



AMERICAN
LEGION
Post 117

HOUSE RULES AND REGULATIONS

Adopted: November 8, 2023

- 1) **AMERICAN LEGION POST 117** will conform to all PLCB Regulations. **ALL members and patrons shall STAND in silence anytime the National Anthem sounds – on sports programs or otherwise.**
- 2) **CANTEEN (BAR) CLOSING TIMES**
 - a) Sunday through Thursday closing is 12:00 AM; Friday and Saturday closing is 1:00 AM.
 - b) Last Call will be at closing times and patrons have 30 minutes from Last Call to vacate the building.
 - i) After Last Call, no drinks may be purchased with chips or otherwise.
 - ii) All other activities after Last Call, including Small Games of Chance, pool, gaming machines etc., shall cease.
 - iii) At the bartender's discretion, when there are seven (7) or fewer patrons after 10:00 PM, Last Call may be announced, and the Canteen can be closed before normal closing times.
- 3) **BARTENDER AUTHORITY and RESPONSIBILITIES**
 - a) The bartender on duty enforces the House Rules and shall have the authority to enforce the rules as presented by the House Committee and approved by the Executive Board.
 - b) No intoxicated person will be tolerated on Post property! The bartender will shut off any visibly intoxicated person and *document every such event with an Incident Report.*
 - i) Intoxicated persons cannot be forcibly restrained or relieved of their car keys. Bartenders will suggest to, *and document,* that intoxicated persons not drive and call a friend or taxicab and offer to make such a call.
 - ii) PLCB Regulations REQUIRE bartenders to refuse service to any intoxicated person. Established tort law has held bartenders and establishments *both* liable for damages caused by intoxicated patrons. Bartenders can face fines and penalties for failure to shut off intoxicated persons.
 - c) Persons shut off or otherwise instructed to depart the Canteen by any bartender must depart within five (5) minutes, or face an automatic 30-day Canteen suspension, or 60-days for a second occurrence.
 - d) Executive Board members or any officer may be called upon by the bartender to assist, when necessary, but board members or officers who have consumed any alcohol shall not get involved.
 - e) Non-members cannot purchase alcohol at the main Canteen except at scheduled events.
 - f) Any behavior that warrants an Incident Report by a bartender, the offending individual(s) involved must be told to leave the Post immediately for the remainder of that day.
- 4) **MEMBERSHIP** in the following organizations, by those who are members in good standing, and who present a current membership card shall be admitted to the Post and are authorized to sign the books and purchase a keycard.
 - a) American Legion Regular Veteran members
 - b) American Legion Auxiliary
 - c) Sons of the American Legion
 - d) Legion members with a valid ID from any other Post shall also be admitted and served but cannot sign the book or be issued a key card.
- 5) **GOOD STANDING:** Any category of American Legion member, *not* in good standing, will not be admitted to the Canteen as a guest. Good standing is defined as:
 - a) Member not under suspension of any kind
 - b) Dues are paid-up and current.
 - c) Member not under disciplinary status from another American Legion Post.
 - d) Member not pending any charges or a Post's Trial Board procedure.

- 6) **ALL GUESTS** must be signed in by a member (Item 4) in good standing (Item 5).
 - a) Members signing in any guest *must* remain in the building and stay with their guest.
 - b) If the member leaves, the guest must leave with the member.
 - c) Members are solely responsible for their guest(s). If a guest violates any House Rules and Regulations, the member shall face any appropriate penalties in accordance with item 14, Penalties.
 - d) Employees cannot sign-in any guest(s) while on duty.
- 7) **MILITARY, RESERVE or GUARD VISITORS** are not recognized as members. For the following categories however, bartenders should consult an officer, if present for the following options:
 - a) Active-Duty (AD) military, Reservists or National Guard (NG) members can be signed-in as a guest *by an officer*. Item 6-a,b and c above apply.
 - b) The officer should answer any questions by the AD, Reservist, NG about the American Legion and offer them a membership enrollment. Active-Duty personnel from all categories are eligible for a one-year, paid membership.
- 8) **AGE LIMITATIONS**
 - a) Anyone under twenty-one (21) years of age is not permitted to sit at the bar except for regular Veteran members of the American Legion.
 - b) Non-American Legion Veteran members under 21, must leave the Post by 9:30 PM, except for certain specific activities approved by the House Committee.
 - c) Any Active-Duty member, or regular American Legion member (Veteran) under the age of 21 is permitted in the Post during all normal business hours but must be at least 21 to be served alcoholic beverages.
 - d) Children under the age of 18 must be under the supervision of a parent or legal guardian. Proper supervision is the act of directing and watching over the conduct and activities of the children in a person's care. Simply being within sight or sound does not constitute providing adequate supervision but a guardian must be near enough to provide immediate assistance or protection as may be needed.
- 9) **GENERAL CONDUCT** and behavior expectation of members, guests or other patrons, and employees.
 - a) No public criticism in any manner, of Post members, guests, employees, or others.
 - b) No pandering for money or drinks; boisterous, obscene, or vulgar language will be tolerated.
 - c) Sexual harassment of any kind will not be tolerated under any circumstance by any person(s).
 - d) No interference of any kind towards any employee, appointed or elected officer of Post 117 will be tolerated. Any physical assault will result in immediate suspension of Canteen privileges and may result in criminal charges. Veteran members may also face charges under the American Legion's Constitution and By-Laws.
 - e) No smoking or vaping of THC or plant-based intoxicants anywhere on Post property, including parking lot areas.
 - f) Any person removing, destroying, or otherwise damaging any property of the post or property of any tenant, member, or guest of the Post, shall be responsible for all damages and may be subject to forfeiture of all Post privileges for life, and may face criminal charges.
 - g) Any patron receiving phone calls must acknowledge the call if they are physically present.
 - h) No outside beverages are permitted on the property, and no outside food is permitted in the Canteen.
- 10) **CLOTHING AND ATTIRE** - All members and guests must adhere to the following guidelines for attire and may be refused service for violating the following standards:
 - a) Footwear and shirts are required.
 - b) No exposed undergarments
 - c) Profane or obscene images or any disrespectful wording on clothing directed towards the Post, members, employees or the U.S. Flag is not permitted.
 - d) Head gear of any kind (including bandanas) **SHALL NOT** be worn inside the Post by anyone with the exceptions of:
 - i) A documented or obvious medical reason,
 - ii) In official uniform and performing official duties,
 - iii) Pre-approved, special occasions or events, such as Halloween or New Years, etc.
 - iv) Social Hall rental and approval by the House Committee Chairman. Head gear will be removed when departing the Social Hall to any other area of the building.

- 11) **SERVICE DOGS:** Except for registered Service Dogs all pets or animals are prohibited. Whenever a patron claims their dog is a Service Dog, two questions are permitted under the DOJ Civil Rights Division:
- Is the animal required because of a disability?
 - What work or task has the dog been trained to perform?
 - EXCEPTION:** A Service Dog that misbehaves, such as biting, or showing aggressive behavior, urinating, defecating, or barking excessively may still be barred from the building.
- 12) **EMOTIONAL SUPPORT ANIMALS (ESA's)** are NOT afforded the same rights as a Service Dog. ESA pets are only eligible for special considerations under HUD rules for housing, and not any other business that excludes them.
- 13) **FIREARMS**
- The carrying of firearms shall be in full compliance with current PA Commonwealth laws.
 - Whether concealed or open carried, no firearm is permitted to be removed from a person's holster or body sheath for any reason.
 - The unholstered display, or brandishing of any firearm, for any reason, will result in punitive action by the House Committee, Post 117, or the Department of the American Legion incidental to charges and a Trail Board.
 - The police will be notified regarding the brandishing of any firearm, by any person for any reason.
- 14) **PENALTIES:** The following are general guidelines but do not limit other reasonable and prudent actions to ensure the safety of the Post and its members.
- FAILURE TO OBEY THE BARTENDER** regarding House Rules concerning obscene or vulgar language, or arguing after being warned by the bartender:
 - 1st Offense: 30 Day Canteen Suspension
 - 2nd Offense: 6 Month Canteen Suspension
 - 3rd Offense: Possible Permanent Canteen Suspension.
 - THREATENING PHYSICAL VIOLENCE**
 - 1st Offense: 6 Month Canteen Suspension
 - 2nd Offense: Permanent Canteen Suspension
 - PHYSICAL VIOLENCE, ASSAULT or PROPERTY DAMAGES**
 - Immediate and permanent suspension plus cost of damages and Criminal Charges.
 - THEFT or CHEATING at CANTEEN or GAMES of CHANCE**
 - Permanent suspension and possible Criminal Charges and Restitution
 - REFUSAL TO LEAVE** after bartender's, manager or officer's orders **REQUIRING SUMMONING POLICE**
 - Minimum 60 Day to Permanent Canteen Suspension.
 - CONDUCT CONTRARY to GOOD ORDER and DISCIPLINE**
 - Determined on a case-by-case basis by the House Committee.
- 15) **SUSPENSIONS:** Members and/or guests shall be given written notice of any punitive action including any suspension if imposed. Suspensions shall end the first business day following the suspension end date.
- 16) **PROBATION:** Members are subject to a possible probationary period in lieu of, or after serving a suspension. Any probationary period shall be at the discretion of the House Committee and terms shall be provided to the member in writing including that violation of probationary terms may result in a permanent suspension.

17) SUPENSION APPEALS

- a) Only Veteran Members have a right to appeal to the Executive Board.
- b) Appeals MUST BE in writing and submitted to the Post Commander or Adjutant *within seven (7) days* and penalty action will immediately be suspended pending the outcome of the appeal.
 - i) An appeal must be scheduled within five regular workdays of receipt either at a regular Executive Board Meeting, or if not within the five days, then at a specially called meeting pursuant to Post 117's By-Laws.
 - (1) Every effort will be made to make an appeal mutually convenient, but the appeal must be heard within five regular workdays of receipt (excluding weekends). There should be no extension granted.
 - (2) Board members and the member may choose to attend an appeal meeting in person, or remotely.
 - ii) Before hearing an appeal, the appealing member must agree to abide by the Executive Board's decision.
- c) Upon appeal, and while a penalty is suspended, the member shall be considered as being on a probationary status and Item 16 (Probation) shall apply.
- d) This is not a Trial Board and involves a Canteen privilege – not a right. The appealing member shall represent themselves and the Post Judge Advocate shall represent the House Committee.
- e) In accordance with the By-Laws, members of the Executive Board who serve on the House Committee and participated in the penalty discussion, must recuse themselves from voting on an appeal.
- f) The Executive Board may dismiss, modify, or uphold the House Committee's action, but it cannot increase any penalty or portion thereof.
- g) The ruling of the Executive Board shall be final.

18) GREIVANCES:

- a) Members having any grievance or complaint shall submit them in writing to the House Committee of Post 117 for consideration.
- b) Grievances or complaints must be signed.
 - i) Unsigned/anonymous complaints will be deemed invalid unless substantial evidence to the contrary is available and known.
 - ii) Depending upon the nature of the complaint, the Judge Advocate may investigate an anonymous complaint as may be deemed appropriate, or as directed by the Post Commander.

The rules listed above may be amended, changed, or modified at any time by the House Rules Committee as the need arises. On updates of any rules, the header will reflect the most current modified date with the Executive Board as the approving authority.

Nothing in these House Rules is intended to hinder, nullify or in any way interfere with the enforcement of law, or the rules of the Pennsylvania Liquor Control Board. Any House Rule in conflict with their interpretation of the law shall be declared null and void.

//s// David E. McLaughlin _____
Post Commander Date

//s// Dean Noechel _____
Post Adjutant Date