

NEWARK MAENNERCHOR

CONSTITUTION AND BY-LAWS

CONSTITUTION AND BY-LAWS COMMITTEE

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CONSTITUTION

ARTICLE I. NAME AND PURPOSE OF THE ORGANIZATION

Section 1.

This organization shall be known as ~~the~~ *The* Newark Maennerchor.

Section 2.

The main objective of this organization shall be to preserve and nurture the rich cultural heritage bequeathed to us by our German ancestors and to strive, through choral singing, to present the best of "Deutsche Lieder" and other music and thereby to exercise a beneficial influence upon the social and cultural life of the community and the membership of this organization.

ARTICLE II. MEMBERSHIP

Section 1.

The membership of this organization shall consist of Singing Members, Social Members, Life Members, Non-resident Members, Affiliate Members and Honorary Members.

Section 2.

Singing Members are those persons who join this organization as members of the chorus and who pledge themselves to participate in rehearsals and public presentations of the organization.

~~Individuals inducted into membership as Singing Members must attend at least 50% of all rehearsals and public performances.~~

~~Those who fail to do so without cause as determined by the Music Committee shall forfeit their membership in the organization, and must make a new application through the normal application process to become a Social Member of the organization.~~ A Singing Member for good cause may at any time request that he be transferred directly to Social Membership without payment of the initiation fee, but he shall be obligated to pay the prevailing dues for Social Members.

Section 3.

Social Members are those who join the organization to contribute to the general purposes of the organization.

Section 4.

A Life Membership may be bestowed in accordance with By-Law No. I, Section 6, on a ~~member by the Singing Members and~~ **or** Social Members, for distinguished services ~~rendered in the interest of the general welfare or specific interest of~~ **to the** *The* Newark Maennerchor.

Section 5.

Non-resident Members are those Social Members of the organization who have moved their residence from Licking County after induction and who wish to retain their membership in ~~the~~ *The* Newark Maennerchor.

Section 6.

Affiliated Members are those persons affiliated with one of the following organizations of ~~the~~ *The* Newark Maennerchor, namely: The Ladies Section ~~and the Newark Damenor.~~

Section 7.

Honorary membership may be bestowed upon a local, state, or national dignitary who promotes and supports the goals of ~~the~~ *The* Newark Maennerchor.

Section 8.

The Newark Maennerchor and its affiliates shall not discriminate against applicants for membership on the basis of race, creed, gender or national origin.

ARTICLE III. MEETINGS AND FISCAL YEAR

Section 1.

Seven members, which shall include the President or Vice-President, the Secretary or Treasurer, and one Trustee shall constitute a quorum for the transaction of business at any meeting. All Meetings shall be conducted pursuant to Roberts Rules of Order.

Section 2.

The regular business meeting of this organization shall be the second Wednesday of each month or at such times and places as are determined by the membership.

Section 3.

Special meetings may be called by the President or in his absence by the Vice-President for specific purposes which are of an emergency nature. At such meetings, no business shall be conducted other than that which is necessary to accomplish the specific purpose for which the meeting was called.

Section 4.

Business meetings are open only to persons authorized to attend them. Business that may be conducted only in business meetings includes: Decisions made by the voting members (elections and votes on motions and membership applications); discussions of record on motions; the installation of officers and trustees; committee appointments; and other official pronouncements.

Section 5.

Social meetings shall be held on the fourth Wednesday of each month or at such times and places as determined by the *membership*. ~~entertainment committee. No business may be conducted at social meetings.~~

Section 6.

The fiscal year of the organization shall commence January 1 and end December 31 of the same year.

ARTICLE IV. OFFICERS AND THEIR DUTIES

Section 1.

The officers of this organization shall consist of the following elective officers: President, Vice-President, Secretary, Treasurer, and twelve Trustees. One of the officers in the group consisting of President, Vice-President and Secretary should have an understanding of the German language.

Section 2.

The President, upon taking office, shall appoint *or approve* the Music Committee Chairman and the following Committees and their chairmen; and committeemen and chairmen shall serve at the pleasure of the President: Entertainment Committee, Membership Committee, Auditing and Budget Committee, Constitution & By-Laws Committee, Benevolence Committee, Rental Committee, and 200 Club Committee. In addition, the President shall have the authority to appoint such other committees and committee chairmen as may be necessary for the conduct of the affairs of the organization.

Section 3.

The President shall preside over the meetings of the organization and conduct the same in an orderly manner. He shall cast the deciding vote on an issue whereon the vote is otherwise tied, and shall otherwise be entitled to vote as would a member. The President shall be an "Ex-officio" member of all boards and attend as many meetings as possible.

Section 4.

The Vice-President shall assist the President in the performance of his duties and shall preside over the meetings in the absence of the President. In the event the office of President is vacated before the completion of his term, the Vice-President shall serve as acting President until a successor is duly installed.

Section 5.

The Secretary shall keep a true account of the minutes of the meetings and maintain a permanent machine printed record of same. He shall deliver to the Treasurer all the Organization's money in his possession, receiving a receipt therefore. He shall have his books in order not later than 10 days following the end of each fiscal year for audit by the Auditing and Budget Committee, and at other such times as deemed necessary by the President. He shall mail dues notices to all members at their last known address not later than November 20th of each year. Said notice shall indicate that dues are payable on or before December 31st following and if not paid on or before January 31st following, member shall be considered delinquent and shall be removed from the membership roll of ~~the~~ **The** Newark Maennerchor. He shall take care of all correspondence ~~and as compensation for his services; he shall receive remuneration as the members may decide.~~ The Secretary shall furnish a bond in the amount of \$10,000.00, the expense of which shall be paid by the organization.

Section 6.

The Treasurer shall receive all money from the Secretary, and from all other sources, and deposit the same in the bank to the credit of ~~the~~ **The** Newark Maennerchor. He shall invest monies of the organization to the credit of ~~the~~ **The** Newark Maennerchor to secure the best rate of interest in securities, which are redeemable upon recall as approved by the Auditing and Budget Committee. He shall pay the obligations of the organization upon the direction of the membership. He shall make a report of funds at each meeting. ~~As compensation for his services, he shall receive remuneration as members may decide.~~ He shall have his books in order to be audited by the Auditing and Budget Committee at the end of each fiscal year and such other times as deemed necessary by the President. ~~The Treasurer shall furnish a bond in the amount of~~

~~\$30,000.00, the expense of which shall be paid by the organization.~~

The Treasurer and the Treasurers of all groups authorized by the Constitution and By-Laws to maintain separate checking accounts shall utilize the depository authorized and established by the Executive Board.

All authorized checking accounts shall be established by the President of the Maennerchor and the Treasurer of the authorized group with each checking account bearing the Maennerchor President's signature.

Section 7.

The Trustees shall be responsible for the care and maintenance of the property, buildings and grounds of the organization. ~~Any rental of the facility will be subject to the approval of the Trustees.~~ The Trustees shall recommend rules and regulations pertaining to such rentals for the approval of the membership and when approved by a majority of the voting members present at such meeting, shall promulgate procedures to comply with such rules and regulations.

The Trustees are charged with the responsibility of conducting the bar operations of ~~the~~ **The** Newark Maennerchor, and may, from time to time, appoint members to assist in the task, or if deemed necessary for any single event, contract with non-members for such task.

~~A sum of \$1,200.00 will be provided the Trustees for their use in the performance of their duties, for the purchase of supplies for resale, normal operating supplies, and the use of such funds shall be reported to the membership at the regular monthly meetings, such reports being received and filed by the Secretary for audit. No one expenditure shall exceed \$300.00 unless such expenditure has prior approval of the membership by majority vote at any regular meeting. Any sum in excess of the \$1,200.00 balance authorized must be remitted to the general fund. Any additional funds needed shall be requested from the Treasurer, and may be received for any specific purpose following approval of a majority of the membership present and voting at any regular meeting.~~ The board of Trustees shall ascertain that proper insurance is in effect at all times on the property, buildings, and grounds of the organization and shall obtain all required licenses for the operation of the facility. At the close of each fiscal year, a physical inventory of goods for resale shall be prepared and presented to the Auditing and Budget Committee. At least once each fiscal year, a review of the fixed assets of the organization shall be made and given to the Auditing and Budget Committee with any recommendations for replacement, repair or improvement.

The Trustees shall have the authority to appoint one of their number to the Entertainment Committee.

The Trustees may formulate rules and regulations to implement their duties insofar as they are not inconsistent with the policies, goals, or

rules of ~~the~~ *The* Newark Maennerchor.

At the organizational meeting of the Trustees, they shall elect one of their number to serve as chairman, one as vice-chairman, one as secretary, ~~and one as treasurer~~. The chairman, or in his absence, the vice-chairman, shall serve as a member of the Executive Board.

ARTICLE V. BOARDS AND STANDING COMMITTEES

Section 1.

There shall be an Executive Board composed of the President, as chairman; the Vice-President; the Treasurer; the Secretary; the chairman of the Trustees; the chairman of the Entertainment Committee; one singing member selected by the singers; one Life member; one member from the membership-at-large; and such other committee chairmen as deemed essential and necessary by the President on ad hoc basis. It shall be the duty of this Board to advise the President and assist him in carrying out the programs and policies of this organization. It shall be the duty of the Secretary to maintain a true and accurate record of all Executive Board meetings. Recommendations for the good of the order may be submitted, in writing, to any member of the Board by any member of the organization. Meetings shall be held on a regular basis at a time and place to be decided by the majority of the Board.

Section 2.

The Music Committee shall consist of ~~five members~~ *the chorus*, the chairman of which shall be a singing member appointed *or approved* by the President. ~~and the other four shall be elected by the singing members.~~ The Music Director shall be an ex-officio member.

This committee shall recommend ~~to the membership, for their approval~~ *of* all contractual arrangements with the music director and accompanists and shall assist the director in the selection of suitable music for the programs of the organization. This committee shall see that the piano is tuned, examine the music, and see that these items receive proper care. ~~The committee shall require the director to call rehearsals at least two times each month, with the approval of the committee.~~ The Music Director shall attend all meetings of this committee, if possible. The committee shall advise the director of all business and events which pertain to the singers of the organization.

This committee shall certify the attendance of singing members at rehearsals and singing functions to the Membership Committee.

One member of the Music Committee shall be appointed Treasurer and it shall be his responsibility to collect all sums paid for performances and to deposit said monies in an approved depository for the purposes of the singing members. The account shall retain the amount budgeted by the

membership for the use of singing members. The Treasurer shall have the authority to disburse amounts from this fund for purposes approved by the singing members. The Treasurer shall maintain this account in accordance with the requirements of the Auditing and Budget Committee. The Treasurer *of the Newark Maennerchor* shall reimburse the Director and Pianist in accordance with the terms of the contracts approved by the membership. ~~The Music Committee Treasurer shall be appropriately bonded.~~

Section 3.

The Entertainment Committee shall consist of ~~four~~ members appointed *or approved* by the President and one Trustee appointed by the Board of Trustees. This committee shall have complete charge of all entertainment and parties, and shall report their activities to the membership at the regular monthly meetings.

Section 4.

The Benevolence Committee shall consist of the Vice-President and ~~not less than three~~ members appointed *or approved* by the President. The Vice-President shall serve as chairman. It shall be the duty of this Committee to be informed of the health and well being of all members and to report to the membership in meeting when a member is ill.

Section 5.

The Auditing and Budget Committee shall consist of two members appointed by the President. This committee shall audit the financial records of each entity maintaining a budget or collecting money under the auspices and with the approval of the members of ~~the~~ *The* Newark Maennerchor. The audit shall take place no later than ninety days following the end of the calendar-fiscal year, and shall give a report of their audit to the membership at the next regular meeting.

Section 6.

The Membership Committee shall consist of ~~three~~ members appointed *or approved* by the President. The duties of this committee shall consist of ~~investigating~~ *receiving* applications for membership, making membership recommendations ~~based upon said investigations~~ to the Organization, and maintaining a ~~waiting~~ list of applications for membership.

Section 7.

The Constitution and By-Laws Committee shall consist of at least five members who shall be appointed by the President at the beginning of the official year. Three of the committee members shall have served as an officer or chairman of a standing committee, or shall be a life member. It shall be the duty of this committee to receive worthy suggestions in

writing from any member and, if found to be of merit, write them into appropriate amendments to the Constitution and By-Laws. When amendments have been properly enacted by the membership, the committee shall present them to the secretary for recording, until such time as shall be determined that the Constitution and By-Laws should be reprinted. It shall be the Committee's duty to arrange for printing and distribution of the approved Constitution and By-Laws as amended.

Section 8.

The Rental Committee shall consist of three members appointed *or approved* by the President. The Rental Committee shall receive applications for the rental of all Club facilities and/or grounds and approve or disapprove in accordance with their findings. Charges and collections shall be made in accordance with the directives and policies of the ~~Executive Board~~ *Rental Committee* and shall be included in the approved contractual form. Appropriate signatures and deposits shall be secured by the committee chairman. The Rental Committee chairman shall submit a report to the membership at each business meeting relative to all rental activity. ~~The Rental Committee shall retain up to \$500.00 cash flow from proceeds to maintain its current operation.~~

Section 9.

The 200 Club Committee shall consist of ~~five~~ members appointed *or approved* by the President. The 200 Club Committee shall be responsible for conducting the activities of the Club in accordance with the directives and policies established by ~~the Executive Board~~ and approved by the membership. All proceeds generated through the membership in the 200 Club shall be used to support 200 Club expenses and the capital and operational needs of ~~the~~ *The* Newark Maennerchor. ~~The Committee shall submit a recommended list of proposed expenditures to the Executive Board for approval at the January business meeting.~~

One member of the committee shall be appointed Treasurer and it shall be his responsibility to collect all proceeds and to deposit the same in an approved depository. The Treasurer shall have authority to disburse 200 Club funds to meet operational expenses and for the projects approved by the membership. The Treasurer shall maintain the 200 Club account in accordance with the requirements established by the Auditing and Budget Committee. The 200 Club shall be authorized to retain \$500.00 for operational cash flow at the end of each fiscal year.

ARTICLE VI. ELECTION AND INSTALLATION OF OFFICERS

Section 1.

Officers shall be elected to a term of one year and trustees shall be

elected to a term of three years.

Section 2.

At the regular business meeting in September of each year, the President shall appoint a Nominating Committee whose duty shall be to compile a slate of proposed officers and trustees for election at the annual meeting. This slate shall be published at the regular business meeting in October, and further nominations may be made at this meeting. Elections shall be held during the annual meeting in November of each year.

Election to the position of an officer or trustee shall be by a majority of those votes cast for such candidate for office by those members present and qualified to vote on the day of election.

Votes for election of officers and trustees as herein provided shall be by written ballot, unless such provision is dispensed with by a majority vote of those members present and qualified to vote on the day of election.

Installation of officers and trustees shall take place at the first regular ~~meeting in December of each year~~ *business meeting of the succeeding year*, and they shall assume the duties of their respective offices on January 1 of the succeeding year.

ARTICLE VII. VACANCIES IN OFFICE

Section 1.

An officer or trustee shall be removed from office for malfeasance of office by the following procedure:

- A.** A hearing shall be held by the officers and trustees for the purpose of formulating a recommendation to be presented to the membership. The officer or trustee accused of malfeasance of office shall be given an opportunity to speak at this hearing.
- B.** After the hearing, the President or Vice-President shall submit, at a meeting of the membership, any recommendation to remove the accused from office. Removal from office shall be achieved by a two-thirds vote of the members present at this meeting.

Section 2.

Vacancies in the office of President, Vice-President, Secretary, and/or Treasurer shall be filled by a vote of the majority of the members present and qualified to vote at a meeting called to consider the matter of such vacancy.

Section 3.

Vacancies in the office of Trustee shall be filled by appointment by the President upon the recommendation of a majority of the Board of Trustees and approval by the membership. Said appointee shall serve the unexpired term of the Trustee being replaced.

Section 4.

At the expiration of his term of office by reason of the expiration of that term or otherwise, any and all officers, trustees, committee chairmen, and/or committeemen shall turn over to his or their successor or successors all money, property, papers, records, and books of the Organization that may be in his or their possession.

Section 5.

Each officer, and/or trustee, shall hold office to expiration of his term, to the date of his resignation, to the date of his removal from office or until his successor is elected or selected.

ARTICLE VIII AMENDMENT PROCEDURE

This Constitution, or any part thereof, may be amended by vote at any regular meeting. PROVIDED: that the Constitution and By-Laws Committee has approved the wording of such amendment, that a notice of the proposed amendment to the Constitution has been published in the newsletter at least thirty days prior to any such vote, and that a copy of the amendment shall be made available to each voting member present, and further provided that at least two-thirds of voting members attending such meeting shall have voted in favor of such amendment. No alteration of the proposed amendment may be made at such meeting, but shall be considered a separate amendment to the constitution.

ARTICLE IX TERMINOLOGY

In this document and its accompanying By-Laws, and in any future amendments to either document, the feminine pronouns "she" and "her" may be substituted for the masculine pronouns "he", "him" and "his" wherever they occur.

BY-LAWS

BY-LAW NUMBER I. ADMITTANCE TO MEMBERSHIP

1. All applicants for admittance to the Organization shall be at least eighteen years of age. Applicants for Social membership must be recommended by the Membership Committee to be accepted into

membership. Applicants for singing must have their applications endorsed by the Music Committee and the Director, in addition to recommendation by another member in good standing.

2. All applicants for membership are required to complete an application form which, in addition to other information required thereon, shall bear the applicant's written signature and the written signature of his or her sponsors. The sponsors must be members in good standing in the Organization at the time the applicant is investigated by **presented to** the Membership Committee, immediately prior to the committee's recommending the applicant to the members. All applications must be delivered to the Membership Committee which will enter the applicant's name on the ~~waiting~~ list according to the time at which application is received; notwithstanding the date written on the application. Applicants for Singing membership may be recommended to members at the next business meeting following their approval by the Music Committee and the Director.
3. Upon recommendation of the Membership Committee the applications shall be voted upon by the members present and qualified to vote at the meeting at which such applications are presented for consideration. The vote upon such application is positive if no more than two blackballs appear in the ballot. If more than two blackballs appear, the vote is negative and the applicant is rejected. Such applicant may not reapply for membership for a period of one year following the date of rejection.
4. The applicant achieves membership status upon induction. The membership committee will notify the applicant of the date, time and place of his induction and the amount of dues to be collected. The applicant will pay his dues only after having been inducted. Failure of the applicant to appear for induction within 90 days following the date of notification results in rejection of the original application and Paragraph 3 (above) applies. Induction of a member may take place at any club event at the clubhouse providing a quorum (see Constitution Article III, Section 1.) is present.
5. The number of Social members of the Organization shall be limited to not more than six hundred (600) such members.
6. ~~Life Membership: From time to time, as a committee comprised of present Life members may determine, such committee may propose that Life Membership be conferred upon a member of another classification. Such proposal shall be presented to the Membership at a regular business meeting for approval or disapproval.~~

Life Membership: A committee of Life Members may propose a ten year singing or social membership to become a life member. They will be presented for a vote of approval by the general membership at a regular business meeting.

7. Honorary Membership: Honorary members shall be recommended by the President and approved by the Executive Board. Honorary membership may be terminated upon the change in status of the member and/or the vote of the Executive Board. Honorary members shall be issued a separate honorary membership card.

**BY-LAW NUMBER II.
DUES AND INITIATION FEES**

1. Annual dues shall be not less than \$40.00, payable on or before January 1st of the calendar year.
2. The annual dues for persons 65 years of age and older, and who for ten continuous years have held membership in ~~any one or any combination of the~~ *The Newark* Maennerchor, ~~the Damenchor or the Ladies Section,~~ shall be \$25.00.
3. Life Members shall be exempt from paying dues.
4. Members shall have a grace period until January 31 as the final date to pay annual dues for the current year.

Members in good standing who forfeit their membership by neglecting to pay their dues may be reinstated by paying the full amount of their dues for the year in which they seek reinstatement.

**BY-LAW NUMBER III.
PRIVILEGE OF MEMBERSHIP**

Singing Members, Social Members, Life Members and Non-resident Members, all in good standing, may participate in Maennerchor business meetings and social functions. They may vote at business meetings, and they are eligible to hold elected office and to serve as members and chairpersons of those committees on which they are qualified to serve. They may invite guests and immediate family members to accompany them at all social functions.

Honorary members may attend Maennerchor business meetings. They may not vote, hold office or serve on committees. Honorary members and their immediate families may attend all Maennerchor social functions.

Affiliate members (i.e. ~~members of the Damenchor and~~ Ladies Section), in addition to partaking of the privileges granted to them by their affiliate organization, may attend, as guests, all Maennerchor social functions.

**BY-LAW NUMBER IV.
MUSIC AFFAIRS**

1. All matters pertaining to the music affairs of the organization shall be decided by the Singing Members, unless herein otherwise provided.

**BY-LAW NUMBER V.
EXPRESSIONS OF SYMPATHY AND CONCERN**

1. The Benevolence Committee chairman or his designee shall send an appropriate expression of sympathy upon the death of a member, his spouse, or a member's relative in his immediate family.
2. The Benevolence Committee Chairman or his designee shall send cards to members who are ill.

(DELETE BY-LAW VI?)

**BY-LAW NUMBER VI.
OUTSTANDING GERMAN STUDENT AWARD**

To encourage the study of the German language, ~~the~~ *The* Newark Maennerchor shall grant an annual scholarship of five hundred dollars (\$500.00) to the Outstanding German Student Graduate of a Licking County High School. The recipient will be determined by a committee appointed by the President.

**BY-LAW NUMBER VII.
DISSOLUTION OF THE ORGANIZATION**

(Research)

Should at any time the members of ~~the~~ *The* Newark Maennerchor conclude to dissolve same, the vote to dissolve must be unanimous, and any remaining property or money or assets of any nature should be placed IN TRUST for a period of three years. Should, during such period an organization be started to advance purposes herein-before stated, such assets may be turned over to that society or organization, and if not, then such assets should be donated to a charitable organization named by this organization.

**BY-LAW NUMBER VIII.
AMENDMENT PROCEDURE**

- 1.** These By-Laws, or any part thereof, may be amended by vote at any regular meeting provided:
 - A.** That the proposed resolution shall have wording approved by the Constitution and By-Laws Committee;
 - B.** That at least 15 days notice of such vote has been given to the voting members by mail or by newsletter and;
 - C.** That at such meeting the proposed amendment must be approved by a majority vote of the members present and voting.