

# The By-Laws of the Dixon Scottish Cultural Association

(as amended and approved on February 20, 2013)

## Article 1. Name and Title

This Association shall be known by the name and title of "The Dixon Scottish Cultural Association."

## Article II. Meetings

**Section 1.** Meeting of the Association shall be held on the third Wednesday of each month for the transaction of business. Business meetings shall begin at 7 p.m., unless otherwise ordered by the officers of the Association.

**Section 2.** At all meetings for the transaction of business, seven members shall constitute a quorum, two of whom must be elected officers.

## Article III. Membership

**Section 1.** Men and women of Scottish decent and those interested in Scottish culture and heritage shall be eligible for full membership in the Association. Every candidate for membership should be of good moral character and over the age of 18. Membership received prior to the 19<sup>th</sup> of September 2000 will be known as "Charter Members" and they will be required to pay annual single or family membership dues.

### Section 2.

- (a) The applicant shall deliver to the Treasurer a written application, giving the name, age, and address, together with such additional information as the Association may require, accompanied by the admission fee set by the Association which includes the remainder of that year's dues.
- (b) The Treasurer shall verify the receipt of the admission fee and shall then deliver the application to the Membership Chairperson.

**Section 3.** The introduction of the new member shall be done by the Membership Chairperson. Any member, who shall have completed 25 or 50 years of membership in the Association, shall be entitled to receive an appropriate gift from the Association. The gifts are in addition to any other rights or honors extended to such members by these By-laws.

### Section 4. Membership shall include the following:

- (a) **Charter Membership** is any member with paid dues of a single or family membership prior to and including the 19<sup>th</sup> of September 2000.
- (b) **Family Membership** shall be a married man or woman with or without children, or single parent with children. Children being 17 years of age or younger. Children of families with family membership shall automatically be raised to single membership on the first of January following their 18<sup>th</sup> birthday providing "Individual membership" dues are paid. Children of "Charter Family" membership shall retain "Charter Membership" status providing appropriate dues are paid in accordance with this section. Child members shall be entitled to all the privileges of the Association except voting or holding office.
- (c) **Single Membership** shall be any man or woman over the age of 18 years.

- (d) **Life Membership** shall be any “Single Member” or Family Membership” upon attaining the age of 18 by making a payment to the Association of a sum set by the Association. A “Life Member” shall be entitled to all privileges of the Association but shall not be liable for further payment of dues.
- (e) **Honorary Members.** Honorary Membership may be conferred by a two-third vote of the members present at any regular meeting, upon individuals, in consideration of their eminent character, for services in honor of Scotland and her institutions, or for service rendered to the Association. The recipients shall not be liable for payment of dues, nor shall they be entitled to vote or hold office, but shall enjoy all other privileges of the Association.

## **Article IV. Officers of the Association**

### **Section 1.**

- (a) The elective officers of the Association shall consist of a President to be called “Chief,” a Vice President to be called “Vice Chief,” a Secretary, a Treasurer, a Financial Officer and a Sergeant-at Arms.
- (b) There shall be five Trustees elected by the members.
- (c) These officers are listed in order of succession.

## **Article V. Term of Office**

### **Section 1.**

- (a) All Officers shall hold office for the term of one year and until their successors are installed.
- (b) The Trustees shall serve, as elected, a two-year term with three Trustees elected in odd years and two Trustees in even years.

**Section 2.** No officer who has forfeited his office for any season, other than noted in Article V, Section 4, shall be eligible for the same, or other office, during the remainder of that term.

**Section 3.** Voluntary resignations from office may be proclaimed at a regular business meeting, or presented on a letter of resignation to the Secretary, who shall notify all Association members that a vacancy exists. At the next regular business meeting following the member notification of the vacancy, nominations shall be received and the election shall be held under the Rules as set forth in Article VII, Sections 4, 5 and 6.

**Section 4.** An Officer will not be required to resign his/her office to permit his nomination for another office that has been declared vacant. Nominations for this second vacant office, if it occurs as a result of the vote of the membership, and all subsequent vacancies declared at the meeting will be accepted and voted on during the same election period of the meeting.

## **Article VI. Nominations of Officers**

**Section 1.** Nominations of candidates for office shall be made at the business meeting held in October each year. Nominations will be taken from the floor prior to the election in November.

**Section 2.** No member shall be eligible as a candidate for office unless he/she is in good standing and has been a member for one year prior to taking office.

**Section 3.** No member shall be eligible as a candidate for the office of Chief, unless he/she has been a member of the Association in good standing for at least three years, one of which must have been in an elective office.

**Section 4.** No member shall be nominated for more than one office at any election.

**Section 5.** No nomination for a member, not present, shall be valid without the prior knowledge and written consent of the nominee.

## **Article VII. Election of Officers**

**Section 1.** The election of officers shall take place at the regular meeting held in the month of November each year.

**Section 2.** No business shall be transacted before the election, except the roll call of officers, the reading of the minutes of the previous meeting, payment of dues, and nominations from the floor.

**Section 3.** The Chief shall appoint one judge and three tellers to conduct the election.

**Section 4.**

- (a) Election shall be by ballot. On the evening of the election, the Secretary shall have, on hand, sufficient number of ballots.
- (b) The ballot box shall be placed in the center of the hall. Each eligible member, before being allowed to vote, shall be checked off the list furnished by the Treasurer.
- (c) One those eligible members present on the evening of the election shall be eligible to vote.
- (d) Eligible members shall be members in good standing as the date of the first nominations in accordance with Article VI, Section 1.

**Section 5.** The polls shall be opened at 7:15 p.m. and close at 7:45 p.m. During this period, payment of dues shall be suspended.

**Section 6.** All officers shall be balloted for at the same time and no person shall be declared elected unless he/she have received a majority of all votes cast for the office which he/she was a candidate. After a ballot in who no candidate has received the majority, the nominee having the least amount of votes shall be dropped from the list of candidates. Balloting shall be continued until a final decision is reached. Only those members voting, during the period described in Section 4, will be permitted to vote in the succeeding election ballots at the meeting. In the event of a tied vote, the succeeding ballot shall be held at the next business meeting.

**Section 7.** Any officer being absent from three consecutive business meetings of the Association, without giving due notification or cause of his/her absence, shall have his/her office declared vacant. If more than four business meetings of the Association are missed for any reason, the office may have his/her office declared vacant by a simple majority vote of the Association.

## **Article VIII. Installation of Officers**

**Section 1.** Installation of Officers elected at the annual election of Officers shall take place at the first regular meeting in January.

**Section 2.** Any Officer regularly elected who shall fail to present him/herself for installation and assume the duties of his/her office, after having been duly notified of his/her election by the Secretary, shall be deemed to have forfeited his/her office and a new election shall be

held. Exceptions may be granted only in case of sickness and unavoidable detention of which fact it shall be his/her imperative duty to notify the Association.

**Section 3.** All officers shall be installed by the retiring Chief or a Past Chief.

## **Article IX. Duties of Officers**

**Section 1. Chief.** It shall be the duty of the Chief to preside at all meetings of the Association, preserve order, and enforce the laws and rules of order, put all questions, and announce the decision of the same; give the casting vote on questions before the Association except election of Officers, to inspect and announce all voting and balloting of the Association. The Chief shall sign all warrants for payment of monies, passed by the Association, and none other, and all documents requiring his or her signature. The Chief may appoint a Club Piper, a Property Custodian, Standard Bearers, and all standing committees for the current year. The Chief shall have the right at all times to supervise the work and review the books of all officers, committees and servants of the Association; and should any neglect or deficiency be found by the Chief, it shall be his or her duty to report same to the Association at the first regular meeting thereafter. Previous to the closing of the meeting of the Association, the Chief shall ascertain from the Treasurer the amount of the receipts of the evening. The Chief shall marshal the Association on all public and festive occasions, and perform such duties as are enjoined by the By-laws, and Rules and regulations of the Association. The first business meeting, after the conclusion of each term, he/she shall submit in writing to the Association and annual address which shall embody a statistical statement as to the membership and finances of the Association, a history of the Association during his term of office and such recommendations as he/she may deem proper for the betterment of the Association.

**Section 2. Vice Chief.** It shall be the duty of the Vice Chief to assist the Chief in his/her duties, to inspect the ballot box at every election, and to discharge the duties of the Chief in every respect in the absence of that officer. He/she shall be responsible for all social functions held by the Association, including all committee appointed to assist the same.

**Section 3. Secretary.** It shall be the duty of the Secretary to call the roll of officers at each meeting, note the absences, read the minutes of the previous meeting, keep accurate minutes of the transactions of the Association, file all papers entrusted to him or her officially; unless otherwise ordered, keep a roll book of all members, showing their name, age, and birthplace, and to issue all communication and notices not otherwise provided for. The Secretary shall keep the seal of the Association and attach the same documents required by law or issued by the authority of the Association. The Secretary shall enter in the minutes the names of all applicants proposed, balloted for, and introduced; also those suspended, dropped from the roll, and expelled, also a brief statement of all communications, petitions, and other documents, unless otherwise ordered; enter the total sum collected at each meeting reported by the Treasurer. The Secretary shall notify the members of the death and time of funeral of a member. The Secretary shall on the first business meeting of each year report the names of all members that have become exempt during the past year, and shall, when duly called upon, deliver the seal, books, documents, and other property of the Association in his or her procession to his or her successor in office. The Secretary shall submit an annual report in writing the first business meeting of each year, and shall perform such other duties as the Association shall from time to time direct.

**Section 4. Treasurer.** It shall be the duty of the Treasurer to keep correct accounts between the Association and its members, receive all monies and provide record of deposit to the Financial Officer. The Treasurer shall promptly notify the Secretary of all members

when in arrears when liable for suspension, according to Article XII, Section 4 of the By-laws. The Treasurer shall, before the close of each regular meeting, report the amount of his/her receipts. The Treasurer shall submit his/her accounts and books to the Trustees for audit in accordance with Article X, Section 1 (d), or whenever the Association may direct, and shall submit an annual report, in writing, stating the number of members admitted, suspended, or dropped from the Association, present membership, and aggregate amount due by them, and such other information as he or she considered of interest to members. On the night of the election, he or she shall have on hand an alphabetical listing of all members who are entitled to vote.

**Section 5. Financial Officer.** It shall be the duty of the Financial Officer to receive from the Treasurer at each meeting all receipts of deposit of the Association, pay all orders passed by the Association, drawn on him/her and signed by the Chief or other authorized Officer, keep and account of all receipts and disbursements; file his/her vouchers and report in writing annually to the Association. The Financial Officer shall submit the books to the Trustees for audit in accordance with Article X, Section 1 (d). On or before the January business meeting, the Financial Officer shall submit in writing and annual report of the total receipts and disbursements during his or her term of office, and the balance of funds in his or her possession. When duly called upon, the Financial Officer shall deliver all monies, papers, and books relating to his/her office to the Association or to his/her successor in office.

**Section 6. Sergeant-at-Arms.** It shall be the duty of the Sergeant-at-Arms to act as aide to the Chief at all processions. He or she shall have charge of the meeting room and keep it in order; answer the roll call of officers, secure the meeting from intrusion, carry messages, prepare the ballot box for election and perform other duties as the Association or the Chief shall direct. The Sergeant-at-Arms shall be held responsible for all property entrusted to his or her care and deliver same to his/her successor in office.

## **Article X. Trustee**

### **Section 1**

- (a) Five Trustees shall be elected by members in accordance with Article VII, Section 1.
- (b) It shall be the duty of the Trustees to annually elect, from their number, a Chairperson and a Vice Chairperson. In the event the Chairperson is absent, it shall be the duty of the Vice Chairperson to conduct the meeting. The Trustees shall also elect from their number a secretary who shall keep strict minutes of all business conducted by the Trustees. A quorum of three Trustees must be present for business to be conducted.
- (c) They shall hold in trust all stocks, securities, investments, property (other than that entrusted to the care of the Property Custodian), and funds (other than monies in the hands of the Financial Officer) belonging to the Association, and shall transfer, exchange, and deposit same, or any part thereof, whenever and however the Association may direct. They shall collect the interest and dividends on monies or other investments made in the name of the Association, and reinvest this interest dividend money except as required for day to day operations of the Association. Interest or dividend money shall be paid to the Treasurer when the Financial Officer indicates it is required for day to day operations and only in the amount requested. The Trustees shall make a monthly report to the membership on interest or dividends collected since each proceeding month. They shall not lend the funds of the Association without its consent, nor without an order from the Chief, issued pursuant to a two-thirds majority vote on the members present at a regular business meeting of the Association, and attested by the Chief and Secretary, under the seal of the Association.
- (d) The Trustees shall audit, with the Financial Officer and Treasurer, prior to the February business meeting of each year, the financial books of the Association. The Chairperson will

make and Annual Trustees Report to the Membership at the business meeting in February of each year and submit in writing, all business transacted by them during the past year, together with a full and particular statement of funds, investments and properties belonging to the Association.

(e) It shall be the duty of the Chairman of the Trustees to make reports to the Association at regular business meetings, and make aware the Association a need of an election of a trustee due to expiration of term or resignation in accordance with Article V, Section 3.

## **Article XI. Standing Committees**

**Section 1. Games Committee.** The Games Committee shall consist of the Chief, all elected Officers, and other members appointed by the Chief, whose duties it shall be to recommend the location, charge of admission, arrange the program of the Games and rules governing same, providing competent judges, and make any other arrangements then deem expedient for holding of the Annual Games and Gathering or similar function. Within three months after the Games, each chairperson shall make a final report, in writing which shall contain a full account of all duties, receipts, and disbursements.

**Section 2. Arbitration Committee.** The Arbitration Committee, if needed, shall constitute a quorum for the transaction of business, whose duty shall be to hear and determine all matters in dispute between the Association and the members, and try all charges that may be preferred by one member against another.

## **Article XII. Fees, Dues and Arrears**

**Section 1.** Single or Family members shall pay an application fee, set by the Association, which includes the remainder of that year's dues.

**Section 2.** Any person applying for membership at or after the October meeting shall be exempt from dues for the following year.

**Section 3.** The dues of members shall be set by the Association and payable annually at the first business meeting in January.

**Section 4.** Any member whose dues are in arrears after the first business meeting in April shall not be allowed to hold office, vote, have a voice at any meeting, or enjoy any other privilege of membership.

**Section 5.** After being duly notified by the Secretary, any member, whose dues are in arrears after the first business meeting in April, will stand suspended. After three months following his/her suspension, he/she will automatically be expelled without further action of the Association.

**Section 6.** Any Single or Family member who has paid his or her dues to the Association of a period of 25 consecutive years shall be exempt from further payment of dues. A member of the Dixon Scottish Cultural Association, upon attaining the age of 65, and having been a member in good standing for 10 consecutive years, shall automatically be exempt from further payment of dues.

**Section 7.** Members of the U.S. Armed Services are exempt from Association dues while on active duty.

## **Article XIII. Reinstatement of a Member**

**Section 1.** Any member who is dropped from the roster under Article XII, Section 5 of these By-laws may be reinstated upon reapplication and payment of application fee.

## **Article XIV. Suspensions and Expulsions**

**Section 1.** Any member conducting himself/herself with impropriety at any meeting or gathering of the Association, or using disrespectful or abusive language toward any Officer or Member, or making false or malicious charges against a member, or shall use the name of the Association unwarrantably for the purpose of obtaining goods or money, or attempt or damage the position or character of the Association, or shall otherwise use his influence as a member of the Association to its injury, or has been convicted of a criminal offense, or be guilty of using obscene or vulgar language at any gathering or public meeting of the Association, may be reprimanded, suspended, or expelled at the option of the Association, after having been tried and found guilty by the Arbitration Committee.

**Section 2.** Charges must be presented in writing, in duplicate to the Secretary, and specify the points of complaints, time and place of occurrence. One copy shall be furnished to the accused, and the accused and the accuser shall be summoned to appear before the Arbitration Committee at such time and place as the Committee may direct.

**Section 3.** If the accused refuses or neglects to appear for a hearing upon the accusation, after having been duly notified, without presenting a sufficient and acceptable excuse for such neglect or failure to appear, the hearing may proceed in his/her absence; and it found guilty of the charge contained in the accusation, shall be dealt with as prescribed in Section 1 of this Article.

**Section 4.** The action of the Association, there shall be no appeal. No member so expelled can again be admitted to membership.

## **Article XV. Application of Funds**

**Section 1.** The funds of the Association may be appropriated to meet the current expenses of the Association, with the exception of monies turned over to the Trustees under Article X, Section 1 (c).

**Section 2.** Any donation over \$250 to a charitable organization shall require a simple majority vote by the attending membership at a business meeting.

## **Article XVI. Annual Games and Gathering**

**Section 1.** The Association shall hold an Annual Games and Gathering to be held at the Dixon Fairgrounds at such time the Association shall determine.

**Section 2.** If at any time the Dixon Fairgrounds closes, cannot accommodate the Games, or a contract cannot be negotiated to the satisfaction of the Association, then a new location shall be selected by the Association members.

## **Article XVII. Use of Name**

**Section 1.** No member or any number of members shall use the name of the Association to promote any undertaking or entertainment in which the Association is not directly interested, without the consent of the Association.

**Section 2.** The membership roster of the Association shall not be used by any member or person, for any commercial or non-Association purpose, without the prior authorization of the Association.

**Section 3.** Any officer or committee member using the Association letterhead for Association business shall submit a copy of the letter to the Secretary for Association files. A copy of all contracts [pertaining to the Association or Games shall be placed in the Association files.

## **Article XVIII. Amendments to the By-laws**

**Section 1.** The Bylaws of this Association shall not be repealed, annulled, altered or amended unless a notice in writing be presented to the Association at least one regular meeting previous to action being taken therein; when all members having been notified in writing prior to the meeting at when action is to be taken, if 75 percent of the members present vote in favor of the motion, it shall be adopted.

**Section 2.** These By-laws shall take effect from and after their adoption and all By-laws, Rules of Order or Standing Resolutions affecting the same, heretofore existing and not included in these are hereby repealed.

# **Rules of Order of the Dixon Scottish Cultural Association**

1. When the hour of the meeting has arrived, the Chief and other Officers shall assemble in the ante room, and headed by the Club Piper, enter the meeting room and proceed to their prospective stations. At the sound of the gavel, there shall be general silence. The meeting will then come to order.
2. The business of the meeting shall proceed within the manner prescribed by the "Order of Business."
3. All business shall be directed through the chair.
4. The Chief shall not make or second any resolution or take part in any debate, while in the chair.
5. None but the members in good standing shall be appointed on any committee.
6. Any member who shall misbehave themselves in the meetings of the Association shall be admonished of his offense and afterward may be dealt with as the By-laws prescribe.
7. In the absence of any Officer or member of a committee at the meeting of the Association, the Chief may appoint a temporary Officer or committee member, to perform the duty of such absentee for such meeting only.
8. All motions must be duly seconded before they can be entertained.

9. When a motion is duly made and seconded, the presiding Officer shall state the same to the members present before it can be discussed.
10. No motion shall be in order while the question is under debate except to amend or lay on the table. A motion to lie on the table shall preclude the debate, as likewise a motion of previous question.
11. No member shall be interrupted while speaking, unless a call to order, or for explanation.
12. No motion for reconsideration shall be in order unless moved by a member who voted in the majority.
13. Any member wishing to speak shall raise a hand, abstaining from comment until recognized by the chair. Remarks be confined to the subject under debate and no member shall be allowed to speak more than twice on the same subject, and not more than five minutes at any time, unless by permission of the chair.
14. No member shall be allowed to use discourteous language, or reflect in another while in debate.
15. No religious or political questions shall be discussed during the debate.
16. A motion to adjourn shall always be in order, and shall be decided without debate.
17. When the motion to adjourn is carried, the members shall remain seated until the presiding officer declares the meeting adjourned.
18. Any member dissatisfied with the decision of the Chair may appeal to the members of the Association.
19. All rules governing Officers shall also apply to active Officers or Officers pro tem.
20. The Rules of Order shall not be amended, suspended or annulled except by a two-thirds vote of the members present at a regular business meeting.
21. "Roberts Rules of Order" shall be the standard for "Parliamentary Law" in the absence of any rule governing the case.