

Constitution & By-laws



Lee County Pipes and Drums

Southwest Florida

Lee County Pipes and Drums

CONSTITUTION

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This Constitution and By-Laws shall be the governing laws of the Lee County Pipes & Drums, herein designated as the Band, Lee County, Florida, United States of America.

A. Purpose--

1) The Band is organized exclusively for charitable, educational, religious, or scientific purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code.

B. Objective--

1) To create a harmonious fellowship of musicians committed to furthering the music of Scottish pipe bands, and to provide the public with high quality entertainment through Band participation in concerts, parades, local community events, and private engagements.

2) The Band, whose name is registered with the Florida Department of State, will operate as a non-profit, charitable, and educational organization dedicated to the preservation, teaching, and promotion of the arts of Scottish bagpiping and drumming.

C. Management--

1) The Band will be managed by a Band Executive Committee consisting of a President, Secretary, Treasurer, and two Members-at-Large, all elected for two-year terms. The Committee shall meet as determined necessary by the members of the Committee

D. Duties of the Band Executive Committee--

1) Coordinates and executes all business and administrative matters associated with the management of a pipe band on behalf of the membership, for the benefit of the Band.

2) Delegates from time-to-time, those duties necessary for the smooth operation of the Band.

3) Takes suggestions, opinions, or complaints from individual Band member: and ensures these are speedily resolved at Band Executive Committee meetings.

4) Keeps general membership fully informed of all matters concerning the Band.

5) Designates who, in addition to the Treasurer, shall have dual signing authority on Band banking accounts.

6) Appoints members of the Band to the offices of Pipe Major, Business Manager, and Quartermaster. At the option of the membership, a member may simultaneously occupy more than one office (For example: President/Pipe Major, or Treasurer/Business Manager, etc.).

7) Appoints the Financial Auditing Committee, the Nominating Committee, and other committees required for band functions.

E. Duties of Elected Officers--

1) President--

- a) In charge of all business meetings and business matters pertaining to the Band.
- b) Is the presiding officer of the Band Executive Committee and is responsible for the proper functioning of that body in exercising its duties.

2) Secretary--

- a) Prepares agenda for the Annual General Meeting, and distributes this to all Band members at least two weeks before the meeting date.
- b) Records minutes of all meetings and makes copies available, upon request, to the membership.
- c) Records attendance at all practices, concerts, parades, and functions.
- d) Deals in a timely fashion with all Band correspondence, under the direction of the Band Executive Committee.
- e) Maintains a schedule of approved Band appearances as furnished by the Business Manager, and notifies members when necessary, either in writing or verbally, of approaching Band functions.
- f) Maintains a current roster of Band members.

3) Treasurer--

- a) Maintains accurate and up-to-date accounts for the Band and provides, as required, a report of the Band's financial standing.
- b) Presents an Annual Financial Report at the Annual General Meeting.
- c) Pursues all available grant funding for the Band on a continuing basis.
- d) Ensures payment of all Band debts, and collection and deposit of all moneys due to the Band in a timely manner, and under direction of the Band Executive Committee.
- e) Collects and records all Band annual dues from the membership.

4) Executive Committee Member-at-Large -- (Two elected)--

- a) Serve as members of the Band Executive Committee to assist in managing the Band.
- b) Offer consultation and advice on matters of deliberation and decision.
- c) Perform various tasks as delegated by the President.

F. Duties of Appointed Officers and Committees - -

1) Business Manager --

- a) Appointed by the Band Executive Committee. Contacts individuals and organizations for potential Band performances.
- b) Sets date and financial agreement with clients subject to approval of the Band.
- c) Promotes publicity and public relations to enhance the Band's image and prominence, and makes known its availability for public activities.

2) Pipe Major --

- a) Appointed by the Band Executive Committee. Responsible for all aspects of Band performance. The Band will be under the overall direction and focus of the Pipe Major who is in charge of the musical section of the Band at practices and performances.
- b) Decides on new music to be learned and performed by the Band.
- c) Coordinates with the Drum Major what music is to be played at all functions.
- d) Appoints the Drum Major, Pipe Sergeant, Pipe Corporal, Drum Sergeant, and Drum Corporal.

3) Drum Major --

- a) Appointed by the Pipe Major. In charge of the Band at the beginning of all functions. Coordinates with the Pipe Major on all music to be played at all appearances

- 4) Pipe Sergeant --
 - a) Appointed by the Pipe Major. Assumes Pipe Major duties at temporary absence of the Pipe Major.
- 5) Pipe Corporal --
 - a) Appointed by the Pipe Major Assumes Pipe Sergeant duties at temporary absence of the Pipe Sergeant.
- 6) Drum Sergeant --
 - a) Appointed by the Pipe Major. Serves as lead drummer. Instructs and coordinates with other drummers as to drumming procedures
- 7) Drum Corporal --
 - a) Appointed by the Pipe Major. Assumes Drum Sergeant duties at temporary absence of the Drum Sergeant.
- 8) Quartermaster --
 - a) Appointed by the Band Executive Committee. Responsible for the distribution, storage, and retrieval of Band uniforms, equipment and supplies.
 - b) Maintains an inventory of all Band property in possession of members, or on hand in reserve, and reports to the Committee upon request.
- 9) Nominating Committee --
 - a) Appointed (2 or more) by the Band Executive Committee. Nominating Committee to report at the Annual General Meeting with a slate of proposed member candidates (President, Secretary, Treasurer, and Members-at-Large) to fill the elected positions for the ensuing year.
- 10) Auditing Committee --
 - a) Appointed (2 or more) members, or some other suitable person(s), by the Band Executive Committee. Auditing Committee to audit and approve the Treasurer's Annual Financial Report and Inventory of the Band prior to the Annual General Meeting.

G. Membership

- 1) Membership in the Band on the basis of competency will be at the discretion of the Pipe Major.
- 2) Band members will be responsible for complying with the Constitution and By-Laws of the Band, and all directives of the Band Executive Committee.

H. Annual General Meeting

- 1) Attendance of all Band members is obligatory at the Annual General Meeting which will be held in February of each year.

I. Dissolution Clause

- 1) Upon dissolution of the association, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Court of Competent Jurisdiction of the county in which the principal office of the association is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which , are organized and operated exclusively for such purposes.

BY-LAWS

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A. Uniforms and Equipment

- 1) All uniform and equipment items of the Lee County Pipes & Drums are issued only on loan to individual members and remain the property of the Band.
- 2) All Band members will strictly conform to the standard Band uniform dress code, with no other adornments or variations permitted.
- 3) All Band uniform and equipment items issued to any Band member will be kept in a good state of repair, and be regularly cleaned.
- 4) All lost items of issued Band uniforms or equipment will be promptly replaced, or be paid for at current replacement cost, by the individual concerned.
- 5) Issued uniforms and equipment of the Band are subject to recall at any time by the Band Executive Committee and must be promptly returned in good repair.
- 6) The Band will have recourse to legal action to ensure the return of all outstanding items of uniforms or equipment.

B. Conduct--

- 1) All Band members will conduct themselves in a respectable manner and uphold the good name and image of the Band whenever at practice or in uniform.
- 2) No smoking or drinking of alcoholic beverages will be permitted during any practice, within the practice area.

C. Membership --

- 1) All Band members and Student learners will pay annual dues, as may be determined by the Band Executive Committee.
- 2) Members not in good standing will not be allowed to participate in, nor vote at Band meetings.
- 3) A minimum annual attendance of 75% at all Band practices, functions, and appearances is expected from members while residing in the area.
- 4) In the event of absences from practices for a duration of more than one time, members should correspond with a member of the Band Executive Committee to advise them of same.
- 5) Where a commitment to attend a function, concert or parade is given, attendance is expected.

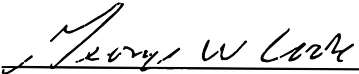
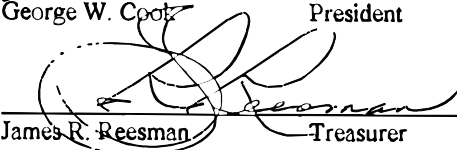
D. Discipline--

- 1) Disciplinary action and penalties will be addressed by the Band Executive Committee, after a thorough review and discussion of any incidents or violation of the Band rules.

E. Liability--


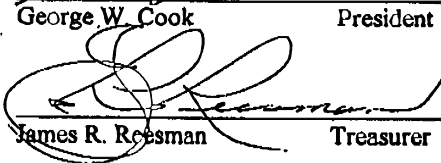
1) The Band, or any officer of the Band individually, is not responsible and assumes no liability in the event of death or injury to members or student learners which may occur while attending practices, parades or performances, or en-route to or from same.

The foregoing Constitution and By-Laws of the Lee County Pipes & Drums has been adopted effective February 7, 2001.

 George W. Cook President	<u>2-7-01</u> Date
 James R. Reesman Treasurer	<u>2/7/01</u> Date

Amendments:

The Constitution and By-Laws of the Lee County Pipes & Drums were amended effective October 17, 2001 to include the addition of Sections A and I of the Constitution as prescribed by the Internal Revenue Service, and they are incorporated within this document.

 George W. Cook President	<u>10-17-01</u> Date
 James R. Reesman Treasurer	<u>10/17/01</u> Date

NOTE:

The Lee County Pipes & Drums operates under the parliamentary procedures established in Roberts Rules of Order and is governed by the rules and practices therein.

In accord with Roberts Rules Of Order, the Constitution and/or By-Laws may be Amended at any regular meeting of the organization by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting and communicated to the membership.

In making a requirement that notice be given by submitting the proposed amendment at a meeting in advance of the one at which it is to be considered, it accomplishes the object of giving notice -- mainly, to alert the members of the proposed amendment so that all those interested can arrange to be present at it's consideration.

The requirement of notice also restricts amendment of the proposed Constitution and/or By-Law amendment to changes within the scope of the notice.