



*By-laws of the Monsignor Charles A. Kelly Jr Division # 1*  
***Ancient Order of Hibernians in America***  
*Richmond, Virginia*

Approved by the Division on February 11, 2010  
 As Amended December 9, 2010

**ARTICLE I – NAME**

Section 1 Name: This Division shall be known as the Monsignor Charles A. Kelly Jr. Division # 1, City of Richmond, South, and Powhatan County, Virginia.

**ARTICLE II – PURPOSE**

Section 1 Purpose: To promote through its members the principles of the Ancient Order of Hibernians in America in the Counties of Chesterfield, and Powhatan, and the City of Richmond, Virginia, also through any individual that resides elsewhere and desires to affiliate and/or continue to affiliate with the organization.

**ARTICLE III – ORGANIZATION**

Section 1 Organization: The Division shall be organized and function as a Division as set forth in the National Constitution of the Order.

Section 2 Government: The division shall have control over its local affairs; however, the government of the Order shall vest in the State and National Officers, each exercising their prescribed function within the limits of the Constitution and each subject to the superior tribunal or Officers.

**ARTICLE IV – MEMBERSHIP**

- Section 1 Qualifications: Applicants must be a male resident of the United States, Canada or other Western Hemisphere Country, prove his Irish Ancestry, be a practicing Roman Catholic, be of good character, and not less than 16 years of age.
- Section 2 Applications: Applications must be made on the forms approved by the National Secretary, read by the Recording Secretary at a regular or duly authorized meeting, investigated as to the character and qualifications of the applicants a committee who will report their findings within a week of receipt of application and balloted upon by the members present at the next meeting. The proposer will certify the applicant is a practicing Roman Catholic. An applicant shall be elected by a majority vote. The applicant shall make his pledge at the next regular meeting, unless conditions allow his being inducted prior to that time.
- Section 3 Regular Membership: The Division may accept males over the age of 16 upon payment of the required initiation fees and dues as regular members. They shall be entitled to hold all offices and vote on all matters.
- Section 4 Associate Membership: The Division may confer associate memberships, by a two-thirds vote of the members present at a regular meeting on persons who do not qualify for regular membership if they have demonstrated good will toward the Order, its aims and principles. Associate membership includes all social privileges but does not include attendance at meetings or voting privileges. Dues shall be the same as those for regular members.
- Section 5 Withdrawal Cards: Withdrawal cards issued and signed by the National Secretary shall be given to member in good standing who resign the Order.
- Section 6 Readmission: A former member lawfully in possession and presenting a withdrawal card may be readmitted to membership provided he meets the requirements described in Sections 1 and 2 of this Article. He shall renew his pledge at a regular meeting.
- Section 7 Transfer: Any member in good standing desiring a transfer from one Division to another, shall make application to his Division and be furnished with a proper transfer card. This entitles the member to admission in the Division he desires, providing he is accepted by a majority vote; otherwise, his membership reverts to his original Division.

## **ARTICLE V – MEETINGS**

- Section 1 Meetings: The Division shall meet once a month, between September 1 and June 30 of each year.
- Section 2 Notice of the Meetings: The President shall be responsible for the preparation of a newsletter for mailing to the members at least eight days prior to a

meeting, notifying them of meetings, elections, proposed changes in the by-laws, scheduled social events and other items of interest.

- Section 3 Rules of the Order: The order of business shall be in accordance with the ritual of the Order and all questions concerning rules and procedures shall be decided by the President in accordance with the recognized rules of parliamentary procedure set forth in Roberts Rules of Order.
- Section 4 Quorum: For the purpose of transacting business of the Division, six (6) members in good standing shall constitute a quorum.
- Section 5 Social Functions: There shall be a Saint Patrick's Day Social held on or about March 17<sup>th</sup>, and other functions as determined from time to time by the membership.
- Section 6 Religious Functions: All members are encouraged to attend a celebration of holy Mass on St. Patrick's Day, Our Lady of Knock, Independence Day, John Barry Day and the Feast of the Holy Innocents.

#### **ARTICLE VI – OFFICERS**

- Section 1 Elective officers are: President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Chairman of the Standing Committee, Marshall and Sentinel. Tenure of office shall be for one year. Failures by any officer to attend four straight monthly meetings shall be cause for replacement, unless he is excused by the President for valid reasons. When this occurs, the President shall ask for volunteers to replace absentee officer(s) and cause an immediate vote of those present to install replacements. If there are no volunteers, the President shall be empowered to appoint one at the earliest acceptance by any member in good standing.
- Section 2 Appointive Officers: The appointive officers are: Chaplain, subject to the approval of the appointee's Ordinary, Chairman of the Charities and Missions Fund, Chairman of Catholic Action, Historian, and Organizer; also, Chairman of Freedom For All Ireland. All serve at the pleasure of the President.
- Section 3 Nomination, Election and Installation of Officers:
- A) At the September meeting, the President shall appoint a nominating committee of three members in good standing to present a proposed slate of officers at the October meeting. Each nominee on the slate must have agreed to serve in the office for which he is nominated. Nominations may be made from the floor if the nominee has agreed to serve. All nominees shall be included in the meeting notice sent out for November.
  - B) At the November meeting, members will ballot on candidates previously nominated and any other candidates nominated at this meeting.
  - C) Newly elected officers shall be installed in December at any meeting, including a Christmas social if held, in accordance with the procedures set

forth in the Constitution of the Order.

Section 4 Duties: The duties and responsibilities of the Officers shall be as set forth in Article X of the Constitution of the Order and these By-Laws.

Section 5 The Board of Officers shall consist of the elected Officers and the immediate Past President.

#### **ARTICLE VII – DEATH OF A MEMBER**

Section 1 Death of a Member or Immediate Family of a Member: The President and/or the Vice President shall arrange for the mailing of a Mass card upon the death of member or immediate family member. The President shall arrange for a eulogy, the draping of the charter and prayers for the deceased member at the next meeting.

#### **ARTICLE VIII – FINANCES**

Section 1 The following shall automatically become the Finance Committee: Newly elected President, Vice President, Treasurer, Financial Secretary and Chairman of the Standing Committee. Three members shall constitute a quorum. The committee will draft a budget and submit it to the membership at the January meeting for discussion, amendment(s) and adoption by the majority of those present. Finance committee approval will not be required for: Masses, state and national assessments, obituaries and other normal operating expenses.

Section 2 Advances: Committee chairmen must make written request for the advance of funds for regularly scheduled events in order to determine the availability of funds.

Section 3 Donations, Advertisements, etc.: All requests must be in writing, read by the Recording Secretary and reviewed by the Finance Committee. The Finance Committee shall make its recommendation at the next meeting. This provision may be suspended by three-fourths (3/4) vote of the members present and voting at a membership meeting.

Section 4 General Fund: The Treasurer shall set up a fund for General Operating Expenses to include all monies received.

Section 5 Annual Audit: The President shall appoint an audit committee of three members in good standing during the month of December to audit the books of the Division. The committee shall submit a written report which shall be available for the County or State Audit Committee prior to the 15<sup>th</sup> day of February.

#### **ARTICLE IX – FEES**

Section 1 Initiation Fee: The initiation fee shall be not less than \$5.00 and distributed as

follows: \$2.00 to the National Secretary for the purpose of increasing membership and payable with the notice of initiation, \$2.00 to the State Secretary for the purpose of increasing membership and payable with the annual assessment and the balance to be retained by the Division.

Section 2 Division Dues: Dues shall be payable on an annual basis, by the February meeting, in the amount of \$25.00. Priests, members of religious Orders and members serving in an active duty assignment of the Armed Forces shall be exempt from fees, dues and assessments. Members over 75 years of age, dues are \$10.00.

Section 3 Reinstatement Fee: A fee of \$5.00 shall be required at the time a former member is reinstated in addition to the Division dues. The sum of \$1.00 shall be forwarded to the National Secretary along with the reinstatement notice and a sum of \$1.00 shall be forwarded to the State Secretary with a copy of the reinstatement notice.

Section 4 National Assessment: An annual assessment of \$12.00 for each member in good standing as of the preceding December 31<sup>st</sup> shall be payable with the annual report and corrected membership roster on or before February 15<sup>th</sup>.

Section 5 State Assessment: An annual assessment of \$2.00 for each member in good standing as of the preceding December 31<sup>st</sup> shall be payable to the State Secretary with a copy of the annual report and corrected membership roster on or before February 15<sup>th</sup>.

Note: The annual national assessment and state assessment are to be taken from the annual \$25 division dues.

## **ARTICLE X – POWER AND DUTIES OF ELECTED OFFICERS**

Section 1 President, Shall:

- A) Preside at all meetings of the Division.
- B) Be the Executive Officer of the Division.
- C) Rule on questions of law as it pertains to the By-Laws and the Constitution.
- D) Name appointed Officers for a one year term.
- E) Appoint Committees and name Chairman as deemed necessary and proper for the good and welfare of the Order.
- F) Enforce the laws of the Order within the Division.
- G) Hold the Officers of the Division responsible for the duties and activities entrusted to them.
- H) Sign all official documents of the Division.
- I) Report to the membership at meetings from time to time, but in no case less than once a year or at the final membership meeting of his term of office, as to the State to the Division.
- J) Have the authority to expend Division funds for the good of the Division

but such expenditure shall not exceed \$300.00 unless approved by the membership.

- K) Serve as a delegate to all State and National conventions when practical.
- L) Schedule an election of delegates for all State and National conventions.
- M) Serve as Chairman of the Board of Officers.
- N) Prepare a monthly Division newsletter for distribution to the Division membership prior to each membership meeting.
- O) Convene emergency meetings of the Board of Officers and/or the Division membership when necessary and ensure that notice of such meetings is complete and timely.
- P) Perform such other duties that are usually associated with the Office.
- Q) Carry out all duties as directed by the National Constitution, and Division By-Laws.

Section 2 Vice President, Shall:

- A) Have all the powers and perform all the duties of the President in the absence or the disability of the President and report to the President any and all transactions of the Division that occurred during such absence or disability prior to the next membership meeting.
- B) Serve as General Chairman of the St. Patrick's Day Activities, unless directed otherwise by the Board of Officers.
- C) Be responsible for publicity for all activities of the Division.
- D) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

Section 3 Recording Secretary, Shall:

- A) Have all the powers and perform all the duties of the President in the absence or the disability of the President and Vice President and report to the President any and all transactions of the Division that occurred during such absence or disability prior to the next membership meeting.
- B) Record accurate minutes of all meetings. Make detailed reports as required on all facts regarding the Division information as required by the AOH State and National Boards on approved documents of such Boards.
- C) Conduct all correspondence of the Division as directed. Maintain attendance records of all meetings.
- D) Provide and maintain up-to-date copies of the By-Laws of the Division.
- E) Maintain a volume of all minutes of the Division meetings and as each bound volume is completed to convey said volume to the Division Historian for inclusion in the archives.
- F) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

Section 4 Financial Secretary, Shall:

- A) Maintain an accurate record of the membership of the Division which shall include among these records each member's Degrees and dates of Degree reception.

- B) Collect all dues, fees, assessments, fines and record accurate records of said collections on or in approved forms.
- C) Transfer to the Treasurer all monies collected in a reasonable amount of time.
- D) Make monthly and annual financial reports to the membership and convey any reports as necessary as directed by the President. Annual financial reports shall be forwarded to the State and National Secretaries.
- E) When directed by the President, announce those members delinquent or suspended or those otherwise in bad standing. Make recommendations to the membership on removal of members from the Division membership rolls as directed herein or directed by the Board of Officers.
- F) Maintain an accurate record of members remitting dues.
- G) Maintain an accurate list of all necessary information on each member of the Division and report to the National Secretary any new members and/or changes in data of current members as soon as possible.
- H) With the Treasurer's assistance, compile information to determine the annual State and National assessments.
- I) Serve as a member of the Membership Committee.
- J) Maintain a file of all accepted applications for membership.
- K) Maintain a current roster of all Division members which shall include address, phone number, and name of spouse if applicable.
- L) Be custodian of membership cards when received from the National Secretary.
- M) Send notices to members advising them of due date of dues by end of December. Send follow-up notice during month of February and again in April to those members that have not paid dues.
- N) Issue membership cards when dues are received from member. Membership card should be signed on the back and forwarded to member acknowledging receipt of his payment.
- O) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

#### Section 5 Treasurer, Shall:

- A) Be custodian of all Division funds, bonds, certificates, securities, and financial instruments held in the name of the Division.
- B) Assure that all financial instruments of the Division are maintained in a safe location.
- C) Deposit all Division funds entrusted to him into a Division account in a reasonable period of time.
- D) Maintain an accurate record of monies received and disbursed.
- E) Maintain in safekeeping all vouchers of disbursements for a four year period.
- F) Present a financial state of the Division at the membership meetings and when directed by the Division President.
- G) Close the financial records on December 31 of each year and submit a written state of the Division financial condition including all monies

received and disbursed. This report is to be submitted at the January membership meeting.

- H) Cooperate with the auditors appointed by the Board of Officers in the annual audit of financial records.
- I) Assist the Financial Secretary in the preparation of approved forms provided by the National Secretary for the determination of State and National assessments.
- J) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

Section 6 Chairman of The Standing Committee, Shall:

- A) Serve as a member of all Division Committees.
- B) Serve as Chairman of the Telephone Committee.
- C) Activate the telephone committee as becomes necessary or at the direction of the President.
- D) Preside over any charges filed against a fellow Division member when said charges are filed in writing with the Division Recording Secretary.
- E) Act as the arbitrator for the good of the Division to settle and /or adjust any and all disputes or grievances within the Division.
- F) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

Section 7 Marshall, Shall:

- A) Be responsible for the proper appearance and arrangement of the Division meeting room at all times. Maintain proper decorum among the membership as directed by the Division President.
- B) Assist the Sentinel when requested. Assist the Division President in the initiation of new members. Escort honored quests and visiting Officers of the Order to the President's Station.
- C) Be entrusted with the custody and care of all physical properties of the Division.
- D) Maintain an accurate and current inventory of all Division property.
- E) Maintain a current price listing of all Division Properties for sale.
- F) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

Section 8 Sentinel, Shall:

- A) Provide for and maintain at all times the proper security of the Division meeting room and other areas as needed.
- B) Admit no one to the meeting room that is not in possession of the proper credentials proving that he is a member of the Order in good standing. If said credentials are in question, request the Marshall to escort the person seeking admittance, to the Division President or Financial Secretary for verification of his standing in the Order.
- C) Assist the Marshall in the performance of his duties.
- D) Carry out all duties as directed by the National Constitution, Division By-

Laws and as directed by the President of the Division.

## **ARTICLE XI – POWER AND DUTIES OF APPOINTED OFFICERS**

### **Section 1 Chaplain, Shall:**

- A) Be the spiritual Supervisor of the Division.
- B) Provide counsel on all matters pertaining to the good and welfare of the Division.
- C) Be entitled to attend all meetings and participate in all matters of and for the Division.
- D) Annually offer the Holy Sacrifice of the Mass for the repose of the souls of all deceased Division members (if an ordained Catholic priest is available and occupies the position).
- E) Be a member of the Catholic Action Committee of the Division.
- F) In the absence of an ordained Priest, this position may be filled by lay person.
- G) Carry out all duties as directed by the National Constitution, Division By-Laws as directed by the President of the Division.

### **Section 2 Historian, Shall:**

- A) Promote, supervise and direct the proper recognition of the study of Irish History and culture in and thru educational institutions in the Richmond area.
- B) Act in cooperation with the Historians of the State and National Boards in the implementation of programs to advance Irish History and culture and the study thereof.
- C) Present to the membership during the monthly meetings a discourse of Irish History or current event of Irish interest as directed by the Division President.
- D) Maintain an annual history of the Division and its activities which is to be supplemented when possible by photos and clipping in a volume accessible to the Division membership.
- E) Serve as the Division Librarian. Maintain and catalog all books of the Division and be responsible for a lending system of said volumes to the Division membership.
- F) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

### **Section 3 Organizer, Shall:**

- A) Direct the membership recruitment of the Division.
- B) Assist the State and National Organizers in the implementation of their programs.
- C) Appoint such committees as deemed necessary to provide a vigorous program of membership recruitment.
- D) Serve notice to those applicants on their acceptance of membership into the Division and arrange with their sponsor to present them at the earliest division meeting.

- E) Assist the Financial Secretary in the maintenance of an accurate roster of the Division membership.
- F) Arrange for the initiation of all new members and serve notice to all who have not received the Shamrock Degree of the Order as to the accessibility of the same.
- G) Serve notice to the membership of the availability of the Tower Degree when accessible.
- H) Direct the investigation of qualification of applicants.
- I) Carry out all duties as directed by the National Constitution, Division By-Laws and as directed by the President of the Division.

## **ARTICLE XII – POWERS AND DUTIES OF THE BOARD OF OFFICERS**

### **Section 1 The Board of Officers, Shall:**

- A) Meet at the discretion of the President of the Division who shall act as the Chairman of said Board.
- B) Plan a yearly listing of activities for the Division membership.
- C) Prepare the agenda of the membership meetings.
- D) Arrange for an annual audit of all Division financial records and report all findings to the membership.
- E) Fill all unexpired terms of elected Officers when they become vacant for any reason.
- F) Consist of five (5) members of the Official Board of Officers to constitute a quorum with a simple majority sufficient to enact any proper motion.

## **ARTICLE XIII – SUSPENSION**

**Section 1 Suspension:** When any member of the Division fails to pay his annual dues for a period of three months, he shall be duly notified by the Financial Secretary. The Financial Secretary shall set forth the amount of his indebtedness in writing and notify him to appear at the next regular meeting to pay his dues. Suspension shall be made at a regular meeting and by a motion duly carried. This should take place prior to June 30<sup>th</sup>. The membership can waive payment of delinquent dues because of hardship.

## **ARTICLE XIV – BY-LAWS**

**Section 1** These By-Laws shall become effective upon a two thirds (2/3rds) vote of the division members present at a regular meeting and approval by the State Board of the Commonwealth of Virginia and the National President of the Ancient Order of Hibernians.

**Section 2** By-Laws may be amended at a membership meeting by a two-thirds (2/3rds) vote of the members present, provided however, that the full membership has been notified of the proposed amendment one (1) month prior to the proposed vote of adoption.

## **ARTICLE XV – AWARDS**

### **Section 1 Gael Of The Year**

- A) A member of the Division, who during the year, made significant

Contributions of time and effort to promote the Order, Division and Irish Heritage, shall be named “GAEL OF THE YEAR”.

- B) The Board of Officers shall meet and discuss candidates for this honor during the month of October. They shall then submit one or more candidates to the members attending the November meeting.
- C) Voting shall be by secret written ballot. The President and Recording Secretary shall tally the votes and determine the winner.
- D) The winner will be announced at the December meeting and presented with a plaque recognizing his efforts.

#### **ARTICLE XVI PAYMENT OF AUTHORIZED EXPENSES**

**Section 1** In the event that a quorum is not attained by the Division at a regularly called business meeting and authorized expenses need to be paid, the president or his duly authorized representative/division officer shall be empowered by a simple majority vote of those division members present to direct payment of such expenses.

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Legal Counsel

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Approved by National President

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Approved by VA State Board

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Adopted by Division