

CONSTITUTION BY-LAWS

OVERLAND PARK, KANSAS FRATERNAL ORDER OF POLICE LODGE
#21, INCORPORATED
DECLARATION

This Constitution and By-laws of the Overland Park, Kansas, Fraternal Order of Police Lodge #21, Inc., shall be the only official Constitution and Bylaws governing Overland Park, Kansas, Fraternal Order of Police Lodge #21, Inc. The original copy of the Constitution and By-laws shall be permanently preserved by the Lodge Secretary, and shall replace all previous and prior Constitutions and By-laws of the Overland Park, Kansas, Fraternal Order of Police Lodge #21, Inc.

This Constitution and By-laws is respectfully submitted for approval by the Overland Park, Kansas, Fraternal Order of Police Lodge #21, Inc. Constitution and By-laws Committee, May 9th, 2000.

Peter J. O'Malley, Chairman/State Lodge Trustee

This Constitution and By-laws is approved by the members assembled at the general membership meeting, July 18th, 2000.

Mark Vargo, President Overland Park, Kansas Fraternal Order of Police Lodge #21, Inc.

James Ho, Secretary Overland Park, Kansas Fraternal Order of Police Lodge #21, Inc.

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CONSTITUTION

PREAMBLE

We, the law enforcement officers of the City of Overland Park, Kansas, do hereby associate as representatives of the Fraternal Order of Police for the following reasons:

To support and defend the Constitution of the United States of America; to promote loyalty and allegiance to the United States of America, to promote and foster the enforcement of law and order; to improve individual proficiency of our members in the performance of their duties; to encourage social, charitable and educational activities among law enforcement officers; to advocate and strive for uniform application of the civil service system for appointment and promotions; to create an environment of esprit de corps insuring fidelity to duty under all conditions and circumstances; to create a spirit of fraternalism and mutual helpfulness among its members and the people we serve; and to increase the efficiency of the law enforcement profession, thus to more firmly establish the confidence of the public in the service dedicated to the protection of life and property.

ARTICLE I Name

Section 1. The organization shall be known as the Overland Park, Kansas, Fraternal Order of Police Lodge Number Twenty-one (21), Incorporated, hereafter referred to as " the Lodge".

The local rights to authorize control, and restrict the use of the name and insignia of the Lodge shall lie exclusively with the Board of Directors.

ARTICLE II Character

Section 1. The Lodge is an organization consisting of Police Officers, defined as full-time paid law enforcement officers, in the City of Overland Park, Kansas.

Section 2. The Lodge is strictly non-sectarian, and shall have no affiliation, directly or indirectly, with any labor union, congress, federation, or committee of like nature, or political action committee or similar organization, by whatever name known.

The Lodge shall operate under the lodge system within the meaning of Section 501(c)(8) of the Internal Revenue Code of 1986, or any successor section, and shall be subordinate to the Kansas State Lodge and the Grand Lodge of the Fraternal Order of Police and the Constitution and By-laws of both the Kansas State Lodge and the Grand Lodge and will here to all requirements of both.

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

Section 3. This Constitution shall be the fundamental laws of the Lodge, together with the By-laws, enacted in conformance therewith and the rituals adopted at the national conference shall govern the conduct of this lodge.

ARTICLE III Membership

Section 1. The membership of the Lodge shall consist of Active, Honorary and Associate members. All permanent police officers employed by the City of Overland Park, Kansas will be eligible for Active membership. Applicants for Active membership must be commissioned law enforcement officers certified by the State of Kansas to be eligible to make application. Race, creed, religion or sex shall not be a bar to membership.

Section 2. There shall be three (3) classes of membership: Active, Honorary and Associate.

Active membership shall be comprised of regularly appointed Police Officers and retired Police Officers of the City of Overland Park, Kansas.

Honorary membership shall be comprised of meritoriously retired regularly appointed Police Officers who have withdrawn from Active membership following their retirement.

Associate membership shall consist of such worthy persons who may not be eligible as Active members of the Lodge, but desire to

be associated with the Lodge to assist in forwarding the aims of the Fraternal Order of Police.

Section 3. Any member, who may resign from active duty, may retain his or her membership as long as he or she remains in good standing.

Section 4. Active members who are dismissed from police service on charges which are subsequently sustained in legal proceedings or who do not contest the decision of the dismissing authority, automatically forfeit their membership of the order and shall no longer participate in any right or benefit of the Lodge.

ARTICLE IV Application for Membership

Section 1. All applications for Active membership shall be submitted to the Lodge Secretary in writing. If the applicant is acceptable, his or her application shall be read at the regular meeting after receipt of the application and shall then be voted upon for membership.

A majority vote by the members in attendance shall constitute acceptance or rejection of an applicant.

Any applicant for membership who has been duly voted upon by the Lodge and has been rejected shall have all dues paid refunded to him or her at the earliest possible date. Said applicant shall not be eligible to re-apply for membership to the Lodge until six (6) months has elapsed.

Section 2. Any person who is a member of the Lodge shall conduct him or herself, at all times, in manner that will not bring discredit upon the Lodge or the Overland Park; Kansas Police Department. Any business having to do with the Lodge will not be discussed openly outside of regular meetings and never in or about the presence of any other person not being a member. All members of the Lodge of the Fraternal Order of Police shall abide by these rules.

ARTICLE V Dues and Assessments

Section 1. The Lodge shall be empowered to levy an initiation fee and monthly dues assessment.

Section 2. The dues of this Lodge shall be payable to the Treasurer of the Lodge in the manner prescribed in the By-laws.

Any member delinquent in payment of dues for a period of sixty (60) days shall forfeit all rights, privileges and benefits accorded to members in good standing of the Lodge, and after ninety (90) days, shall be dropped without notice.

Section 3. Any member delinquent or suspended may be reinstated and restored to good standing by payment of all amounts due, and, in addition thereto, the payment of dues for the whole year in which such reinstatement is made.

ARTICLE VI Meetings

Section 1. The Lodge shall hold one (1) regular meeting per month with the day and time of the meeting to be prescribed in the By-laws.

Section 2. Special meetings of the Lodge shall be called by the President of the Lodge or upon the written request of the Board of Directors or by any four (4) Active members in good standing of the Lodge. The reason for the special meeting shall be specified in the notice calling the meeting and no business shall be transacted except for the reason that the meeting was called.

Section 3. For the transaction of any business at a regular or special meeting of the Lodge, there shall be required a minimum of seven (7) Active members in good standing present, two (2) of which shall be members of the Board of Directors, which shall constitute a quorum for the Lodge.

ARTICLE VII Officers

Section 1. The Board of Directors or Officers of the Lodge shall be composed of the:

President

Immediate Past President Vice President

Secretary Treasurer Sergeant at Arms

Trustees

State Lodge Trustee Divisional Delegates

Section 2. All Officers, with the exception of the Immediate Past President and Divisional Delegates, shall be elected by ballot. Only members in good standing shall be entitled to vote in any election of the Lodge. The Officers of the Lodge shall be nominated at the regular meeting in November of each even numbered year.

The Officers of the Lodge shall be elected at the regular meeting in December of each even numbered year and shall hold office for two (2) years, except the term of the Trustees which shall be for three (3) years with one (1) member elected each year.

Officers shall be elected by the use of a mail-in ballot system. The Lodge Secretary shall cause to be mailed election ballots to each member in good standing, at their address of record, fourteen (14) days prior to the December regular meeting. The Secretary shall indicate on the ballot the date of return for the completed ballots. Only ballots received on or before that date shall be tallied.

Newly elected Officers shall be installed at the regular meeting in January following the election.

Newly elected Officers not present at the regular meeting in January shall be installed at the regular meeting in February.

Section 3. Any member in good standing who has been a member of the Lodge for a period of one (1) year or more, provided the member has attended six (6) regular meetings in the twelve (12) months preceding the election, shall be eligible to be a candidate for a Lodge office.

Section 4. Duties of the Lodge Officers:

President: The President is the Chief Executive officer of the Lodge and shall preside at all meetings and shall preserve order and decorum. He or she shall carefully supervise the affairs of the Lodge and its labor for usefulness and efficiency. He or she shall fill all vacancies of office caused by death or resignation unless otherwise provided for. He or she shall sign all official documents of the Lodge and shall perform all other business of the Lodge, which by custom pertains to the office of the President.

He or she shall enforce a strict compliance with the Constitution and By-laws of the Lodge in all actions.

The President may not take an active part in debate without consent of the majority of the members present.

The President shall convey all unfinished business of the Lodge to his or her successor, together with any Lodge records, money or property.

Immediate Past President: The Immediate Past President shall advise and assist the President and the other members of the Board of Directors in the performance of their respective duties and shall execute such assignments as may be ordered by the President or other members of the Board of Directors.

Vice President: The Vice President shall appoint minority members of committees. In the absence of the President, he or she shall fulfill the duties of that office.

Secretary: The Secretary shall keep a correct record of the membership roll and all minutes of each meeting of the Lodge. The Secretary shall keep a record of the amendments to the Constitution and By-laws. He or she shall cause to be sent letters pertaining to the activities of the Lodge to all members.

At the expiration of his or her term of office, the Secretary shall give a correct report of the business of his office and turn all property and records belonging to the Lodge to his or her successor.

Treasurer: The Treasurer shall receive and take charge of all monies belonging to the Lodge and deposit same in a financial institution selected by the Lodge. He or she shall keep an accurate account of all monies received and expended, credit each special fund with the same as accrue thereto and report to the Lodge at each regular meeting. He or she shall, at the regular meeting in the months of June and December of each year, give to the Auditing Committee a correct account of all monies in his or her possession; together with the books, papers and receipts belonging to the office.

At the expiration of his or her office, the Treasurer shall deliver all books, records, money and other property in his or her possession belonging to the Lodge to his or her successor.

Sergeant at Arms: The Sergeant at Arms shall have charge and control of the conference hall or meeting place. He or she shall examine all membership cards, take the password and permit only qualified persons to enter and remain. He or she shall execute duties as may be ordered by the President.

Trustees: There shall be three (3) Trustees. The Trustees shall have charge of all properties of the Lodge. They shall examine the Treasurer's bankbook and see that all monies are deposited in the name of the Lodge. They shall examine the books of the Lodge every six (6) months. They shall perform all other necessary duties of the Lodge not otherwise specifically provided for by the Lodge.

State Lodge Trustee: The State Lodge Trustee shall be the official representative of the Lodge at all State Lodge meetings, conferences and functions. He or she shall report to the members at each regular meeting any pertinent information received from the State Lodge.

Divisional Delegate: There shall be one (1) Divisional Delegate appointed by the President to represent each division within the police department. The Divisional Delegates shall represent the division he or she is currently assigned to and shall be the point of contact within their respective divisions for all matters concerning the Lodge. They shall be responsible for assisting and advising members and welcoming all new Lodge members within their division. The Divisional Delegate shall be responsible for communicating and disseminating Lodge materials and information to members within their division and report to the Lodge at each regular meeting on pertinent matters and concerns within each division that affect the Lodge. In the event a Divisional Delegate is transferred from the division they represent, they shall forfeit their office and the President shall appoint a replacement.

ARTICLE VIII Committees

Section 1. All standing committees shall be appointed at the first regular meeting of each year by the President and shall serve throughout the year or until relieved by the President. The Lodge shall determine the number of persons on each committee, unless provided for by the Constitution and By-laws or the Lodge.

Section 2. The following is a list of standing committees:

Constitution and By-laws Committee: the Constitution and Bylaws Committee shall be composed of three (3) Active members. The committee shall review all proposed amendments to the Constitution and By-laws of the Lodge before being presented to the Lodge for proposed adoption.

Auditing Committee: The Auditing Committee shall consist of the Trustees. They shall cause the books of the Lodge to be audited every six (6) months and shall release a report to the Lodge of its financial condition after each audit.

Hospitality Committee: The Hospitality Committee will consist of the Vice President and one (1) Active member and shall visit any member who is off duty due to an extended sickness or injury and shall report to the Lodge their welfare. The

committee shall have the authority to send flowers or other tokens of goodwill or respect to a member as a means of congratulations, to a sick member, to the family of a member who has passed away or to a member whose family member has passed away. The committee shall make recommendations on any outstanding case of need or misfortune, which may have befallen any member of the Lodge or his or her family.

Entertainment Committee: The Entertainment Committee will consist of the Sergeant at Arms and one (1) other Active member and shall plan and conduct all social functions, parties and picnics and provide entertainment and refreshments for the members of the Lodge and their families and friends.

Grievance Committee: The Grievance Committee shall consist of the Board of Directors. Any member having a grievance against any other member or members may file a complaint with the Grievance Committee stating in his or her complaint the violation of the Constitution or By-laws allegedly committed by the member or members so charged. The Grievance Committee shall provide the member or members so charged with a copy of the charges in writing, and shall, within ten (10) days, conduct a hearing and shall thereafter submit a full report of its findings and recommendations for action to the Lodge in a regular meeting, or in a special meeting called for that purpose. The recommendation of the Grievance Committee shall not be binding upon the Lodge.

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Legislative Committee: the Legislative Committee shall be charged with the duty of keeping the members informed on all legislative or proposed legislation which may concern the Lodge or the members. They shall report to the Lodge at each regular meeting.

Section 3. Unless otherwise Provided for, special committees shall be appointed in the regular manner, as the need shall arise for the Lodge to perform particular duties outside the province of a standing committee. They shall be dissolved upon the completion of the duties assigned them.

ARTICLE IX Right, Benefits and Privileges of Members

All Active members of the Lodge in good standing shall be entitled to the following rights, benefits and privileges:

Section 1. To attend all regular and special meetings and to take part in all discussions and debates concerning the business and welfare of the Lodge.

Section 2. To vote upon applications for membership and reinstatement and upon questions coming before the Lodge.

Section 3. Any member of the Lodge who shall take a temporary leave of absence, or by reason of economy shall be laid off by the Police Department, shall be given a withdrawal card and shall not participate in any of the above mentioned benefits while separated from regular police service. Such member, upon his or her return

to the Police Department, may be reinstated to Active status and shall again participate in all the rights, benefits and privileges of the Lodge.

Section 4. Any member of the Lodge who shall resign from the Police Department may apply for a withdrawal card subject to the approval of the Board of Directors.

Section 5. Any questions arising as to the eligibility for participation and benefits under this section shall be referred to the Board of Directors for investigation. The Board of Directors shall make such investigations as they deem requisite and shall make a recommendation to the Lodge as to the action to be taken on such question.

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ARTICLE X Resignations

Section 1. All Officers of the Lodge, with the exception of the Secretary, Treasurer and Trustees, shall present their resignations at any time, providing no charge concerning Lodge activities exist against them. The Secretary, Treasurer and Trustees shall present their resignations in writing one regular meeting previous to the resignation being acted upon, and if the Auditing Committee reports their accounts correct, their resignations will be accepted, providing no charge concerning Lodge activities exist against them.

Section 2. Any elected Officer may be impeached for infringement of the provisions of the Constitution or By-laws, with all charges being referred to a Trial Committee of five (5) Active members. It shall require a majority vote to order a trial of an Officer on a preferred charge.

The verdict shall stand unless appealed to and reversed by the Grand Lodge. Any member preferring charges against another member for the purpose of maliciously or otherwise injuring such member or officer shall be liable to fine or suspension. The Trial Committee shall be elected by ballot and all charges shall be made in writing and proper notice given to the accused. Any violation of the Constitution or By-laws of the Lodge, or exposing any of the secrets of the Lodge shall be sufficient grounds for suspension.

ARTICLE XI Ladies Auxiliaries and Associate Lodges

Section 1. The Overland Park, Kansas, Lodge Number Twenty-one (21) of the Fraternal Order of Police, recognizes, validates and acknowledges a Ladies Auxiliary and an Associate Lodge. Such Lodges shall be subject to the control and supervision of the Lodge and shall conform to and be governed by this Constitution and the By-laws thereof.

ARTICLE XII Amendments to the Constitution

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- Section 1. Proposed amendments to this Constitution shall be submitted in writing to the Secretary of the Lodge; who shall refer said proposed amendment to the Constitution and By-laws Committee, who shall act upon the proposed amendment, and submit it to the Lodge where it shall be read at three (3) regular meetings and voted upon by the Lodge after the third reading. A two-thirds majority vote of the members present shall be required for acceptance or adoption of any proposed amendment. Upon adoption, the proposed amendment shall become a part of this Constitution.

ARTICLE X161 Parliamentary Procedure

- Section 1. Except as provided in the Constitution and By-laws, Roberts Rules of Order, shall govern the conduct and deliberation of the meetings of the Lodge.

ARTICLE XIV Official Ritual

- Section 1. There shall be an official ritual of the Lodge which shall be known as the Fraternal Order of Police Ritual.

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BY-LAWS

ARTICLE I Membership

- Section 1. **A Member in good standing is defined as a member who has paid all dues and assessments due to the Lodge, or who is not more than thirty (30) days in arrears in payments as of the date specified for the payment thereof.**
- Section 2. **Any member in good standing who has attended six (6) regular meetings in the last twelve (12) months immediately proceeding the holding of an election, shall be eligible as a candidate for any office of the Lodge.**
- Section 3. **Any member in good standing who is on a frozen shift that prohibits attendance at the regular meeting of the Lodge may be exempt from the number of meetings a member must attend to hold office in the Lodge.**

ARTICLE 11 Dues and Assessments

- Section 1.** The Lodge shall not levy an initiation fee.
- Section 2.** The Lodge shall levy an assessment of twelve dollars and fifty cents (\$12.50) per member through biweekly deduction as dues. The assessed dues shall be paid to the Lodge through automatic payroll deduction through the Overland Park Credit Union.
- Section 3.** Members who are retired from the Overland Park Police Department who wish to retain Active membership shall be exempt from Lodge dues. Retired members shall be responsible for any and all applicable Kansas State Lodge fees or Grand Lodge fees assessed pertaining to their membership and the Lodge shall levy said fees per annum.
- Section 4.** Any member that is unable to pay the assessed dues shall, at the discretion of the Board of Directors, be allowed to pay a lesser amount.

ARTICLE 111 Meetings

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- Section 1.** The regular meeting of the Lodge shall be the second Tuesday of each month. The time for all regular meetings shall be 7:00 p.m.
- Section 2.** The order of business for all regular meetings shall be the following:

Roll call

Reading of the minutes Reports of committees Reports of officers
Old business New business Good of the Lodge Adjournment

ARTICLE IV Appropriations

- Section 1.** No appropriation shall exceed five hundred dollars (\$500.00), unless first being read at a regular meeting with the exception of regular and recurring monthly expenses necessary for the operation of the Lodge. A majority vote of the members present shall be sufficient to approve or disapprove said appropriation.

Section 2. In case of emergency, the Board of Directors' next meeting shall constitute approval of the Lodge in matters affecting the Lodge.

ARTICLE V Associate Lodge Membership

Section 1. The membership of the Fraternal Order of Police Associate Lodge shall be subject to approval by a majority vote of the Lodge.

ARTICLE VI Amendments to the By-laws

Section 1. Proposed amendments to these By-laws shall be submitted in writing to the Secretary of the Lodge, who shall refer said proposed amendments to the Constitution and By-laws Committee, who shall act upon the proposed amendment, and submit it to the Lodge where it shall be read at three (3) regular

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meetings and voted upon by the Lodge after the third reading. A two-thirds majority vote of the members present shall be required for acceptance or adoption of any proposed amendment. Upon adoption, the proposed amendment shall become a part of these By-laws.