

HOUSE RULES AND REGULATIONS



THE AMERICAN LEGION CHARLES F. THOMAS IV POST 117 189 VETERANS DRIVE PALM BAY, FLORIDA 32909



DATED: 3/15/20

DEFINITION OF TERMS

Canteen – The Bar area (which includes the main Inside Bar, Tiki Bar, and Social Hall Bar) and any designated area on the Post Property that is serving food and beverages.

Canteen Committee: This Committee is responsible for investigation of incidents, recommending disciplinary action, and other duties as deemed necessary.

Canteen Manager – The “Canteen Manager” will oversee and be responsible for the Post Canteen. The “Canteen Manager” reports directly to the Post Commander.

Electronic Transmission – Any means of communication which includes, but is not limited to, telephone, email, voice mail, etc....

Executive Committee – The “Executive Committee” shall be the decision-making governing body of the Post Home (which includes the inside Canteen, the Social Hall, Kitchen, Tiki Bar, and all Post Property).

Facility – The Facility is all structures on Post Property.

Guests – Any person legally signed in on the Post Register by a valid member may enjoy the privileges and functions of the Post with the exception of referenced restrictions. (See Section 4, GUESTS).

House Committee – The “House Committee” is a group of Post Members who are responsible for overseeing the orderly and timely maintenance and upkeep requirements of all Post Facilities.

Kitchen Manager – The “Kitchen Manager” will oversee and be responsible for the Post Kitchen. The “Kitchen Manager” reports directly to the Executive Committee through the 2nd Vice Commander.

Members – All Members of the Charles F. Thomas IV Post 117 to include, The American Legionnaires, The American Legion Auxiliary, Sons of the American Legion (SAL), with a current and valid membership card shall be allowed entrance and service, unless such member is suspended due to a final decision of the Executive Committee.

Minors – Anyone under the age of 18 years old.

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N.S.F. Check(s) – These refer to Personal and Business Bank Checks which have been returned to the Depositor, which in this case is a Representative of the Post, for insignificant funds, also known as “Non-Sufficient Funds”.

Patron – Any individual who is an American Legion Legionnaire; American Legion Auxiliary; or Sons of the American Legion (SAL) possessing a current and valid membership card issued by Charles F. Thomas IV Post 117, The American Legion or has a valid membership card from another Post of the American Legion, Canadian Legion or British Legion. Associate and Social Members are not recognized in the Department of Florida or Post 117.

Person-In-Charge – The “Person-in-Charge” or “PIC” is the Bartender-on-Duty in the Canteen, the Social Hall, or Tiki Bar, who will report to the Canteen Manager.

Post – The “Post” is defined as any and all physical property and real estate which is, assigned and owned by the “Charles F. Thomas IV Post 117, Inc., The American Legion.

Visiting Legion Members – Is defined as, any American Legion Legionnaire; American Legion Auxiliary Member; or Sons of the American Legion (SAL) Member; who possesses a current and valid membership card issued by another American Legion Post.

Ways and Means Committee: Chaired by the 3rd Vice Commander this Committee will be responsible of Entertainment.

1. APPLICATION –

- a. All persons in or on Post Property are governed by the “House Rules and Regulations.” Ignorance of these Rules will not be a cause for exception. A current copy of these “House Rules and Regulations” will be posted in the Canteen at all times.

2. DRESS CODE – The “Dress Code” will be enforced by the Person-In-Charge (PIC).

- a. **MEN** – Cutoffs, shorts, sandals, tank tops are acceptable attire on all Post Property. No bathing suits. Undergarments worn as outer garments are prohibited. If other proper dress is requested for a special function, persons responsible for that function are responsible to publish on fliers or other publications concerning the event.
- b. **WOMEN** – Cutoffs, shorts, sandals, tank tops are acceptable attire on all Post Property. Undergarments worn as outer garments are prohibited. No bathing suits. No short-shorts (where the buttocks is exposed) and no tube tops. No see-through attire is allowed unless worn with appropriate undergarment. If other proper dress is requested for a special function, persons responsible for that function are responsible to publish on fliers or other publications concerning the event.

3. CONDUCT – Any person may be refused service at any bar on Post property and instructed to vacate Post property upon commission of any act deemed inappropriate under the guidelines of these “House Rules and Regulations.” The infractions include but are not limited to:

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- a. Fighting (to include provoking, instigating, or inciting a fight).
- b. Any unacceptable behavior.
- c. Any illegal use of a controlled substance.
- d. Any socially unacceptable act, which belittles, degrades or infringes on the rights or character of another individual, to include the use of offensive, foul or derogatory language.
- e. Any act which is immoral or not acceptable in public as deemed by the PIC.
- f. Any responsible Post Member(s) may assist in the enforcement of the “House Rules and Regulations” when assistance is requested by the PIC. An Incident Report will be filled out completely by the PIC and signed by the PIC, all others assisting the PIC shall make written statements. The person(s) violating these “House Rules and Regulations” may be refused service for the remainder of the day plus an additional twenty-four (24) hour period by the PIC. The PIC will notify their relief of the incident and service refusal period. No Post Member has the authority to overrule the decision of the PIC. The report will be turned over to the Canteen Manager who will forward it to the Commander for investigation. The Post Commander may extend the period up to an additional seventy-two (72) hours. If further action is required, it will be documented and delivered to the individual(s) involved.

4. GUESTS –

- a. A Post Member in good standing must sign in all sponsored Guest(s) prior to participating in any Post event(s) on Post Property. The Member who registers the Guest(s) will be responsible for that Guest(s) and their actions while on Post Property.
- b. All Guests must vacate the Post Property when their Sponsor leaves the Post Property.
- c. Guests who are eligible for membership in any of the three (3) venues of Membership cannot be invited on to the Post Property more than four (4) times in one calendar year.
- d. Only Sponsoring Member(s) and Post Members may purchase alcoholic drinks for Guests. Non-Members (Guests) are not permitted to purchase alcoholic drinks at any of the Post Bars.
- e. Any Member or Guest(s) violating these Rules will be refused service and asked to leave the Post Property.
- f. Members are limited to sponsoring five (5) Guests per visit.
- g. Individuals renting the hall cannot purchase any liquor unless served through a contracted event.

5. VISITING LEGION MEMBERS –

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- a. Legion Members, Legion Auxiliary Members, SAL Members, and Legion Riders of other Posts, possessing a current membership card, will be granted the privileges of this Post.
- b. Visiting Members will comply with all the “House Rules and Regulations” as they pertain to our own Post and its Members.

6. MINORS –

- a. Minors (under the age of 18), must be accompanied by a responsible adult and under the direct supervision of that adult while on Post Property. Should there be a lack of supervision or a disruption; the responsible adult will be asked to remove the minor from the Post Property. (An Incident Report will be written up).
- b. Minors are not allowed in the bar areas after 8:00PM unless participating in a specially sanctioned event to include minors. The minors will be required to act in a socially acceptable manner at all times.
- c. At the discretion of the supervising adult, minors may utilize the entertainment equipment (darts, pool table, etc.). Under no circumstances are minors allowed to participate in games of chance (gambling games, machines, 50/50, Bingo, etc.). At no time will the minors disrupt and/or interfere with or challenge Members who are utilizing the entertainment equipment. Upon completion of their game/session, minors will relinquish said equipment to any Member wishing to utilize the equipment. The adult responsible for the minor assumes all responsibility for any damage to Post Property and will reimburse the Post for repair or replacement of any damaged equipment and/or any damage to the facility or property.
- d. Minors will not sit or stand at any Post bar at any time.
- e. Minors are not permitted to purchase or use any form of tobacco products on Post Property.
- f. No person(s) under the LEGAL AGE (as determined by the Florida State Legislature), will be allowed to purchase, consume, or compete for a prize of any form of Alcoholic beverage on Post Property.

7. CANTEEN / TIKI HOURS – Operating hours of the Canteen and Tiki will be as follows:

- a. As Posted.
- b. The Canteen will remain open until 10pm daily and if six (6) or more paying customers are present it shall remain open not to exceed 1am with last call at 1230am.
- c. The Tiki will remain open until 8pm and if six (6) or more paying customers are present it shall remain open not to exceed 11pm.
- d. At the discretion of the Canteen Manager or Commander the Tiki may close early due to circumstances, i.e. weather conditions, emergency situations.

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- e. At no time will the Tiki be open later than the Main Canteen.

8. CONSUMPTION OF BEVERAGES AND FOOD –

- a. NO alcoholic beverages will be brought on or taken off Post Property at any time unless for the purpose of Fund Raising and is removed from the property immediately following the event.
- b. Food and beverages acquired elsewhere will not be allowed for consumption on Post Property.
- c. NO alcoholic beverages will be consumed behind any of the Post bars.
- d. Food brought to the Post for Special Events must be prepared in an approved kitchen as defined by the Florida Health Department and Department of Agriculture.

9. CHECK CASHING PRIVILEGES –

- a. Any American Legion Post #117 Member with a valid and current membership card may cash a personal check at the Inside Canteen ONLY. These personal checks cannot exceed forty dollars (\$40.00) per day, providing that the funds are available.
- b. Standard check cashing procedures will apply to all personal checks submitted for cashing (which includes showing a current and valid Photo ID).
- c. All personal checks must have:
 - (1) The Patron's current address and phone number.
- d. A returned check (N.F.S. Check) will be subject to the following fees:
 - (1) Original amount written on the personal check.
 - (2) Current Bank processing fees and charges; and,
 - (3) A forty-dollar (\$40.00) Post collection charge.
- e. Any Member having a returned check (N.F.S. Check) at the Post will have their check cashing privileges suspended until the Member has made full restitution to the Post.
- f. Any Member who has had two (2) returned checks (N.F.S. checks) at the Post will lose their check cashing privileges INDEFINITELY!
- g. A current "Bad Check Log" will be kept behind the Canteen Bar and maintained by the Canteen Manager.

10. CANTEEN COMMITTEE –

- a. The Canteen committee shall be appointed by the Commander for the purpose of assisting the Committee Chairman and the Commander in investigation of incidents and approving the employment of bartenders.

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b The Canteen committee shall consist of a Member of the Executive Committee serving as chairman with the following committee members: two Legionnaires, two Auxiliary and two Sons of the American Legion.

11. Duties of Post Canteen Committee

- a. Duties of the Canteen committee consist of assisting the commander in ensuring the canteen manager properly executes the supervisory duties ensuring proper operations and promulgation of all general rules. To manage and investigate incidents and complaints on Post Property.
- b. Canteen Committee shall have the power to suspend, with the permission of the Commander any member from post social privileges until the next Executive Committee meeting.
 1. The Committee Chair will provide a report with recommendations at the meeting.
 2. Post Social privileges include use of the Canteen, Tiki and all activities off post property representing Post 117 Family.
 3. While under suspension members may only visit Post Property for the purpose of attending meetings. They may arrive 15 minutes prior to the meeting and must leave immediately after.
- c. The Committee Chair and Commander shall provide the Executive Committee a performance report on the Canteen Manager semiannually.

12. CANTEEN MANAGER / BARTENDER –

- a. Post Executive Committee shall hire a Canteen Manager, who will be paid a salary.
- b. The manager's salary will be set forth and approved by the executive committee, which is subject to change when deemed necessary.
- c. When a Canteen Manager is contracted, they will be responsible for the operation of the Post Canteen to ensure that it is operated in a proper business manner and in accordance with the “House Rules and Regulations.” The Canteen Manager will ensure the Post Canteen meets or exceeds the requirements and regulation standards required by the State of Florida, County of Brevard, City of Palm Bay, and Post’s “House Rules and Regulations.”
- d. The Canteen Manager may be replaced at a vote by the Executive Committee.
- e. Supervision of the Canteen manager shall be the duty of the Commander.
- f. The Canteen Manager is to be properly licensed and bonded.

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- g. The Canteen Manager shall be charged with: Operating and maintaining general clean-up of the Post Canteen, and Tiki using resources such as the custodian and bartenders; seeing that the post club room is opening and closing at the time set; insuring proper conduct of the members in the club room; paying club room bills to vendors and inventory suppliers; keeping an adequate inventory of all stock and equipment; and coordinate with the Commander and the finance officer as necessary. Ordering supplies for Canteen and Tiki as in soda, pizza, chips, water, etc. Picking up supplies as needed.
- h. The Canteen Manager, using the resources available, (i.e. Bartenders, Post Family Officers in Membership positions) shall verify that all members who enter the Post are eligible and ensure that all guests are signed into the guest register.
- i. The Canteen Manager shall forward to the Commander evaluations of all Bartenders Performance every six months.
- j. The Canteen Manager will be responsible to ensure that all funds collected, including any and all fundraisers, are verified and placed in a bank bag with all receipts, register tapes, Bartender Count Sheet, and all other material collected during their shift. The bank bag will then be placed in the safe until such time as a deposit can be made at the bank.
- k. The Canteen Manager will be responsible for the proper accountability of all funds derived from the business associated with the Post Canteens and any funds relinquished for safe keeping.
- l. The Canteen Manager will make timely deposits in the Post Canteen Checking Account.
- m. The Canteen Manager will ensure that the Post Canteen is properly stocked, and that all Bartenders are fully trained, competent, and scheduled as needed.
- n. The Canteen Manager will make recommendations on hiring and firing of the Canteen bartenders to the Commander. Any recommendation to fire a bartender will be reviewed by the Executive Committee.
- o. The Canteen Manager will report all violations of the “House Rules and Regulations” and accidents on the Post Property to the Post Commander. Within twenty-four (24) hours of the incident or accident a written Incident Report must be submitted to the Canteen Manager who will forward the report to the Post Commander for review by the Canteen Committee.
- p. The Canteen Manager will validate records, receipts and any other items related to cash accounting on at least a weekly basis or as necessary and provide this information to the Finance Officer.
- q. The Canteen Manager when necessary tend bar to maintain good customer service.
- r. The Canteen Manager is responsible to ensure that each bartender has a new bank at the beginning of their shift and each bartender verifies their bank prior to beginning their

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shift. The Canteen Manager will fill out a Daily Cash Deposit Report along with the Bartender Count Sheets and submit these reports to the Financial Officer on a daily basis.

- s. The Canteen Manager will ensure a Canteen Bar Log is kept behind the Canteen Bar and maintained DAILY as well as by the Bartender on duty. The Bar Log is intended to pass on information between the Canteen Manager and between Bartenders. Incidents should not be entered in the Canteen Bar Log.
- t. Incidents should be reported to the Canteen Manager by use of the numbered Incident Reports maintained in the Canteen.
- u. If a Canteen Manager is not contracted, the Commander will appoint the most qualified Post 117 Family Member.
- v. The Canteen Manager will report any equipment, furniture, and other Canteen item(s) that need repair or replacement to the House Committee.
- w. The Canteen Manager will be bonded in an amount comparable to the estimated business sales plus bank start-up monies required during the heaviest business periods.
- x. Daily Sales Reports and any Cash Transaction Tallies will be accomplished daily. Each individual will then be required to sign each Report verifying that the amounts are correct and valid.
- y. The Canteen Manager may at times be required to write out checks for vendors and suppliers.

13. KITCHEN MANAGER –

- a. Reports to the EC Board through the 2nd Vice Commander.
- b. Post executive committee may hire a Kitchen Manager, if needed.
- c. The Kitchen Manager may receive salary set forth and approved by the executive committee which is subject to change when deemed necessary.
- d. Must obtain Food Handlers Certificate.
- e. Ensure deficiencies during Health Inspections are corrected immediately.
- f. Ensure Daily register receipts and monies are put in the safe daily.
- g. This position is responsible for the food quality, by insuring food is properly stored.
- h. Change oil in fryers as necessary.
- i. Ensuring the kitchen is organized and kept clean.

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- j. Responsible for ordering and shopping for all Legion food and supplies for the kitchen.
- k. Responsible for organizing all cooking equipment and ensuring equipment is kept cleaned.
- l. Have food available as determined by the EC Board.
- m. Ensure cleanliness of the kitchen and dining area when the kitchen is open.
- n. The Kitchen Manager will report to the EC board through the 2nd Vice Commander.
- o. All repairs of kitchen equipment and facilities will be reported to the House Committee. The Vice Commander or The Post Commander may approve repairs that do not exceed two hundred dollars (\$200.00). Any repairs exceeding this amount must be approved by the Executive Committee.
- p. If a Kitchen Manager is not contracted, these duties will be assumed by the 2nd Vice Commander.
- q. The 2nd Vice Commander will assume the duties of the Kitchen when the manager is off.

14. HOUSE COMMITTEE –

- a. The House Committee is charged with the maintenance and upkeep requirements of the Post Home Facility and Property. House committee members will accomplish routine walk around inspections of the Post Home and its property and document items that need repair or enhance its appearance and operations. Members of the House Committee may be tasked with obtaining estimates and providing oversight to ensure work is accomplished properly and to the Post expected standards. The House Committee will take on the Grounds Committee responsibilities if that committee is not appointed. Expenditure of funds, other than routine purchases necessary for maintaining the facility and property and those for bona-fide emergencies, shall be referred to the Executive Committee for approval prior to action. The House Committee Chairman will provide a listing with details, recommended priority, expected cost and source of repair to the Executive Committee so it can be reviewed at the Executive Committee Meetings.

15. WAYS AND MEANS COMMITTEE –

- a. The “Ways and Means Committee”, chaired by the 3rd Vice Commander, with at least one member from each Organization affiliated with the Post, the Canteen Manager and others, will actively schedule events and ceremonies that will take place at the Post and/or on Post property.
- b. A copy of the scheduled events and ceremonies will be given to the Editor of the Post Newsletter in a timely manner to assure that it is published in the Post Newsletter and/or any other media outlets concerned.

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16. PERSON-IN-CHARGE –

- a. The PIC will be responsible to enforce all “House Rules and Regulations” and has the duty to question the membership status of any individual.
- b. The PIC has the authority and duty to refuse service to any person who is violating the “House Rules and Regulations.”
- c. Post Officers, Executive Committee, House Committee Members, or Post Members do not have the authority to overrule the decision of the PIC.
- d. Members have the right to SUGGEST or recommend service be denied to an individual whom in their opinion is a violation of the “House Rules and Regulations.” Only the PIC has the sole authority to deny service to any individual.
- e. The PIC is authorized and has the duty to call 911 for assistance with any emergency whether it is medical, fire, or physical violence pertaining to incidents on Post Property.
- f. Every Member and Post Officer has the duty to assist the PIC in enforcing the “House Rules and Regulations” if they are directly requested to do so by the PIC.
- g. The PIC is NOT allowed to start their tour-of-duty if they are suspected of being intoxicated or under the influence of alcohol or a controlled substance. Additionally, the PIC is prohibited from consuming any alcohol or controlled substances while on duty or four (4) hours prior to the start of their shift. Bartenders are prohibited from going behind the bar and servicing members once they have consumed alcohol.
- h. The PIC will comply with all the “House Rules and Regulations” as well as all local, county, and state regulations pertaining to the operation of the Post Canteen. Each PIC will start each shift with a new bank bag. The PIC will Z-out at the end of their shift. All tapes will be placed with the daily bank bags for reconciliation. Absolutely no funds will be removed from the premises other than tips earned by the PIC(s) while on duty.
- i. All PIC(s) will be provided a copy of these “House Rules and Regulations” and will acknowledge receipt of the “House Rules and Regulations” by their signature and date that they received these “House Rules and Regulations.” By providing their signature, the PIC’s acknowledge that they fully understand the “House Rules and Regulations” as well as comprehend their duty and authority to enforce the “House Rules and Regulations.”

17. ANIMALS ON THE POST PROPERTY –

- a. Animals are not allowed inside the Post Facility or Tiki Bar. The “Sole Exception” to this Rule is specially trained Dogs (and any other animals which are recognized under the “Americans with Disabilities Act” (ADA)) which have been assigned to assist a physically handicapped person. Pets are allowed on the Post Property if they are on a leash and are under the direct control of their owners (as outlined under Brevard County Ordinance(s)).

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18. EFFECTIVE DATE –

- a. The “House Rules and Regulations Committee” has revised, recommended and submitted these “House Rules and Regulations” to the Executive Committee for approval.
- b. These “House Rules and Regulations” will remain in effect until they are revoked or revised via due process.

Effective Adoption Date: 3/15/2020

Submitted: _____
Christopher Hamrick
Judge Advocate

Approved: _____
Bruce Thurber
Post Commander

Attested: _____
Jeff Colopy, Adjutant