



**BY-LAWS  
for  
VIRGINIA BEACH  
AERIE #3204**

**2024**

**BY-LAWS of**  
**VIRGINIA BEACH AERIE 3204**

Virginia Beach, Virginia Aerie No. 3204 Fraternal Order of Eagles, instituted by authority of the Grand Aerie of the Fraternal Order of Eagles on March 22, 1964.

This Aerie was incorporated under the laws of the State of Virginia on February 16, 1989.

Virginia Beach, Virginia Aerie No. 3204 Fraternal Order of Eagles By-Laws shall be reviewed and updated annually. (FOE Statute 101.3)

**SECTION I**

**MEETINGS**

- Section 1.1** The meetings of this Aerie shall be held on the 1st and 3rd Thursdays of each month at the hour of 7:00 P.M. The place of meeting shall be 1061 Newtown Road, Virginia Beach, Virginia 23462. (FOE Statute 72.1) (rev 11/13) (Rev 11/20/14) (Rev 12/15/16)
- Section 1.2** Special meetings shall be held in conformity with Section 72.2 Statutes for Local Aerie or laws amendatory thereof.
- Section 1.3** There will be **NO** partaking of any Tobacco or Alcohol products in the Aerie Business meeting when the Worthy President opens the meeting with a RAP of the Gavel and until he closes the meeting with a RAP of the Gavel. Aerie 3204 home is now smoke free, no partaking of any Tobacco products while in Aerie home.

**SECTION II**

**NOMINATION AND ELECTION**

- Section 2.1** The annual nomination, election and installation of officers shall be as provided in Sections 91.1 to 91.7, Statutes, F.O.E., or laws amendatory thereof. Vacancies in office shall be filled as provided in Section 92.1, Statutes, F.O.E., or laws amendatory thereof. (REV 12/07/2017)
- Section 2.2** **Election of Aerie Officers:** The Election of Aerie Officers shall be by a printed ballot & the polls shall open at 7:00 P.M. at the Aerie meeting. The polls shall close at "Good of the Order", during the Aerie meeting, on the day of Election. (FOE Statue 91.4) (Rev 11/20/14)( No Absentee Balloting Opinion 520)
- Section 2.3** Tellers shall be appointed by the Worthy President. (FOE Statue 91.7)
- Section 2.4.** The office of Outside Guard shall not be filled. (FOE Statue 80.2)
- Section 2.5** The office of Worthy Conductor shall be filled each year by Election. (FOE Statue 80.2)
- Section 2.6** The term of office of the Secretary of this Aerie shall be for one (1) year. (FOE Statue 80.2).
- Section 2.7** The term of office of the Treasurer of this Aerie shall be for one (1) year. (FOE Statue 80.2)

- Section 2.8** There shall be five (5) elected Trustees, and they shall be elected for a term of one (1) year each. (FOE Statute 80.2)
- Section 2.9** In addition to the five (5) elected Trustees, the Junior Past Worthy President, while serving as such, shall not serve as a member of the Board of Trustees of this Aerie. (FOE Statute 81.3)
- Section 2.10** In addition to the five (5) elected Trustees, the Secretary of this Aerie, while serving as such, shall not serve as a member of the Board of Trustees of this Aerie. The Aerie 3204 Trustees shall appoint a Secretary on their 1st elected meeting of the fraternal year. (FOE Statute 80.4)
- Section 2.11** A Candidate running for the Office of Worthy President must have served two (2) years as an Officer of Aerie #3204.
- Section 2.12** Nominations of elected delegates to the Virginia State Aerie convention shall be conducted at the 1<sup>st</sup> Aerie meeting in January each year. Election of Virginia State delegates will be held as a part of the regular Aerie meeting of the 3<sup>rd</sup> week of January each year. (Rev 11/20/14)

## **SECTION III**

### **AERIE MEMBERSHIP**

- Section 3.1** The application fee (any kind) for membership by initiation shall be ten dollars (\$10.00). (FOE Statute 70.15) (REV 12/07/2017) (Rev 12/3/2020)
- Section 3.2** The minimum age that members will be accepted into this Aerie will be eighteen (18) years of age on the date of initiation. Official Dues Receipts shall have an endorsement thereon "UNDER TWENTY-ONE YEARS OF AGE". (FOE Statute 70.2)
- Section 3.3** Non-Beneficial Life Membership Cards, after approval on the Aerie floor, shall be granted to members of this Aerie. The fee for such Non-Beneficial Life Membership shall be seven hundred fifty dollars (\$750.00). (FOE Statute 71.2) (Rev 11/20/14)
- Section 3.4** The method used by this Aerie to accept an applicant shall be: Any applicant for membership who is balloted on and against whom a majority of black balls are cast, shall be declared rejected, and such applicant shall not be proposed again for a period of twelve (12) months. (FOE Statute 70.12)
- Section 3.5** All members who are one (1) month in arrear in their dues must be dropped by the Aerie Secretary from the rolls of the Aerie on the first (1st) day of July, or if the day falls on a Sunday or Holiday, then on the next day following. If delinquent member is not dropped by the Aerie Secretary by the tenth (10th) day of July, the Membership Management System (MMS) shall automatically drop the delinquent for Non-Payment of Dues. (FOE Statute 71.5) (REV 12/07/17)
- Section 3.6** Any former member of an Aerie shall be eligible for re-enrollment as a member in good standing.
- (a) Re-enrollment application fees shall be ten dollars (\$10.00) plus annual dues of twenty four dollars (\$24.00). Dues may be prorated for Aerie standard expiration date of the last day in May. Twelve dollars (\$12.00) of the re-enrollment fee is to be remitted to the Grand Aerie Membership Department with each re-enrolled member reported on the MMS for provided. (Rev 11/20/2014) (REV 12/07/2017) (Rev 12/3/2020)

- (b) Re-enrolled members need not be re-initiated, but must be interviewed.
- (c) Re-enrolled members and the proposer of said members, shall be reported monthly by the Secretary on the MMS forms provided by the Grand Aerie Membership Department.
- (d) The burden of proof of former membership lies with the Aerie Secretary or the applicant for re-enrollment.
- (e) Should membership be gained by means of misrepresentation of age or under an assumed name and it is subsequently established by indisputable proof that the applicant did not honestly meet the eligibility requirements for membership, his election as a member shall be declared illegal and void. Aerie #3204, shall then invalidate and annul his election, cancel his membership card and strike his name from the membership rolls.

## SECTION IV

### FUNDS

**Section 4.1** The following funds are hereby established for this Aerie: (FOE Statute 110.1)

- (a) **Benefit Fund** (Savings)
- (b) **General Fund** (Checking)
- (c) **Building and Maintenance Fund** (Savings)
- (d) **Social Fund** (Checking)

Note: Gaming Commission Policy regulation of the Commonwealth of Virginia

Gaming—Electronic (Checking)

Gaming—Pull Tabs & 50/50 (Checking)

(Revised 12/2023)

**Section 4.2** By resolution the Aerie shall designate some banking institution in which each of the said funds shall be separately deposited. Such deposits shall be made only in the name of the Aerie. (FOE Statute 86.5)

**Section 4.3** Except when recognized as an emergency condition, by a vote of the Aerie at a regular meeting, no expenditure greater than ten thousand dollars (\$10,000.00) shall be brought before the Aerie without giving at least fourteen (14) days notification to Aerie members as to the date and time of such meeting for voting on the expenditure. (F.O.E. Statutes 72.2, 110.4 and 110.5) (Revised 12/2023)

**Section 4.4** As proscribed by FOE regulations and Status NO Aerie funds will be transferred from any Aerie 3204 fund to another fund without the approval on the Aerie floor. FOE Status 110.3) (Rev 11/20/14)

**Section 4.5** The largest sum of money the Board of Trustees may spend at any one time without the majority vote of the Aerie membership at a regular meeting shall be one thousand five hundred dollars (\$1,500.00). (Amended 4/19/07) (Amended 11/15/12)

**Section 4.6** The largest sum of money the Entertainment Committee may spend at any one time for a function without the majority vote of the Aerie membership shall be one thousand dollars (\$1,000.00). All Events must be approved on the Aerie floor.

**Section 4.7** All receipts shall be deposited with the Aerie Secretary at the close of each business week by the Board of Trustees and Gaming Committee becoming a permanent record and shall then be turned over by the Secretary to the Treasurer to be deposited within forty-eight

(48) hours to the bank then holding the funds of the Aerie.

**Section 4.8** At least once monthly, the Aerie Auditor shall be required to furnish the Aerie membership a complete written report of the profit or loss of the club for the current period, to be read into the Aerie minutes and thereafter be posted conspicuously on the Aerie Bulletin Board until the next monthly report is required to be rendered.

**Section 4.9** There will be a twenty-five dollar (\$25.00) filing fee to file a Complaint, Violation or Charge. This fee is to be paid by the accuser to the Virginia Beach Aerie #3204 and attached to the filing documents. Collected fees are to be deposited in the General Fund. If the accusers are the Aerie #3204 Board of Trustees of Virginia Beach then the fee is waived. All Complaints, Violations or Charges must be submitted to the Secretary of Virginia Beach Aerie #3204 in Writing within 90 days after the offense. (FOE statute 63.1(b)).

## **SECTION V**

### **DUES**

**Section 5.1** Dues of any kind shall be twenty four (\$24.00) per year, payable in advance. (FOE Status 71.1) (Rev 11/20/14) (REV 12/07/2017) Rev 12/3/2020)

**Section 5.2** Dues of all kind shall be divided among the various funds as follows. (FOE Status 71.1) (Rev 11/20/14)

(a) **Benefit Fund** Thirteen dollars (\$13.00)

(b) **General Fund** Eleven dollars (\$11.00) (REV 12/07/2017) (Rev 12/3/2020)

**Section 5.3** Dues of Dual members shall be Twenty four dollars (\$24.00) per year, payable for a period not longer than the period for which the member has paid his dues in home Aerie. See Section 5.2 for distribution of fees.

(FOE Status 70.3 through 70.8) (Rev 11/20/14) (REV12/07/2017) (Rev 12/3/2020)

## **SECTION VI**

### **DUTIES OF OFFICERS**

**Section 6.1** Upon having received due notice of a member being in dire circumstances, the Worthy President may provide temporary financial aid to said member, not to exceed the sum of two hundred fifty dollars (\$250.00) to be paid from the General Fund. (FOE Statute 82.2).

**Section 6.2** If any officer absents himself from four (4) consecutive meetings where attendance is required by FOE statutes and these Aerie By-Laws, without being excused by a vote of the Aerie in regular session, the office of such officer so absenting himself shall be declared vacant by the presiding officer. For the purpose of this section, required meetings shall include all regularly scheduled Aerie meetings, Trustee weekly meetings (Aerie Trustees only), duly called or stated Officers meetings, Joint Officers meetings, and Special meetings called by the Aerie Worthy President for a specific purpose. (FOE Statute 72.1). (Rev 12/03/15)

**Section 6.3** House Rules governing the premises and the conduct of members thereon shall be adopted by this Aerie, and such House Rules as adopted shall at all times be posted in a conspicuous place in the Aerie premises. House Rules shall be adopted and amended in

the same manner as the By-Laws of the Aerie. (FOE Statutes 89.2 and 89.3)

**Section 6.4** The Secretary of the Aerie shall not serve as the Secretary of the Board of Trustees of this Aerie, and receive for such services, the compensation as provided in these By-Laws in addition to the per capita compensation as provided in these same By-Laws. (FOE Statutes 85.17 and 89.1)

**Section 6.5** The Board of Trustee's shall hold in trust for the Aerie all Real Property and Personal Property belonging to the Aerie and is required by F.O.E. Statues to maintain a current and up-to-date inventory. Within sixty (60) days after installation of officers each year, the Board of Trustees shall conduct an inventory and provide a copy to the Aerie Auditor. (F.O.E. Statues 89.1 and 89.5)

## **SECTION VII**

### **FUNERAL BENEFITS**

**Section 7.1** On the death of a member, the Aerie shall provide a suitable floral or other form of tribute, costing not to exceed the sum of one hundred dollars (\$100.00) to be paid from the Social Fund. (FOE Statutes 115.3 through 115.6)

**Section 7.2** When a member is hospitalized, the Aerie may provide a suitable gift, not to exceed fifty dollars (\$50.00). This shall be on a once per year basis for all hospitalized members.

## **SECTION VIII**

### **SALARIES AND COMPENSATIONS**

**Section 8.1** The salary or compensation of the Aerie Auditor and Aerie officers shall not be given until such time as the duties required of them by the Laws of the Order and the By-Laws of this Aerie have been fulfilled, and all reports then due have been completed, presented and transmitted to those entitled to receive them. (FOE Statute 93.1)

**Section 8.2** For the faithful performance of their respective duties, each elected or appointed Aerie Officer holding their position, other than the Aerie Secretary, shall each receive per annum a sum NOT to exceed one (1) year official Dues receipt payable at the completion of their respective terms in office (May 31st). The Secretary of the Board of Trustees, shall not be compensated in addition to his compensation as stated herein. (FOE Statute 93.1) Note: The twenty four dollars (\$24.00) per annum was the amount of a official dues receipt at the time of this adoption into the original By Law. (Rev 12/03/15) (REV 12/07/2017) (Rev 12/3/2020)

**Section: 8.3** For the faithful performance of his Aerie Secretarial duties, the Secretary of the Aerie shall receive a per capita compensation, payable monthly, and based upon the number of members who are in good standing and who are not more than one (1) month in arrears as follows: One dollar and Fifty Cents (\$1.50) per month, per member. (FOE Status 85.17 and 93.1) (Rev 11/20/14) (REV 12/07/2017)

**Section 8.4** For the performance of his duties, the Aerie Auditor shall receive not in excess of seventy five cents (\$0.75) per member, per month payable semi-annually after the submission of all required financial reports and audits. The Aerie Auditor must audit and read on the Aerie floor his findings monthly of all Aerie Secretary, Board of Trustee,

Gaming and all internal organizations, clubs, units, and family groups financial audits. No committees are authorized to hold funds and must drop all proceeds into the Aerie Secretary's Door Safe upon completing of event. (FOE Status 102.1 (a),(b),(c) & (d) (Rev 10/11/14)

- Section 8.5** Bartenders, Custodians, Cooks (Employees) designated by the Aerie Board of Trustees will be paid gratuities not to exceed the minimum wage by law (Va. \$12.00) or up to (\$25.00) twenty five dollars per hour. Aerie Board of Trustees cannot exceed an hourly rate of twenty five (\$25.00) without approval of the Aerie Floor. (REV 12//2023)
- Section 8.6** By properly adopted resolution and approved on the Aerie floor, the Aerie's accredited representative to the Grand Aerie Convention is authorized eighty dollars (\$80.00) per diem, per day, for three (3) days and thirty cents (\$0.30) per mile round trip if traveling by automobile. Such meetings shall be over 100 miles from the Aerie home. (FOE Statute 110.2) (Rev 11/20/14)
- Section 8.7** The Aerie Secretary shall have the power to appoint assistants to efficiently carry on the duties of his office. The Aerie Secretary shall also be of the duties assigned to such assistants. If any compensation is provided to the assistants, it will be charged against and deducted from the compensation of the Aerie Secretary provided by By-Law 8.3. (F.O.E. Statue 85.12)
- Section 8.8** It shall be the duty and responsibility of the Aerie Secretary or Aerie Treasurer to download and print monthly bank statements and distribute to whom requires such documents to perform the Aerie financial reporting responsibility. (Rev 11/20/14)

## **SECTION IX**

### **BONDING**

- Section 9.1** Every member of the Aerie, Auxiliary, employees and Committees with a Valid Dues Receipt shall be bonded with "Risk Insurance" annually and purchased by the Aerie.
- Section 9.2** No officer of the Aerie, Auxiliary, Employee or Committee person shall be permitted to assume or discharge the duties of his office or appointment until Bonded. (Risk Insurance) (FOE Statutes 94.1 and 100.1)

## **SECTION X**

### **FRATERNAL ORDER OF EAGLES AERIE 3204**

#### **MEMORIAL COLLEGE SCHOLARSHIP FOUNDATION**

- Section 10.1** In honor of all deceased Eagle and Auxiliary members of Aerie 3204, there is hereby established the Fraternal Order of Eagles Aerie 3204 Memorial College Scholarship Foundation, the corpus and income from which shall be irrevocably dedicated and used for Educational College Scholarship assistance of Immediate Family Members of Aerie, Auxiliary and members in good standing of the Junior Order of Eagles (JOE) of 3204. (Immediate Family includes Spouse, Children and Grandchildren). (FOE Statute 45.1)

To provide, subject to rules and regulations now in effect or to be hereafter adopted, educational assistance in an amount not to exceed Five Hundred Dollars (\$500.00) total combined value for all persons selected. That this amount of Five Hundred Dollars may be divided among all selected persons as approved by the members of Aerie 3204 at any regular membership meeting following the Chairman's announcement that the fund has achieved its \$500.00 goal for the respective year and nominations are hereby requested.

## **SECTION XI**

### **MISCELLANEOUS**

- Section 11.1** In appreciation of services rendered by the retiring Worthy President, the Aerie may, by resolution adopted by the Aerie, present some suitable gift to the retiring Worthy President, at a cost not to exceed the sum of seven hundred fifty dollars (\$750.00) to be paid from the General Fund. (FOE Statute 93.1)
- Section 11.2** Where the Constitution of Statutes of the Fraternal Order of Eagles, and the Rules and Regulations of the Fraternity, and these By-Laws do not cover or control, then Robert's Rules of Order (revised) shall govern the actions and deliberations of this Aerie. (FOE Statute 82.1(e) Parliamentary Procedure.
- Section 11.3** No Internal Unit will be organized unless approved and authorized by Virginia Beach Aerie #3204. When approved and authorized by Aerie #3204 the new internal unit organization must fill out an FOE affiliation form and establish the internal units By-Laws and they shall be subject to the control of Aerie #3204 and to the Rules and Regulations of the Grand Aerie. Aerie #3204 has approved and authorized internal units of Junior Order of Eagles #3204 and Eagle Riders #3204. (FOE Statue 116.1 and 116.5) (REV 12/07/2017)

## **SECTION XII**

### **MILITARY SERVICE**

- Section 12.1** Upon a vote of the Aerie at a regular meeting, there may be issued to any member who is in good standing who is in the Military Service and on an extended deployment, a Special Military Receipt to extend the expiration date of his official dues receipt to the next standard Aerie expiration date, which is the last day of May of each year.

**END OF BY LAWS**



**APPROVED  
BY-LAWS  
OF VIRGINIA BEACH, VIRGINIA AERIE NO. 3024  
FRATERNAL ORDER OF EAGLES**

**BY-LAWS COMMITTEE ( 2023)**

**William E. Singleton (Chairman)  
Kevin Bowser  
Theresa Hart  
Brenda Kearns  
Lloyd Gorski**

**THESE BY-LAWS WERE ADOPTED WITH AMENDMENTS AS FOLLOWS**

- **First reading** was at the regular Aerie meeting held: November 2, 2023
- **Second reading** was at the regular Aerie meeting held: November 16, 2023
- **Third reading and Adoption vote** was at the regular Aerie meeting held: December 7, 2023

AERIE  
SEAL

**WORTHY PRESIDENT:** Jonathan Hooten

**AERIE SECRETARY:** Donald W. Burch

Forwarded for Approval to Grand Aerie Secretary, Fraternal Order of Eagles this 5th day of January 2024.

**The Following section's were amended:**

**4.1  
4.3  
8.5**

Approved by Grand Aerie Secretary, FOE on Jan 25, 2024.

Gary R. Weber, Grand Aerie Secretary

**Signature Sheet:**

**Following Sections were Amended:**

**Section IV 4.1, 4.3**

**Section VIII 8.5**

