**TRI-COUNTY LODGE NO. 76**

**CONSTITUTION**

**AND**

**BY-LAW**

First Reading February 13, 2022

Second Reading March 13, 2022

Approved Tri-County Lodge No. 76 March 13, 2022

Approved Pennsylvania State lodge

**CONSTITUTION**

**Preamble**

WHEREAS:

We, the law enforcement officers of Adams, Cumberland, Franklin, Fulton, and Perry counties of the Commonwealth of Pennsylvania, do hereby associate ourselves together, for the following purposes:

(1) To support and defend the Constitution of the United States and the Commonwealth of Pennsylvania; to inculcate loyalty and allegiance to the United States of America and the Commonwealth of Pennsylvania; to promote and foster the enforcement of law and order; to improve the individual and collective proficiency of our members in the performance of their duties; to encourage fraternal, educational, charitable and social activities among law enforcement officers; to advocate and strive for uniform application of the civil service merit system for appointment and promotion: to support the improvement of the standard of living and working conditions of the law enforcement profession through every legal and ethical means available; to create and maintain a tradition of espirit de corps insuring fidelity to duty under all conditions and circumstances; to cultivate a spirit of fraternalism and mutual helpfulness among our members and the people we serve and to increase the efficiency of the law enforcement profession and thus more firmly to establish the confidence of the public in the service dedicated to the protection of life and property.

(2) This Constitution shall be the fundamental law of the order, and together with the By-Laws enacted in conformance therewith, governs the conduct of Tri- County Lodge No. 76 Fraternal Order of Police.

**ARTICLE II**

**Amendments**

Amendments to this Constitution shall be presented in writing to the Tri-County Lodge No. 76 secretary and read at two consecutive meetings. Final action shall be taken on the second reading by two thirds (2/3) vote of all members present. All members shall be notified by mail prior to the taking of any vote.

**BY-LAWS**

**ARTICLE I**

**Name**

**Section 1.** This organization shall be known as Tri-County Lodge No. 76 Fraternal Order of Police. For purposes of the By-Laws, the term “Lodge” will be used.

**Section 2.** Unauthorized use or abuse of the name shall be grounds for dismissal.

**ARTICLE II**

**Character**

**Section 1.** The Lodge is a fraternal organization composed of professional law enforcement officers who have joined together for their common good. In no event shall the Lodge join or be controlled by any labor organization, provided, however, that this section shall not prohibit cooperative efforts by the Lodge with labor organizations for their common good.

**ARTICLE III**

**Membership**

**Section 1.** Any regularly appointedfull time employed law enforcement officer in the Commonwealth of Pennsylvania shall be eligible for membership in a Subordinate Lodge of the Fraternal Order of Police, subject to the provisions of the Constitution and By-Laws of the Order. No person shall be denied membership on account of Race, Creed, Color, Sex or National Origin.

**Section 2**. Full time employed shall mean law enforcement officers that are engaged in employment as their full-time occupation, considering the number of hours worked and income derived from work as a law enforcement officer as judged by the Subordinate Lodge. The terms may also include law enforcement officers that are employed with multiple law enforcement agencies and are engaged in such employment as their full-time occupation on average of at least 30 hours per week.

**Section 3.** Regularly appointed law enforcement officer shall mean any law enforcement officer who meets the minimum standards and has received the training and education required by the United States, Commonwealth of Pennsylvania, political subdivision, or agency by which he is appointed, and is granted arrest powers, but shall notinclude corrections officers,constables, dog wardens, or other occupations as determined by the Pennsylvania Lodge**.**

**Section** **4.** Subject to the provisions of this these By-laws, each Subordinate Lodge shall be the judge of its membership.

**Section 5**. There shall be two(2)classes of membership: Active and Honorary.

a. Active Membership

(1) Shall include actively employed law enforcement officers.

(2) Shall include retired regularly appointed law enforcement officers who have remained in good standing with their subordinate lodges after retirement from their law enforcement agency. In good standing shall mean a member who fulfilled all requirements of membership in good standing in his respective subordinate lodge and for whom appropriate per capita tax has been paid to the Pennsylvania Lodge and the Grand Lodge**.**

(3) Only active members, as herein defined, shall have voice and vote.

b. Honorary Membership

Shall be formed of individuals recognized by the Grand Lodge, State Lodge or Subordinate Lodges for exceptional service or contribution to the nation, the state, or political subdivision, the law enforcement community, or the Fraternal Order of Police.

**Section 6.** Any member who ceases active duty for any reason other than retirement from service or disability may not keep membership in the Fraternal Order of Police. For purposes of this section retirement is considered to include vested retirement.

**Section 7.** No person shall be a member of more than one state or subordinate lodge at the same time, nor shall any member, who is delinquent, or who has been suspended by a State or Subordinate Lodge for any reason, be eligible for membership in any other state or subordinate lodge until such suspension has been lifted.

**Section 8.** The Fraternal Order of Police may deny membership to anyone who is, or has been, a member of the Communist Party, or of any party regardless of what name known which advocates the abolition, destruction, or violent overthrow of the government of the United States or any state or political subdivision thereof.

**ARTICLE IV**

**Organization**

**Section 1.** The Lodge shall be represented by Delegates, which Delegates while so serving, shall be in good standing in the lodge they stand for, and must have maintained such good standing at the time of nomination and election for the office of Delegate. No person except delegates shall have voice or vote or be eligible to hold office in the Pennsylvania Lodge.

**Section 2.** All Delegates must be elected by the lodge they stand for. Any Delegate not duly elected shall not be seated or recognized for any purpose. The Delegates are elected every year.

**Section 3.** The expenses of the Delegates attending meetings at the Biennial Conference, State Board Meetings and National Conference shall be paid by the Lodge at the proper rate.

**ARTICLE V**

**Officers**

**Section 1.** The officers of the Lodge shall consist of President, Vice President, Second Vice President, Secretary, Treasurer, Sergeant at Arms and five (5) Trustees. The officers shall be elected every even year except the Trustees. Three (3) Trustees shall be elected every even year and two (2) Trustees every odd year.

**Section 2.** Any officer of the Lodge shall have the privilege of resigning at any time by presenting the resignation in writing to the President of the Lodge. If the accounts are found to be true and correct and no charges are pending against the officer, the Trustees may accept the resignation.

**Section 3.** Any elected officer of the Lodge may be impeached for infringement of the By-Laws and all charges against the officer shall be referred to a committee of five (5) appointed by the President or the Trustees if the President is involved. If the committee finds evidence for a trial, two thirds (2/3) vote of all members present is required to order the trial.

**Section 4.** The trial committee shall consist of seven (7) members of the Lodge in good standing. The non – prevailing party may appeal to the State or National Lodge. The verdict shall stand unless reversed by the State or National Lodge.

**ARTICLE VI**

**President**

**Section 1.** The President shall preside at all meetings of the Lodge, enforce order, and see that the By-Laws are strictly adhered to.

**Section 2.** The President shall sign all official documents, which are authorized by the Lodge.

**Section 3.** The President shall be an ex-officio member of all committees except the election committee.

**Section 4.** The President shall appoint most of any committee to inquire into any affair or matter affecting or concerning the Lodge.

**Section 5.** The President shall fill a vacancy in any office except President and Vice President.

**Section 6**. The President shall covey to their successor all unfinished business of the Lodge.

**ARTICLE VII**

**Vice President**

**Section 1**. The Vice President shall preside at meetings in the absence of the President and shall otherwise generally perform the duties of the President during any absences.

**Section 2.** The Vice President shall appoint the minority of any committee to inquire into any affair or matter affecting or concerning the Lodge.

**Section 3.** In the event of a vacancy in the office of President, the Vice President shall be declared the President of the Lodge.

**Section 4**. The Vice President shall convey to their successor all unfinished business of the Lodge.

**ARTICLE VIII**

**Second Vice President**

**Section 1.** The Second Vice Presidentshall perform such duties as the President may require**.**

**Section 2.** The Second Vice-President shall preside at meetings of the Lodge in the absence of the President and the Vice-President and shall otherwise generally perform the duties of the Vice-President during his absence and the duties of the President in the absence of both the President and Vice-President.

**Section 3.** In the event of a vacancy in the Office of Vice-President, the Second Vice President shall be declared the Vice-President.

**Section 4**. The Second Vice President shall convey to their successor all unfinished business of the Lodge along with all monies, records, and paraphernalia of the Lodge.

**ARTICLE IX**

**Secretary**

**Section 1.** The Secretary shall have custody of the books, records, documents,

Seal, and all equipment under the general authority of the President and Trustees.

The Secretary shall keep the minutes of each meeting and conduct all

correspondence.

**Section 2.** The Secretary shall attest under seal of the Lodge all duly

authorized contracts.

**Section 3.** The Secretary shall conduct the general correspondence of the Lodge.

**Section 4.** The Secretary shall be the official custodian of the Constitution and By-

Laws of the Lodge. The Secretary shall keep a record of the Official Amendments

adopting the Constitution and By-Laws.

**Section 5.** The Secretary shall keep a list of all members and collect dues.

**Section 6.** The Secretary shall be given the sum of four hundred dollars ($400.00)

per year for incidental expenses.

**Section 7.** The Secretary shall convey to their successor all unfinished business of

the Lodge.

**ARTICLE X**

**Treasurer**

**Section 1.** The Treasurer shall have custody of all financial records of the Lodge.

**Section 2.** The Treasurer shall receive and take charge of all monies belonging to the Lodge and keep a record of all income and expenses.

**Section 3.** The Treasurer shall deposit all monies belonging to lodge in a designated bank to the Lodge account.

**Section 4.** The Treasurer shall be bonded with the amount set by the Trustees.

**Section 5.** The Treasurer shall be given the sum of three hundred dollars ($300.00) per year for incidental expenses.

**Section 6.** The Treasurer shall convey to their successor all unfinished business of the Lodge along with all monies, records, and paraphernalia of the Lodge.

**ARTICLE XI**

**Sergeant-at-Arms**

**Section 1**.The Sergeant-at-Arms shall have charge and control of the conference hall or meeting place.

**Section 2**. He shall permit only qualified persons to enter or remain.

**Section 3**. He shall assist the Second Vice-President in the execution of such duties as the President may order.

**ARTICLE XII**

**Trustees**

**Section 1.** The Trustees shall be responsible for all property of the Lodge.

**Section 2.** The Trustees shall examine the bank books and ascertain that all monies are properly deposited in the name of the Lodge.

**Section 3.** The Trustees shall set the amount of bond required for the Treasurer.

**Section 4.** The Trustees shall audit or have audited the books of the Treasurer each year.

**Section 5.** The Trustees shall appoint a solicitor who shall be a member in good standing with the Supreme Court of Pennsylvania.

**Section 6.** The Trustees shall perform any other duties not otherwise provided for by order of the Lodge.

**ARTICLE XIII**

**Nomination and Election of Officers**

**Section 1**. The Lodge President shall receive as many nominations for each office as voiced by the membership. Hearing no further nominations, the President declares the nominations closed. No further nominations shall be accepted.

**Section 2.** Any member in good standing of the Lodge for a period of one (1) year, actively engaged in law enforcement work or retired from law enforcement work shall be eligible to hold office or be a Delegate, provided the member has attended a minimum of six (6) meetings since and including the October meeting.

**Section 3**. Nominations shall be held at the September meeting and elections shall be held at the October meeting.

**Section 4.** All candidates shall be elected by ballot with those receiving the highest number of votes being declared the winner.

**Section 5.** The use of stickers or write in votes is not allowed.

**Section 6.** The President shall appoint two (2) members and the Vice President shall appoint one (1) member to the election committee. None of the election committee shall be a candidate for any office.

**ARTICLE XIV**

**Installation of Officers**

**Section 1.** The newly elected officers of the Lodge shall be installed at the January meeting. If any are absent, they shall be installed at the next meeting. Any elected officer not installed at the third meeting shall not be sworn in and the office declared vacant.

**ARTICLE XV**

**Discipline**

**Section 1.** Any member of the Lodge that has charges preferred against them shall have the right to a trial. All charges shall be in writing.

**Section 2.** The trial committee shall consist of seven (7) members of the Lodge in good standing elected by ballot. The non-prevailing party may appeal to the State or National Lodge. The verdict shall stand unless reversed by the State or National Lodge.

**Section 3.** Any member of the Lodge preferring charges against another member of the Lodge for the purpose of maliciously or otherwise injuring such member shall be liable to a fine or suspension or both from the Lodge.

**Section 4.** The Sergeant at Arms shall remove any member disrupting a meeting from the meeting room.

**ARTICLE XVI**

**Gifts**

**Section 1.** Upon the death of a member of the Lodge in good standing, a gift of four hundred dollars ($400.00) will be given to the beneficiary as stated on the beneficiary card. If no beneficiary card is on file or the listed name is deceased, the monies will be given to the estate.

**Section 2.** Any member of the Lodge in good standing for six (6) months is eligible for the gift.

**Section 3**. The Secretary will see that a Fraternal Order of Police grave marker is presented to the family if one is requested.

**ARTICLE XVII**

**Meetings**

**Section 1.** The meeting of the Lodge shall be held on the second Sunday of each month provided a meeting room can be located.

**Section 2.** The meeting shall be held at 1800 Hours (6:00 PM) provided a quorum of ten (10) members is present.

**Section 3.** The President at their discretion or upon the written request of fifteen (15) members in good standing shall call for a special meeting.

**Article XVIII**

**Dues**

**Section 1.** The dues of the Lodge shall be the National Lodge per capita tax and the State Lodge per capita tax plus forty dollars ($40.00) per year.

**Section 2.** If dues for the year are paid in advance of the January meeting, said dues shall be the National Lodge per capita tax and the State Lodge per capita tax plus thirty dollars ($30.00) per year.

**Section 3.** Dues for new applicants are due when the application is submitted and are the National Lodge per capita tax and the State Lodge per capita tax plus thirty dollars ($30.00) per year.

**Section 4.** Members who are two (2) months in arrears are not in good standing and shall be suspended. Notice of suspension shall be by regular mail. An extra charge of ten dollars ($10.00) shall be added to the dues.

**Section 5.** Paying all back dues plus a ten-dollar ($10.00) service fee is required for reinstatement.

**Section 6.** Any member who has retired from law enforcement work and has been a member of the Lodge in good standing for twenty (20) years, at the discretion of the Lodge, may be voted life membership. Any member who must retire from law enforcement work on disability and has been a member of the Lodge in good standing for fifteen (15) years, at the discretion of the Lodge, may be voted life membership. If life membership is approved, the member shall pay the State and National Lodge per capita tax per year. If said member has forty (40) years of membership in the Fraternal Order of Police, the State Lodge per capita tax is one half (1/2)

**ARTICLE XIX**

**Initiation**

**Section 1.** Any person desiring membership in the Lodge shall make application upon a form to be furnished by the Lodge. The Vice President shall give the application to an investigating committee consisting of three (3) members in good standing. The investigating committee shall make its report, through the Vice President, at the next regular meeting at which time the applicant may be initiated into the Lodge.

**Section 2.** When application for membership has been investigated and accepted, the application will be kept on file for a period of one (1) year. If the applicant has not been initiated into the Lodge at the end of this time, the application will be destroyed. No monies paid will be returned.

**Section 3.** Initiation fees for new applicants are due when the application is submitted and are twenty dollars ($20.00).

**ARTICLE XX**

**Assessments**

**Section 1.** When two thirds (2/3) of the members present at a regular meeting request an assessment to be levied, the President may order same.

**Section 2.** The Secretary shall notify every member by regular mail.

**Section 3.** All assessments must be paid within thirty (30) days of such assessments.

**Section 4.** All monies collected from said assessments shall be devoted for the purpose said assessment was levied for.

**Section 5.** The Lodge shall make up for any shortage not collected through the assessment.

**ARTICLE XXI**

**Legal Aid**

**Section 1.** Any member of the Lodge in good standing for a period of one (1) year desiring aid or assistance from the Lodge shall appear in person at a meeting of the Lodge, state their case and request permission from most of the members present.

**Section 2.** The member requesting aid or assistance shall present a written report of the secretary for recording purposes and three (3) copies for an investigating committee.

**Section 3.** The President shall appoint a three (3)-member committee to investigate the request for aid or assistance. The committee shall make its recommendation at the next meeting at which time the membership shall vote on the request.

**Section 4.** The maximum amount of aid shall not exceed one thousand dollars ($1000.00) per incident. In the event the member requires more than this amount, an additional one thousand dollars ($1000.00) may be loaned to the member on a one time only basis.

**Section 5.** The member and spouse, if any, shall be required to sign a promissory note to repay the loan. The loan shall be requested in the same manner as required for aid or assistance in sections one (1), two (2) and three (3) of these articles.

**ARTICLE XXII**

**Amendments**

**Section 1.** Amendments to the By-Laws shall be presented in writing to the Lodge Secretary and read at two (2) consecutive meetings. Final action shall be taken on the second reading by two thirds (2/3) vote of all members present. All members shall be notified by regular mail prior to the taking of any vote.