

ARTICLE I

Section 1

The name of this Post shall be Oswego Post No. 675, The American Legion, Department of Illinois.

Section 2

The headquarters of this Post shall be in the Village of Oswego, Kendall County, Illinois.

ARTICLE II

Objects and Nature

Section 1

This Post is a constituent part of, and subsidiary to The American Legion, Department of Illinois and The American Legion, a Federal corporation organized and existing pursuant to an Act of Congress approved September 16, 1919, as amended by an Act of Congress approved October 29, 1942.

Section 2

The organic laws of this Post shall be the Constitution and By-laws of The American Legion, the Constitution and By-laws of The American Legion Department of Illinois, and the Statutes of the United States and the State of Illinois thereto appertaining.

Section 3

The objects of this Post shall be: to uphold and defend the Constitution of the United States of America and the State of Illinois; to promote peace and good will among the peoples of the United States and all Nations on the earth; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of the Wars fought to uphold democracy; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and masses; to make right the master of might; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to consecrate the efforts of its membership to mutual helpfulness and service to their country; and to consecrate and sanctify the comradeship of Veterans of Wars by our devotion to mutual helpfulness. (Amended 1975)

Section 4

This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 5

This Post shall be absolutely non-political and shall not be used for the dissemination of partisan principles, nor for the promotion of the candidacy of any person seeking public office or preferment. No candidate for nomination of election to, or no incumbent of, any remunerative elective public office shall hold any elective office or any appointive remunerative office in this Post, provided that embers of Post standing committees shall not be affected.

Section 6

Rank does not exist in the American Legion. No member shall be addressed by his military or naval title in any meeting of this Post.

ARTICLE III

Membership

Section 1

Eligibility to membership in this Post shall be as prescribed by the National Constitution of the American Legion.

Section 2

Application for membership shall be in writing under such regulations as may from time to time be prescribed by the Executive Committee.

Section 3

The application of any person found eligible for membership in this Post shall be accepted for membership and such person shall be entitled to membership in this Post upon payment of the fees and dues required to be paid.

Section 4

Any person whose application for membership in this Post is questioned or refused may apply to the Executive Committee for a hearing on his eligibility for membership and the decision of the Executive Committee shall be final.

Section 5

The dues for membership in this Post shall be in accordance with the Constitution and By-Laws of the American Legion, the Constitution and By-laws of the American Legion, Department of Illinois, and as fixed by the Executive Committee subject to approval by appropriate action of the Post with reference thereto.

ARTICLE IV

Officers

Section 1

The officers of this Post shall be as follows: Post Commander, Senior Vice Commander, Junior Vice Commander, Finance Officer and Sergeant-at-arms, all to be elected. Post Adjutant, Service Officer, Historian, chaplain, and other such officers as the Post may require, all appointed by the Post Commander within thirty (30) days after such Post Commander is elected by the membership. (Amended 1975)

Section 2

The terms of each elected officer shall commence automatically and immediately with the adjournment of the annual Department Convention, and each office shall hold office for one year and until his or her successor is elected, or appointed, as the case may be.

Section 3

In the case of a vacancy in the office of Commander, the Senior Vice Commander shall become Post Commander for the unexpired term; in case of a vacancy in the office of the Senior Vice Commander, the Junior Vice Commander shall become the Senior Vice Commander for the unexpired term; in the case of a vacancy in the office of Junior Vice Commander, the Executive Committee shall select a member of the Post as Junior Vice Commander for the unexpired term. In case of a vacancy in the office of both the Post Commander and the Senior Vice Commander, the Junior Vice Commander shall become the Post Commander for the unexpired term. In case of a vacancy in the office of the Post Adjutant, the Post Commander shall fill the vacancy in the regular manner. In case of a vacancy in either of the offices of Post Finance office or Sergeant-at-arms, the Executive Committee shall select a Finance Officer or a Sergeant-at-arms from the membership of the Post for the unexpired term thereof. In case of a vacancy in any of the appointive offices not above provided for, the same shall be filled by an appointment in the original manner by the Post Commander.

ARTICE V

Duties of Officers

Section 1. Duties of Post Commander

It shall be the duty of the Post Commander to preside at all meetings of the Post and to have general supervision over the business, and affairs of the Post, and such officer shall be Chief Executive of the Post. He shall approve all orders directing the disbursement of funds and shall make an annual report covering the business of the Post for the year and recommendations for the ensuing year, which shall be read at the Annual Meeting and a copy thereof immediately forwarded to the department adjutant. He shall perform such other duties as directed by the Post.

Section 2. Duties of Vice Commanders

The Senior Vice Commander and the Junior Vice Commander shall perform such duties as are outlined in the Constitution and By-laws of the American Legion, Department of Illinois, and assist the Commander with such other duties as he shall assign them. In the absence of the Commander, the Vice Commanders shall assume his duties in the order of rank or seniority, and shall perform such other duties as the Post shall prescribe.

Section 3. Duties of Post Adjutant

The Adjutant shall have charge of, and keep a full and correct record of all proceedings of all meetings, keep such records as the department and national organizations may require, render reports of membership annually or when called upon at a meeting, and under the direction of the Commander, handle all correspondence of the Post, and shall be the secretary of the Executive Committee but with no voice or vote in the proceedings of said Committee, and such Post Adjutant shall be the Assistant Finance Officer in the collection of dues, and such other duties and responsibilities as are delegated to such Assistant Finance Officer by the Post Finance Officer.

Section 4. Duties of the Post Finance Officer

The Finance Officer of the Post shall have charge of all finances and see that they are safely deposited in some local bank, shall report once a month to the Executive Committee the condition of the finance of the Post, with such recommendations as he may deem expedient. He shall sign all checks disbursing the moneys of the Post. He shall furnish such surety bond as shall be fixed by the Executive Committee, premium cost to be borne by the Post. (Amended 1975)

Section 5. Duties of the Post Historian

The Post Historian shall be charged with the individual records and incidents of the Post and Post members, and shall perform such other duties as may pertain to the office as may be determined by the Post or Executive Committee.

Section 6. Duties of Post Chaplain

The Post Chaplain shall be charged with the spiritual welfare of the Post comrades and will officer divine but non-sectarian services in the event of dedications, funerals, public functions, etc., and adhere to such ceremonial rituals as are recommended by the national or department headquarters from time to time.

Section 7. Duties of Sergeant-at-arms

The Sergeant-at-arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him by the Post Executive Committee.

Section 8. Duties of Service Officer

The Post Service Officer shall supervise all matters pertaining to service to comrades in the prosecution of all just claims against the United States and local governments, including relief and community welfare relief, and such other duties as may be assigned to him by the Post Executive Committee.

ARTICLE VI

Nomination and Election of Officers

Section 1

All candidates for elective offices or positions in this Post, except Trustees, shall be placed in nomination at the regular meeting of this Post held in the month of April of each year by appropriate action of the members of this Post in good standing attending such meeting. (Amended 2009)

Section 2

The Adjutant shall post all names of the candidates so nominated on the bulletin board at the Post Headquarters at least ten (10) days before date of election.

Section 3

No further nominations shall be made for any elective office or position after the meeting of this Post held in April of each year, except in cases of death or refusal to be a candidate, leaving no person a candidate for the office to be filled at such election. In such a case nominations for such office may be made from the floor on election night to fill such vacancy. (Amended 2009)

Section 4

No person shall be nominated for an elective office or position in this Post who is not a member of this Post in good standing on the day such member is so nominated, and no person shall hold an elective office in this Post who is not a member in good standing of this Post at the time of such election and during the entire time of his elective office.

Section 5

The annual election shall be held at the regular meeting of this Post held in the month of May each year. (Amended 2009)

Section 6

The election of officers of this Post shall be secret ballot, except where there is only candidate for an office, the election may be by acclamation. The majority of all votes cast shall be necessary for an election.

Section 7

The Commander shall appoint an election committee of three (3) members, one of whom shall be the Adjutant, to conduct the election, count the ballots and report the results of such election to the Commander. The adjutant shall be the chairman of such selection committee and shall have in his possession a list of all of the paid up members for the current year, and only such members in good standing shall be entitled to vote.

Section 8

Notice of the dates of the nominations and election of officers shall be mailed to each member in good standing, or published in a local newspaper, not later than ten (10) days before date of such nomination or election of officers. (Amended 1975)

Section 9

All newly elected Post Officers shall enter upon their duties and assume the duties of their respective offices automatically and immediately with the adjournment of the Annual Department Convention.

Section 10

Formal installation of newly elected officers must be held not later than the regular meeting of this Post held in the month of August each year. (Amended 1975)

ARTICLE VII

Meetings

Section 1

Regular meetings of this Post shall be held on the third Thursday of each month at 7:00 P.M. at such place as is designated by this Post as its regular meeting place. (Amended 1995)

Section 2

The regular meeting in the month of May of each year shall be the Annual Meeting of this Post. (Amended 2009)

Section 3

Special meetings may be called as follows: by the Post Commander, or, in his absence or inability to act, by two (2) elective officers of the Post; or, second, by the written request of five per cent (5%) of the duly qualified members of the Post. The Adjutant shall give notice of such special meeting as hereinafter provided for, and the call shall state the purpose of the meeting. No business shall be transacted at such special meeting other than that provided in the call.

Section 4

A special meeting may be called by the Commander, or in his absence, by the Vice Commander, for the purpose of conducting funeral ceremonies. Notice of such meeting may be by publication, or phone, etc.

Section 5

Seven (7) members of this Post in good standing shall constitute a quorum for the transaction of any and all business at any regular or special meeting. (Amended 1995)

Section 6

Proxies shall not be recognized.

Section 7

All procedures at business meetings of this Post shall be governed by Roberts Rules of Order unless otherwise provided for herein.

Section 8

The order for business at all regular meetings of this Post shall be as follows:

1. Call to order
2. Roll call of officers
3. Reading of minutes of previous meeting
4. Communications and bills
5. Committee reports
6. Finance Officer's report
7. Sick call
8. Unfinished business
9. New business
10. Good of the Legion
11. Adjournment

ARTICLE VIII

The Executive Committee

Section 1

The Executive Committee shall be composed of the Post Commander and four (4) additional members. The term of office of the four (4) elected members of the Executive Committee shall be for four (4) years, and an elected member of the Executive Committee shall not succeed himself. At every annual election hereafter one (1) member of this Post in good standing shall be elected a member of the Executive Committee for the period of four (4) years. (Amended 1950)

Section 2

The regular meetings of the Executive Committee shall be held upon notification of the Post Commander. Special meetings of the Executive Committee may be called by the Post Commander, or by written request of three (3) of the members of such Executive Committee. (Amended 1995)

Section 3

Three (3) members of the Executive Committee shall constitute a quorum for the transaction of business at any regular or special meeting thereof, and the affirmative vote of three (3) members of such committee shall be required to pass upon any matter or question properly before such committee.

Section 4

The Post Commander shall preside at the meetings of the Executive Committee and shall have the right to vote on all questions brought before the Executive Committee. In the absence of the Post Commander, the Committee shall select a Chairman Pro Tem from its membership as Chairman of the meeting. The Adjutant of the Post shall act as secretary of the Executive Committee, and the officers of the Post and members of any committee and all appointive officers shall have the right to attend any and all meetings of the Executive Committee, and have the privilege of the floor, but shall not be entitled to vote.

Section 5

Vacancies occurring in the Executive Committee shall be filled by the Executive Committee. The member so selected shall serve until the next annual election, at which time the vacancy shall be filled. (Amended 1975)

ARTICLE IX

Powers and Duties of the Executive Committee

Section 1

The Executive Committee shall, in general, act as the governing and managing board of the Post, and have general control over the policies and administration of this Post. The Executive Committee shall appoint a Bar Chairman, Bingo Chairman, Kitchen Chairman and other chairman as may be necessary from time to time, all such chairman shall be responsible directly to the Executive Committee. The Executive Committee shall have the power to transact business of the Post which may arise between Post meetings and which

require immediate action, and such action of the Committee shall be reported to the Post at the next regular meeting thereof, and said Committee shall have such other powers and duties as these By-laws may in addition so provide. (Amended 1975)

Section 2

The Executive Committee shall have the power to suspend, or remove from office for inefficiency, neglect of duty, misconduct in office, or other good cause shown, any elective or appointive officer of the Post after a fair and impartial hearing of written charges brought against such officer. Upon a hearing of the charges, no officer shall be suspended or removed unless two-thirds of the membership of the Executive Committee shall vote in favor of the suspension or removal. Any officer who has been suspended or removed by the Executive Committee may appeal to the Post. Upon notice of such appeal, the Post Commander or Post Adjutant shall call a special meeting of the Post to act upon such appeal, and the members of the Post may, by a two-thirds vote of those present in person, reinstate the officer.

Section 3

The Executive Committee, shall be in the House Committee. As House Committee it shall determine the uses of the property of the Post, the employment and discharge of agents and servants of the Post, the general details of the operation, maintenance and upkeep of all Post property. The Committee shall promulgate and post House Rules governing the conduct of Post members, employees and servants of the Post in the use of Post Headquarters, Club Rooms of the Post, and any other building, or buildings, used by the Post, and may modify and revoke same. Such Committee shall fix penalties for violations of these rules and have the power to enforce them and to remit such penalties. Any member guilty of conduct unbecoming a member of this Post may be ejected from the Club Rooms. Such Committee, however, shall not have any rights or powers over Post property heretofore delegated to the Trustees of this Post under a Declaration of Trust executed by this Post on the 15th of June 1948, and any and all powers of the Executive Committee over such property of this Post are subservient to those granted to the Trustees under the Declaration of Trust aforementioned.

ARTICLE X

Committees

Section 1

The following standing committees shall be appointed by the Commander within thirty (30) days after such Post Commander is elected by the membership:

1. Americanism
2. Military Ceremonies
3. Publicity
4. Graves Registration
5. Boy Scouts

and other committees as the Post shall deem necessary in carrying out its activities. (Amended 1975)

ARTICLE XI

Trustees of the Oswego Legion Building Fund

Section 1

The Trustees of the Oswego Legion Building Fund shall consist of five (5) members of this Post in good standing, and shall be elected in accordance with the terms and provisions of the Declaration of Trust executed by this Post on the 15th day of June, A.D., 1948.

Section 2

One Legion Building Fund Trustee shall be elected by this Post at the first regular meeting held by this Post in the month of December, A.D., 1948, and one trustee shall be elected annually thereafter at the first regular meeting held by the Post in the month of December of each year, and such Trustees shall serve for the term of five (5) years as expressly provided for in the Declaration of Trust executed by this Post on the 15th day of June, A.D., 1948.

Section 3

The powers and duties of such Trustees shall be as set forth in detail in the Declaration of Trust executed by this Post on the 15th day of June, A.D., 1948, and the powers or duties of such Trustees shall not be infringed upon or abrogated in any way by any officer of this Post, or by any action of any committee of this post.

ARTICLE XII

Membership in the Kendall County Council

Section 1

Membership in the Kendall County Council shall be as provided for in the Constitution and By-laws of said Kendall County Council.

ARTICLE XIII

Delegates to the Department Convention

Section 1

Delegates and alternates to the Department Convention shall be selected by appropriate action of the Post, at the Convention Meeting. (Amended 2009)

Section 2

Such delegates and alternates shall represent this Post at the State Convention of the American Legion, and perform such duties as are required of them by the terms and provisions of the Constitution and By-laws of the American Legion, Department of Illinois, thereto appertaining.

ARTICLE XIV

Dues

Section 1

Dues are payable on or before January 1st of each year. A member who has not paid his dues by February 1st shall be classes as delinquent. If said dues are not paid April 1st, such member shall be suspended from al privileges of membership.

ARTICLE XV

Discipline

Section 1

Any member of this Post may prefer charges against an offending member of this Post. Such charges shall be in writing under oath and submitted to the Commander of this Post, and shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of the American Legion, and shall specify with reasonable certainty the character of the offense alleged, and the time and place of its commission, and be signed by the accuser who must be a member of The American Legion in good standing.

Section 2

The procedure and conduct of the trial shall be as set forth in Article XI of the Constitution and By-laws of the American Legion, Department of Illinois.

ARTICLE XVI

Official and Fiscal Year

Section 1

Membership shall be based on the calendar year. The fiscal year for accounting purposes shall also be the calendar year. (Amended 1975)

ARTICLE XVII

Notices

Section 1

Every member of this Post shall furnish the Post Adjutant with his correct address for mailing purposes.

Section 2

The Post Adjutant shall cause to be mailed to each member in good standing notice of dates set for nomination and election of officers of this Post. Such notices shall be mailed not later than five (5) days before the date set for such nominations or elections, as the case may be. Like notices shall be given of the time and place of any and all other elections, unless otherwise provided for in these By-laws. Notice of the election of Trustees of this Post shall be given in accordance with the terms and provisions of the Declaration of Trust executed by this Post on the 15th day of June, A.D., 1948.

Section 3

Notice of all special meetings shall be mailed by the Adjutant to all members in good standing not later than ten (10) days before the date set for such meeting. (Amended 1975)

ARTICLE XVIII

Auxiliary

Section 1

This Post recognizes an auxiliary organization to be known as the Auxiliary Unit of Oswego Post Number 675, The American Legion.

Section 2

Membership in the auxiliary shall be prescribed by the National Constitution of the American Legion Auxiliary.

ARTICLE XIX

Amendments

Section 1

These By-laws may be amended by a two-thirds vote of the members present at the Annual Meeting thereof, provided that the subject matter of the amendment has been presented in writing and read at a prior regular meeting of this Post, and provided further that proper notice of such amendment and the purpose of same has been given to each member of this Post in good standing, as set forth in Article XVII of the By-laws of this Post. (Amended 2009)

Section 2

Amendments to the Constitution or By-laws of The American Legion or to the Constitution or By-laws of the American Legion, Department of Illinois, shall automatically operate to amend the Constitution or By-laws of this Post.

ARTICLE XX

Repeal

Section 1

All by-laws heretofore adopted by this Post in conflict, or inconsistent herewith, are herein and hereby repealed.

ARTICLE VI Nomination and Election of Officers

Section 1

All candidates for elective offices or positions in this Post, except Trustees, shall be placed in nomination at the regular meeting of this Post held in the month of **May** of each year by appropriate action of the members of this Post in good standing attending such meeting. (Amended **1975**)

*Replace **May** with **April**; replace **1975** with **2009***

Section 3

No further nominations shall be made for any elective office or position after the meeting of this Post held in **May** of each year, except in cases of death, **removal from the Village of Oswego**, or refusal to be a candidate, leaving no person a candidate for the office to be filled at such election. In such a case nominations for such office may be made from the floor on election night to fill such vacancy. (Amended **1975**)

*Replace **May** with **April**; delete , **removal from the Village of Oswego**;; replace **1975** with **2009***

Section 5

The annual election shall be held at the regular meeting of this Post held in the month of **June** each year.

*Replace **June** with **May**; add (Amended **2009**)*

ARTICLE VII Meetings

Section 2

The regular meeting in the month of **June** of each year shall be the **annual Convention** Meeting of this Post. (Amended **1975**)

*Replace **June** with **May**; replace **annual Convention** with **Annual**; replace **1975** with **2009***

ARTICLE XIII Delegates to the Department Convention

Section 1

Delegates and alternates to the Department Convention shall be selected by appropriate action of the Post, at the Annual **Convention** Meeting. (Amended **1975**)

*Delete **Convention**; replace **1975** with **2009***

ARTICLE XIX Amendments

Section 1

These By-laws may be amended by a two-thirds vote of the members present at the Annual **Convention meeting** thereof, provided that the subject matter of the amendment has been presented in writing and read at a prior regular meeting of this Post, and provided further that proper notice of such amendment and the purpose of same has been given to each member of this Post in good standing, as set forth in Article XVII of the By-laws of this Post. (Amended **1975**)

*Replace **Convention meeting** with **Meeting**; replace **1975** with **2009***