4. Only active members, as herein defined, shall have voice and vote.

**B**. Honorary membership:

1. Honorary membership shall be comprised of individuals recognized by the Lodge for exceptional service or contribution to the nation, state, political, subdivision, law enforcement community, or Fraternal Order of Police.

**Section 4.** Any member of the Lodge who is forced to leave active police duties due to physical disabilities, who does not resign, who is not retired because of their physical disability, but who is transferred to any other employment within the City of Norfolk, may retain his/her active membership in the Lodge with the approval of the General Body by a majority vote of members present.

**Section 5.** No member shall simultaneously be a member of more than one (1) local or state Lodge of the Fraternal Order of Police.

**Section 6.** Automobile emblems are available to all active and retired members and are to be used on immediate family member cars only. The emblems may be obtained from the Secretary/Treasurer, at which time members shall be required to have the number recorded and sign for same. The privilege of using the emblem may be revoked at any time for any violation set forth in **Article** **VIII, Section 4** of the by-laws. No refund shall be returned to any member whose privilege to use the emblem has been revoked. The member must return the emblem to the Lodge if his/her privilege has been revoked or his/her membership terminated.

**Section 7. Applications for membership:** All applicants must be sponsored by a

member in good standing and submit the initiation fee as set forth in **Article Ill, Section 1** of the by-laws. The application will be submitted to the Executive Board for approval who will in turn present the application to the General Body for approval as described in **Article Il, Section 12** of the by-laws.

**Section 8.** Upon completion of its inquiry, the Board of Directors shall render its report at a meeting of the General Body, together with a recommendation of acceptance or rejection. Members of the Lodge shall consider the recommendation of the Membership Committee. Members of the Lodge shall, at this time, be given the opportunity to voice or debate before the

General Body the advisability of accepting or rejecting the applicant. The General Body shall, after such debate, vote for acceptance or rejection of the applicant.

**Section 9. The method of voting:** Applicants for new membership or reinstatement shall be voted on by voice vote with a simple majority indicating acceptance or rejection. If rejected, an applicant may not reapply for membership for a period of six (6) months.

**ARTICLE III**

**INITIATION FEES AND DUES**

**Section 1.** The application fee for all applicants shall be ten dollars ($10.00), refundable if rejected by the General Body

**A.** Any member who remains an active law enforcement officer and resigns from the Fraternal Order of Police and who is desirous of rejoining, may do so upon application and payment of the ten-dollar ($10.00) initiation fee.

**B.** Each applicant for reinstatement (A reinstatement fee of ten-dollars ($10.00) plus current rate of dues for the past, present, and future years of membership will be collected) will be examined and discussed by the Board of Directors and a vote taken by them. The application will then be presented to the General Body with the Board's recommendation. The General Body will then vote as to reinstatement in the same manner as described in **Article Il, Section 12** of the by-laws. The vote of the General Body shall be final.

**Section 2.** The regular dues of active members shall be determined by the Executive Board of Directors and shall be increased or decreased, as recommended by the Board, by a majority vote of the total members present at a General

Body meeting.

* The annual collection of dues starts November 1 of each year and must be paid by March 1
* Dues not paid on time will be subject to a late fee in the amount of 15% of their annual dues

**ARTICLE IV**

**ASSESSMENTS**

**Section 1.** The Associate Lodge of the Fraternal Order of Police, Norfolk, Virginia,

sponsored by Commodore Lodge #3, Fraternal Order of Police, Norfolk, Virginia, shall be assessed a fee of seven dollars ($7.00) per member. Six dollars and fifty cents ($6.50) from this fee shall go to Commodore Lodge, Fraternal Order of Police, Norfolk, Virginia. The remaining fifty cents (.50) shall be paid to the Fraternal Order of Police of Virginia, Inc.

**Section 2.** No assessments for any purpose except those specified in these by-laws shall be levied by the Board of Directors without the consent of a majority vote

at a regular or special meeting of the General Body. A majority vote of the members in attendance at a given meeting shall accept or reject the assessment. Assessments shall not exceed Fifty dollars ($50.00).

**Section 3.** Commodore Lodge #3 shall pay a per capita fee as set forth by the State and National Lodges. The lodge must assess member’s dues at a rate that includes all national and state per capita fees and $50.00 for the lodge from each member, for example an active-duty member would pay$100.00 and a retiree would pay $76.50.

**Section 4.** The Lodge shall not solicit funds or anything of value for any reason

whatsoever in the territory of another local Lodge without written permission from the Lodge in whose territory the solicitation is to be made. Said written permission shall be signed by the President and Secretary of the Lodge granting permission and shall certify that permission was given by the local Lodge at a regular or special meeting called for that specific purpose.

**ARTICLE V**

## **DEFINITION OF ACTIVE MEMBERSHIP STANDING**

**Section 1.** Member in Good Standing is hereby defined to be a member who has paid all dues and assessments due and payable to Commodore Lodge #3 and who is not more than thirty (30) days in arrears of such payments as of March 1, of each year.

**Section 2.** Any member in arrears of payment of dues or assessments more than thirty (30) days shall be deemed to be delinquent and not in good standing. Any member delinquent for three (3) months shall be removed from the rolls of the Lodge and notified in writing of such action by the Secretary/Treasurer.

Individuals seeking reinstatement after having been removed from the rolls as indicated above may petition for reinstatement. They must present their arrears dues for the first and second year along with their reinstatement application. Dues not paid on time will be subject to a late fee in the amount of 15% of their annual dues.

Any member removed from the active rolls for having been three (3) months delinquent in dues, may, within thirty (30) days, petition the Grievance Committee for consideration of any special circumstances. The Grievance Committee shall within thirty (30) days of that petition make a recommendation to the Board of Directors for action.

**ARTICLE VI**

**BIENNIAL ELECTIONS**

**Section 1.** Biennial elections shall be held every even numbered year in the first week of November on a day and time designated by the Board of Directors. Upon announcement of the slate submitted by the Nominating Committee. During the transition period, all officers serving as of the effective date of these By Laws shall serve until the next biennial election.

**Section 2.** The Election Committee shall announce the election results at the next subsequent meeting of the General Body following the elections.

**Section 3.** Installation of officers shall take place in the month of January following the election at a time and place set by the Board of Directors.

**Section 4. Officers to be elected:** The President, Vice President, Secretary/Treasurer,

Sergeant-at-Arms, Second Vice-President, and five (5) Trustees, Conference Delegates shall be elected from the membership at large and will hold their respective offices for a maximum period of two (2) years.

**Section 5.** Any member may, at the same time, be eligible to hold office as an elected officer and conference delegate of this Lodge, subject to the eligibility requirements of Section 7 of this Article.

**Section 6.** All officers, trustees, and delegates may be re-elected to office.

**Section 7. Qualifications for Nominees:** Any actively employed Law Enforcement Officer performing full time law enforcement work, or retired Law Enforcement Officer, who has been a member in good standing and has attended six (6) meetings of the General Body or Board of Directors in the twenty-four (24) month period (September 1 to August 31) preceding the election shall be eligible for election to any office including Delegate. Any member not so qualified shall be ineligible for election to any such office, subject to the provisions of the following paragraph:

* The Nominating Committee shall not consider any member for elective office or Conference Delegate unless the member is a member in a good standing and has attended six (6) meetings of the General Body or Board of Directors in each 24-month period (September 1 thru August 31) prior to the. election. The Secretary/Treasurer of the Lodge shall audit the registry book to determine all those eligible to hold office and submit a written list bearing the Seal of the Lodge to the Nominating Committee on or before September 1 of each biennium. The Secretary/Treasurer shall then submit a duplicate list to the web master for publishing. The editor must receive all those eligible to hold office prior to publication of the web page. All those names eligible to hold office shall be published.

**Section 8.** No member shall be nominated or be a candidate for more than one office at the same election, except that any candidate may be a candidate for the position of Conference Delegate.

**Section 9.** If elected as an officer or delegate, said elected officer must attend six (6) meetings of the General Body or Board of Directors in each year during their term of office. Failure to comply with this provision may result in that member being removed from office at the discretion of two thirds (2/3) of the full Board of Directors.

**Section 10.** The Chairperson of the Nominating Committee shall call an executive session of the Nominating Committee during the first week in September to compose a slate of nominees for the various offices of the Lodge. Subsequent meetings may be called as deemed necessary by the Chairperson, but the slate must be composed and ready for announcement by the October General Body meeting.

**Section 11.** The Nominating Committee shall nominate one (1) member for each office and Conference Delegate.

**Section 12.** The Nominating Committee shall determine from each nominee his/her willingness to accept the nomination prior to placing his/her name in contention.

**Section 13.** At the October General Body meeting of each even year, the slate of nominees shall be presented to the members in attendance. The General Body of the Lodge may, at this time, challenge any nominee or, accept the slate. Nominations will then be opened up to the floor. All nominations from the floor must meet the requirements set forth in Article VI, Section 7, of the by-laws. If there are no further nominations, the General Body may accept the slate as final.

**Section 14.** After nominations have been closed, and in the event there are contested positions, the Lodge President shall appoint an Election Committee consisting of three (3) members, one (1) judge and two (2) tellers. No current Board member or candidate for office may serve on the election committee.

**Section 15. Notice of nominations:** The Secretary/Treasurer shall cause to be printed and available to the members of the Election Committee the names of all nominees and the office for which they are running. The names shall be in random order determined by lot. If more than one (1) person is running for the same office of Conference Delegate, the lot shall be determined by placing names in a container and drawing of same by the Election Committee. The drawing shall be within five (5) days of the October General Body Meeting. The election Committee shall be responsible on Election Day to ensure that the Constitution and By-Laws are complied with and shall designate an area for candidates to hand out guide ballots. They shall have the power to order all members who violate the rules of the election for trial before the Grievance Committee.

**Section 16.** All guide ballots shall list all names in the order of the official ballot. Guide ballots cannot be the same color as the official white ballots and must state they are guide ballots.

**Section 17.** No guide ballot shall be distributed, nor shall electioneering take place in the same room in which voting occurs.

**Section 18.** The tellers at the polls shall furnish official printed white ballots to members who wish to vote at the regular election. Said ballots shall have the official seal of Lodge #3 and shall not be numbered. Polls for voting shall be opened by Tellers at a time to be designated by the Board of Directors.

**Section 19.** The Judge of the Elections in which the electors shall place their ballots shall provide a suitable locked or sealed ballot box. After the specified time that elections are closed, the Judge and Tellers shall count the ballots. When the count has been completed, the Judge shall announce the results in writing at the next subsequent meeting of the General Body. In the event of a tie, the affected candidates and Judge shall draw straws, to determine which one shall be declared, and the Lodge President shall declare that person the winner.

**ARICLE VII**

**RESIGNATIONS**

**Section 1**. All resignations of elected officers must be presented in writing to the Lodge Secretary/Treasurer and shall be accepted only by a majority of the Board of Directors at their next regularly scheduled meeting.

**Section 2.** Resignations of the Secretary/Treasurer will not be considered by the Board of Directors until the books have been audited by the Trustees and so certified in writing as being proper.

**ARTICLE VIII**

**GRIEVANCE COMMITTEE**

**Section 1.** The Grievance Committee, presided over by its Chairman, shall constitute a tribunal for determination of charges that may arise under Section 2 of this article against any Director, Officer, or member, provided however, that if any director or Grievance Committee member shall be the complainant, defendant, or witness in any such proceedings, they shall be ineligible to sit upon the tribunal.

**Section 2. Complaints:** Complaints against Directors, Officers, or members shall be filed in writing with the Secretary/Treasurer and signed by the person making the charge. Such complaints shall be set forth with reasonable particularity as to dates, time, and place, the act, conduct, or facts to which exception is taken and for which discipline is required. Within five (5) days thereafter, the Secretary/Treasurer shall refer such complaint to the Grievance Committee and shall send a copy to the accused.

**Section 3.** The Grievance Committee shall hold a hearing on all such complaints no sooner than forty-eight (48) hours after the grievance is filed and notice given. At this time all, witnesses for both the accused and accuser shall be heard, the accused member shall not be required to testify against himself/herself and shall be entitled to be represented by counsel, who must be an active member of the Lodge in good standing.

Upon conclusion of all evidence, the Grievance Committee shall recommend approval or disapproval for the accused standing trial before the Board of Directors and shall file its decision with the Lodge Secretary/Treasurer within thirty (30) days.

The Secretary will send notification of the committee’s decision to the accused and complainant. A copy of said notice shall be sent to the Lodge President with the recommendation of the Committee that a grievance exists. The Board of Directors must hold a trial within thirty (30) days after such notification. The president shall make any unfounded grievance known at the regular General Body meeting.

**Section 4. Discipline:** Any Director, Officer, or member of the Lodge may be suspended or expelled by the Board of Directors only after trial of the grievance by the Board. This may be for insanity or other disability, insubordination to a superior officer of the Lodge, for willful or wanton negligent infraction of any By-Law, contract, rule, regulation, or order or acts of conduct which may be disorderly, injurious, or hostile to the interests of this Lodge.

**Section 5.** Members of the Grievance Committee and the Board of Directors shall not discuss in any way the particulars of any grievance brought before them with any member of the Lodge except those members directly connected with the case as complainant, defendant, or witness, until the defendant has had the specified time to appeal the case. Upon notice of appeal, the members of the Grievance Committee and Board of Directors shall maintain their silence as to the particulars or merits of the case.

**Section 6.** **Grievance Appeal:** Within ten (10) days from the receipt of notice and a copy of the decision of the Board of Directors, the accused, if censured, suspended, or expelled, may appeal, in writing, filed with the Secretary/Treasurer, to the General Body. The General Body may hear arguments thereon by the accused and the complainant from their respective counsel. The decision of the General Body must be by majority vote of the members present and voting, as rendered in writing filed with the Secretary/Treasurer and shall be final, conclusive, and binding upon all parties to such proceeding.

**Section 7.** If no appeal is filed by the accused within the specified time, the President shall instruct the Secretary/Treasurer to announce the findings of the Board to the General Body at their next regular meeting. The announcement shall be a simple statement setting forth the name of the defendant, the charge, and the findings and punishment, if any. No names other than that of the defendant shall appear in the announcement nor shall any particulars of the case be given.

**ARTICLE IX**

**AMENDMENTS AND REVISIONS**

**Section 1.** These By-Laws may be amended, or a new By-Law made, by resolution in proper written form, proposing such amendments by the By-Law Committee or signed by no less than ten (10) members in good standing, submitted at any regular meeting of the Board of Directors.

**Section 2.** At the next subsequent meeting of the General Body, such written proposals shall be presented for consideration and at the same time, a copy of same be presented to the By-Laws Committee for study.

**Section 3.** Subsequently, the By-Laws Committee shall report on the amendment or change in the By-Laws and at this time, a vote shall be taken of the General Body for or against the change.

**Section 4.** Any revision or change in the drafted form of the change shall defer any vote and the amendment shall be returned to the ByLaws Committee to incorporate the change and report at the next meeting, at which time a vote shall be taken, provided there are no further changes, in which case it will be returned to the Committee again.

**Section 5.** At any time, an amendment has been presented to the General Body for the second time, a motion to accept the amendment with the changes is in order and upon carrying out the motion, by two thirds (2/3) vote of the members present, the amendment, in its revised form, shall be presented to the By-Laws Committee by the Secretary for inclusion in the By-Laws of Commodore Lodge #3.

**ARTICLE X**

**ASSOCIATE LODGE**

**Section 1.** The Fraternal Order of Police, Commodore Lodge #3, recognizes, acknowledges, and validates an Associate Lodge within our Lodge, whose members shall be known as the Fraternal Order of Police Commodore Lodge #3 Associate Lodge. This Associate Lodge shall conform to, and be governed by, the Constitution and By Laws of the parent Lodge and shall hold at least one (1) meeting a month, all amendments and revisions to the Associate Lodge Constitution and By-Laws will conform to Article V of the Constitution and Article IX of the By-Laws of the Fraternal Order of Police, Commodore Lodge #3 and be subject to their approval. The Associate Lodge will submit their Constitution and By-Laws to Commodore Lodge #3 for approval and thereafter, all additions and amendments will be submitted to Lodge #3 for approval. Associate members shall have no voice or vote in the operation of Commodore Lodge #3.

**Section 2.** **Qualifications.** Associate membership is a privilege. Membership in the Associate Lodge may be permitted, denied, or revoked at the pleasure of the Board of Directors of Commodore Lodge #3.

**Section 3.** Members of the Associate Lodge shall be persons of good moral character, who are lawfully employed in a regular profession or business and whose association therein is above reproach. They shall not be associated with, directly or indirectly, with any person whose, reputation, character, or occupation is questionable.

**Section 4.** **Dues:** The regular dues of the Associate Lodge shall be one-hundred dollars ($100.00) per annum, payable in advance to the Associate Lodge. This amount must accompany every application. In the event of rejection, the amount shall be refunded to the applicant. The application fee shall be ten dollars ($10.00). This shall be payable to the Associate Lodge of Commodore Lodge #3.

**ARTICLE XI**

**AUXILIARY LODGE**

**Section 1.** The Fraternal Order of Police, Commodore Lodge #3, recognizes, acknowledges, and validates an Auxiliary Lodge within our lodge. This Auxiliary Lodge shall be subject to the control and supervision of Commodore Lodge #3. They shall be governed by the Constitution and By-Laws of Commodore Lodge #3. They shall hold at least one (1) one meeting per month. All amendments and revisions to the Constitution and By-Laws of the Auxiliary Lodge will conform to Article V of the Constitution and Article IX of the By-Laws of Commodore Lodge #3. The Auxiliary Lodge will submit their Constitution and By-Laws to Commodore Lodge for approval. All additions and amendments will be submitted for approval thereafter, Members of the Auxiliary Lodge will have no voice or vote in the operation of Commodore Lodge #3.

**Section 2.** Auxiliary membership is a privilege. Auxiliary membership may be permitted, denied, or revoked at the pleasure of the Board of Directors of Commodore Lodge #3.

**Section 3.** **Dues:** The regular dues of the Lodge shall be determined by the auxiliary board of directors payable in advance to the Auxiliary Lodge of Commodore Lodge #3. In the event of rejection, the dues will be refunded to the applicant.

**ARTICLE XII**

**PARLIAMENTARY PROCEDURE**

**Section 1.** Except as provided in the Constitution and By-Laws, "Roberts Rules of Order, revised" shall govern the conduct and deliberations of the Board of Directors, General Body, and any Committee meetings.

