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BRANCH BYLAWS OF WEST KILDONAN  
LEGION NO. 04-030

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AMENDED FEB , 2024



# General Bylaws of West Kildonan Legion No. 04-030

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**PART 1 - INTERPRETATIONS**

**101. INTERPRETATIONS**

*Within these By-Laws unless the context otherwise requires, the terms:*

- a) Whenever the word “shall” occurs in the By-Laws, the provisions of the clause in which it occurs must be interpreted as being mandatory.
- b) Whenever the word “may” occurs in the By-Laws, the provisions of the clause in which it occurs must be interpreted as being permissive.
- c) Words indicating the singular import the plural.

**102. REVISION SCHEDULE**

Original 0	20 November 2001	Revision 8	
Revision 1	19 May 2010	Revision 9	
Revision 2	3 February 2012	Revision 10	
Revision 3	17 October 2014	Revision 11	
Revision 4	January 2023	Revision 12	
Revision 5	September 2023	Revision 13	
Revision 6	February 2024	Revision 14	
Revision 7	March 2025	Revision 15	

**PART 2 – ORGANIZATION**

**201. TITLE**

This Branch shall be known and designated as:

“Manitoba and Northwestern Ontario Command, West Kildonan Legion Branch No. 04-030 of the Royal Canadian Legion”.

*202. MEMBERSHIP*

- a) Branch Membership shall be governed under the General By-Laws of The Royal Canadian Legion. Approved categories for membership are Life, Ordinary, Associate, Affiliate Voting, and Affiliate Non-Voting.
- b) Guests who frequent the Club Room and enjoy its privileges shall be requested by the Executive Committee to obtain membership.
- c) New Members shall be given an official receipt for dues paid which shall serve as a pass to the Club Room. Key cards shall be issued within 14 days of payment of dues for \$5.00 per card if requested.
- d) Lost or stolen key cards shall be retired immediately upon notification. Replacement key cards will be available for a cost of \$5.00 per card, per instance.

*203. WELCOMING CEREMONY*

- a) The Branch shall welcome every new member following the guidelines of the Ritual, Awards, and Protocol Manual (Amended October 2022), Chapter 4, Welcoming Ceremony of The Royal Canadian Legion.
- b) Newly welcomed members shall be presented with a membership lapel pin and a copy of the Branch Bylaws.
- c) Membership cards shall be issued when available following the Welcoming Ceremony.

*204. BRANCH DUES*

- a) Every member shall pay annual dues in an amount to be decided upon at a General Meeting of the Branch.
- b) Dues shall be payable not later than 31 January of any year.

- c) Any member in arrears as of January 31 is not a member in good standing for any purpose.
- d) The Executive Committee shall have discretionary powers concerning the dues of members warranting special consideration due to unusual circumstances.

*205. COMPLAINTS*

- a) No complaint under Article III of the General By-Laws shall be received by Manitoba and Northwestern Ontario Command, West Kildonan Legion Branch No. 04-030 of the Royal Canadian Legion from any member unless accompanied by the filing fee of \$100.00.
- b) The filing fee will be refunded if the complaint is deemed legitimate by the Branch following the conclusion of the proceeding related to the complaint.
- c) Complaints against Branch staff must be presented in writing within 72 hours of the incident, witnessed by another member, to the attention of the Secretary, who will immediately notify the President.
- d) Incident Forms shall be utilized to notify the Branch Secretary of situations that may form the basis of a formal complaint. This provides the executive with an opportunity to resolve the complaint potential at the lowest level.

*206. GENERAL*

- a) No Chairman of any Standing Committee or Special Committee shall be allowed to incur any expense at the bar unless specifically authorized by the President.
- b) No member shall incur any expense at the Bar at any time.
- c) Any member in good standing who is to participate in Legion Sporting events, Dominion, or Provincial Conventions, who wishes to receive financial support from this Branch shall have volunteered a minimum of 12 hours to the Branch within the current calendar year.

- i) All Branch Tournaments shall be completed by the 3<sup>rd</sup> Thursday in September.
- ii) The Regulations outlined in the Royal Canadian Legion Sports Guide shall govern Branch Playoff Tournaments.
- iii) A maximum of four members may be authorized to all Legion Sporting events.
- d) In all cases where the member HAS NOT completed the required number of volunteer hours, they shall firstly pay their OWN expenses, and once the required volunteer hours have been completed, they will be reimbursed as previously approved by the General Body

*207. FINANCIAL*

- a) The Executive Committee shall have complete control of all financial matters of the Branch subject to Part 301, e or by approval of the General Body.
- b) All financial records of the Branch shall be open for inspection at the request of any member in good standing and shall be audited by a qualified auditor every year.
- c) All monies received by the Branch shall be deposited in a Chartered Bank or Credit Union in the name of the Branch.
- d) Cheques issued by the Branch shall be signed by two duly authorized signing Officers or by the Manager and one duly authorized signing Officer of the Branch.
- e) All expenditures over \$200.00 shall be paid by cheque. Receipts must accompany all cash disbursements.
- f) No expenditures or commitment exceeding \$250.00 without receipts and authorization of the President or First Vice-President shall be given without the consent of the General Membership through a motion passed at the General Meeting. (Does not include operating of the Branch or any emergency repairs).

f) No major purchases or repairs (other than of an emergency nature) shall be affected without obtaining at least three written quotes. These shall be available at the time the motion for approval is made at the Executive or General Meeting.

g) The above paragraphs, e, and f shall not apply to the following regular, routine, or emergency building repair expenditures:

Liquor, food, and soft drink purchases

Bar equipment in the event of an emergency

Bar supplies

Employee wages

Remittance of employee deductions including:

(a) Income Tax

(b) Employment Insurance

(c) Canada Pension Plan

h) All monies received by the Branch shall be entered through the cash register with a receipt printed and provided to the payee.

#### *208. FINANCIAL REVIEW COMMITTEE*

a) The Branch shall ensure a Financial Review Committee examines the accounts of the Branch on an annual basis.

b) The Financial Review Committee of the branch need not be chartered accountants and may or may not be members but shall not be members of the executive.

c) The Branch shall ensure that a Financial Audit is completed every calendar year.

d) The audited financial report for the preceding year shall be presented at the General Meeting in April.

#### *209. NOTICES*

No notice of any kind shall be permitted to be posted on Branch premises unless the information concerns the Branch and/or Royal Canadian Legion activity, and permission to do so has been given by an Executive member.

*210. SIGN-IN PRIVILEGES*

- a) Ladies Auxiliary and Affiliate Non-voting shall have the same signing-in privileges as Voting Members.
- b) When the spouse of any member, other than a Ladies Auxiliary member, attends the Branch without their spouse, a member in good standing shall sign them in.
- c) Any member who signs in guests shall remain with them and be responsible for their behavior. If the member leaves the Branch, the guest shall also leave.

**PART 3 – MEETINGS**

*301. BRANCH GENERAL MEETINGS*

All meetings shall follow the Royal Canadian Legion Rules of Procedure for Legion Meetings. In all cases where these rules do not make adequate provision, Robert’s Rules of Order shall apply.

- a) General Meetings open to all members in good standing shall be on the third Tuesday of each calendar month. Except for December, it may be held on the second Tuesday when changed at a previous General Meeting for just cause.
- b) The quorum at a General Meeting shall be 20 voting members, including the Executive.
- c) During such meetings in the clubroom, the bar shall be closed and billiard tables or other sports or gaming equipment shall not be used.
- d) Members wishing to introduce a motion or to speak shall rise and address the presiding officer, waiting until they are recognized before speaking. No member shall be allowed to speak more than twice on the same subject without the expressed permission of the Presiding Officer.

e) There shall be a recess for General Meetings during the months of July and August. During the recess, the membership shall delegate full power to the Executive Committee to continue the operation of the Branch, with the understanding that there be no significant expenditures during that period without the recommendation of the Finance Committee.

f) Notwithstanding the above, the Executive Committee shall have no power to raise monies by way of Loans, Mortgages, or Debentures or sell any Realty or Assets or invest monies belonging to the Branch except when authorized by a resolution passed at a General Meeting.

### *302. EXECUTIVE MEETINGS*

a) Executive Meetings shall be held on the second Tuesday of each calendar month except December, when it shall be held on the first Tuesday or at other times as may be required at the discretion of the Branch President.

b) The quorum for an Executive Committee Meeting shall be the majority of the Executive Committee.

### *303. THE ORDER OF BUSINESS*

The order of business for meetings shall be by The Royal Canadian Legion "Rules of Procedure for Legion Meetings."

The following shall be the order of business at General Meetings:

- (a) Opening Ceremony
- (b) Introduction of Guests
- (c) Roll call of Officers and Executive
- (d) Minutes:
  - (i) of the last General Meeting(s)
  - (ii) of Executive Meeting held since last General Meeting(s)

(iii) any outstanding business arising from the minutes.

(e) Financial Statement(s)

(f) Correspondence

(g) Committee Reports

(h) Notices of Motion (as required)

(i) Election and Installation of Officers and Executive Committee (as required);

(j) Old Business

(k) New Business

(l) Motion of Adjournment

(m) Closing Ceremony.

## PART 4 - DELEGATES

### 401. DELEGATES

a) The President shall be required to attend all Dominion and Provincial Conventions to the best of their ability.

b) The President shall automatically be an accredited delegate to Dominion or Provincial conventions and be financed accordingly.

c) The First and Second Vice-Presidents respectively, shall become the alternate should the President be unable to attend any convention and be financed accordingly.

d) If the General membership desires to finance two (2) or more delegates to Dominion or Provincial Convention, the financing of accredited delegates shall be determined in order as follows:

i) President;

ii) First Vice-President;

iii) Second Vice-President;

- e) The General Membership shall approve the amount of financing before the convention. The amount shall be based on travel, lodging, per Diem expenses, and convention registration fees.
- f) Dominion Command By-Laws shall determine the maximum number of accredited delegates.

## PART 5 – NOMINATIONS AND ELECTION

### 501. *NOMINATIONS*

- a) Members wishing to be nominated for President, First and Second Vice-President shall have served on the Executive of this Branch for one (1) full year.
- b) Members wishing to be nominated for election to the Executive shall be required to be a Branch member in good standing for a period of one (1) year.
- c) Nominations shall be made from the floor at the time of elections provided the nominee is present and accepts such a nomination.
- d) Nominations if in writing, must be signed by any member in good standing and the member nominated indicating willingness to stand for a specific office.<sup>1</sup>

### 502. *ELECTION*

- a) A temporary Secretary and or scrutineers may be explicitly appointed for the elections.
- b) Should the incumbent President not be re-elected, they shall continue in office until December 31 and then automatically become the Immediate Past President.

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<sup>1</sup>Rules of Procedure, page 10 d, e

- c) Installation of Officers and Executive Committee members elected at the December General Meeting shall occur immediately following the election.
- d) Duly installed Officers and Executive Committee members shall assume office effective January 1 of the year following the election.
- e) Elections shall be held once every calendar year for Officers and Executive Committee members whose terms have expired.
- f) The President, First Vice-President, Second Vice-President, and Sergeant-at-Arms shall be elected for a one (1) year term.
- g) Eight (8) Executive Committee members shall be elected – four (4) to be elected for two (2) year terms and four (4) for a one (1) year term. Thereafter, the Branch shall elect four (4) members to the Executive for two (2) years terms.

*503. BALLOTS AND THE COUNT*

- a) Balloting shall be by the Rules of Procedure for Legion Meetings of the Royal Canadian Legion.
- b) Voting by proxy is not permitted at the Branch level.
- c) Election shall be by secret ballot. Candidates for the office of President, First and Second Vice-President, and Sergeant-at-Arms, must receive a clear majority of the votes cast.
- d) When there are more than two (2) candidates for any office and no candidate receives a clear majority of the votes cast, the candidate receiving the least number of votes shall be eliminated. The voting shall continue until one (1) candidate receives a clear majority.
- e) However, if the total of the votes received by the two candidates with the lowest number of votes is less than the votes received by the candidate with the next lowest number of votes, the names of the two with the lowest number of votes shall be deleted from subsequent balloting.

## PART 6 – EXECUTIVE

The Executive Committee shall consist of the President, Immediate Past President, First Vice-President, Second Vice-President, Sergeant-at-Arms, and eight (8) Committee Members.

- a) A Secretary and, or Treasurer, if not elected, shall be appointed for one calendar year by the new Executive following the election.
- b) The Executive Committee shall recommend Branch Chaplains, a Service Officer, Branch Piper, and Bugler.
- c) The Executive Committee may recommend the appointment of an Honorary President to the General Body. No individual will be appointed to this position for more than five (5) consecutive years.
- d) The Branch President shall designate Chairmen of the Standing Committees except for Finance, and Honors and Awards at the first Executive Meeting.
- e) The President, Executive Committee, or the General Body may appoint other Committees as required.
- f) Chairman or Co-Chairman of Standing or other Committees, shall be under the direct supervision of the Branch President and shall make monthly reports to the Executive Committee and General Body.
- g) Any Branch Officer or Executive Committee member who, without adequate reason, fails to attend TWO consecutive meetings shall forfeit their office, and the office shall be declared vacant.
- h) Any Executive position declared vacant shall be filled by election at the next possible General Meeting. The President may appoint a member to fill the vacancy temporarily pending the election.
- i) The Executive Committee may recommend the appointment of an Honorary President to the General Body. No individual shall be appointed to this position for more than 5 (five) consecutive years.

601. Any Executive Committee member who resigns without just cause shall not be eligible to run for re-election for the following two (2) years. For this purpose, just cause is described as ill health, inability to act, compassionate grounds, duress, or relocation out of the area.

## PART 7 - DUTIES OF THE EXECUTIVE COMMITTEE

### 701. President

- i) Shall exercise general supervision and control over the Officers, Executive and business of the Branch and shall call meetings of the Executive Committee, when they consider it advisable unless otherwise provided for in these By-Laws.
- ii) Shall have the deciding vote when there is an equal division on any question, providing they have not previously voted on the question.

### 702. Vice-Presidents

- i) In the event the President should lack the ability to act, all the rights and powers, and duties vested in the President shall, for the time being, be committed to a Vice-President according to seniority of office.

### 703. Sergeant-at-Arms

- i) Under the supervision of the Branch President, shall be Custodian of the Colors and shall see that the flag is flown from the Branch flagstaff on all occasions calling for the same;
- ii) Shall arrange details of parades and take charge of same;
- iii) Shall see that only those duly qualified are permitted to attend the meetings, and to see that all have signed the member register at all regular and special meetings.
- vi) Shall perform such other duties as may be assigned by the

President.

v) Shall take charge of candidates for the new member Welcoming Ceremony, assisted by the Membership Chairman.

704. Chairman

i) Shall preside at all meetings and shall enforce observance of all rules for the orderly conduct of a meeting.

ii) Shall expedite business in every manner compatible with the rights of members.

iii) Shall always exercise judgment and tact.

705. Treasurer

i) Shall provide a true and just account of all income, expenses, investments, assets, and liabilities of the Branch.

706. Secretary

i) Shall keep a record of the proceedings of all meetings, whether of the Branch or of the Executive Committee in special books kept for the purpose.

ii) Shall be required at every meeting to have the proper minutes and record books and all correspondence which they may have in their possession relative to the business likely to be transacted at any meeting.

iii) Shall be prepared to provide information about the subject matter when requested.

iv) Shall record all incoming correspondence, received by any means, and forward to the President or appropriate Chairman.

v) If appointed, is not entitled to vote at Executive Meetings.

vi) If appointed, is not entitled to provide an opinion on matters being discussed at an Executive Meeting unless otherwise permitted by the Presiding Officer.

vii) if appointed, shall receive no compensation for performing this duties set out in this position.

707. Bar and Business

- i) Shall supervise the daily operation of the Bar and all regular or part-time employees concerned with the operation of the Bar, Building Custodian, and Doormen.
- ii) Shall, with the assistance of the Manager, ensure that all employees have the necessary certifications and licenses required by law.
- iii) Shall ensure that all health and safety laws are adhered to by employees.

708. Building and Grounds

- i) May make recommendations for improvements that would add to the safety and comfort of members using the Branch Clubroom.

709. By-Laws and Review

- i) Shall review Branch By-Laws and recommend amendments when considered necessary.

710. Finance

- i) Shall be chaired by Immediate Past-President or, should the Immediate Past-President be unable to fulfill the role, by a Past President as appointed by the Branch Executive.
- ii) The Finance Chairman shall appoint two Committee members, subject to the approval of the Executive Committee.
- iii) Shall examine the financial status of the Branch and recommend donations and convention expenses.
- iv) Shall explore all financial aspects in conjunction with other Committees to operate the Branch in an economical and business manner.

711. Honours and Awards

- i) Shall be under the Chairmanship of the Immediate Past President or, should the Immediate Past-President be unable to fulfill the role, by a Past President as appointed by the Branch Executive.

ii) Shall consist of Past Presidents, as available, with authority to appoint a maximum of six Committee members to recommend applications for meritorious medals, life memberships, and Legion Awards, including all long service awards.

712. Leadership and Development

- i) the purpose of this committee is intended to offer guidance, tips, and ideas to help make your elected term as successful as possible.
- ii) to inform the executive of their duties and responsibilities.
- iii) to promote leadership and development of future Branch executives.

713. Membership

- i) Shall investigate and recommend all applications for membership and transfers to the Branch.
- ii) shall be responsible for retaining existing membership.
- iii) shall be responsible for recruiting new members.
- iv) shall be responsible for the administration of Branch membership records.

714. Poppy

- i) Shall be responsible for the purchase, organization, coordination, and distribution of poppies and wreaths during the Poppy Campaign following the Poppy Manual.

715. Social and Entertainment

- i) Shall be responsible for all social functions of the Branch unless otherwise decided at a Calendar of Events meeting of the Executive Committee;
- ii) Shall be solely responsible for booking entertainment.

716. Sports

- i) Shall organize and direct all Branch sporting activities-
- ii) Shall consult with the President and Finance Chairman concerning the funding of all sporting events.

iii) Shall ensure members wishing to participate in-Legion sporting activities are members in good standing.

iv) Shall be responsible for the development and maintenance of in-house sports leagues.

717. Sick Visiting

i) Shall contact Comrades who are in hospitals, institutions, or at home.

718. Veterans Services & Seniors

ii) Shall establish and maintain proper contacts with the Command Service Officer or Veterans Affairs Canada for those who seek assistance.

iii) Shall be a member of the Poppy Committee.

719. Ways and Means

i) Shall be responsible for and shall devise ways to raise monies for the Branch, other than profits from the Bar.

ii) Shall be responsible for compiling and maintaining a written record of volunteer hours with the assistance of the Branch secretary.

iii) Shall be responsible for renewals and applications of all LGCA permits as they pertain to fundraising.

720. Youth

i) The Youth Committee shall be responsible for the promotion of youth aged 11-18 within the Branch, the Legion, and the community.

ii) This includes but is not limited to Cadets, scholarships and bursaries, promotion of literary and poster contests for Remembrance Day, and Branch activities.

721. District

i) The President shall be a delegate and appoint 3 additional delegates to attend District Meetings.

ii) The President shall provide a detailed report of the District meeting to the General Body.

722. Zone

i) The President shall be a delegate and appoint 3 additional delegates to attend Zone Meetings.

ii) The President shall provide a detailed report of the Zone meeting to the General Body.

## PART 8 – EMPLOYEES AND CONTRACTS

801. The Bar and Business Committee shall have the authority to make policies respecting employees' hiring, dismissal, and behaviour.

802. The President, the Bar and Business and Finance Chairmen shall decide on employee pay increases.

803. All contractual relationships of one year or more involving the Branch shall be authorized by at least two (2) Officers of the Branch.

804. The Manager shall be directly responsible to the President.

805. If the Bar and Business Chairman deems it necessary to dismiss the Manager. A committee shall be formed consisting of the President, Vice Presidents and Bar & Business Chairman will be formed. This committee will then determine, by a 2/3 majority vote, whether the Manager shall be dismissed.

806. Any dismissal of a Branch employee shall be governed by the Labour Standards Act of Manitoba.

807. All Branch employees, provided they are members in good standing, are entitled to vote on any question so long as it does not constitute a conflict of interest.

808. No person shall receive cash payment for wages earned.

809. no employee is permitted to work from home at any time. Attendance in the Branch is compulsory when performing work-related duties.

## PART 9 – APPROVAL

### *901. AMENDMENTS TO BY-LAWS*

a) These By-Laws shall not be amended except by a notice of motion given at the previous General Meeting at which the amendment is to be considered. A two-thirds (2/3) majority vote is required to make such amendments effective.

b) Any amendments to these By-Laws shall not become effective until approved by the Manitoba and Northwestern Ontario Command of the Royal Canadian Legion.

### *902. AMENDMENTS TO HOUSE RULES*

a) Any changes made to House Rules as found in Annex A, may be approved by majority vote at any Executive or General Meetings for immediate implementation.

b) House Rules contradicting paragraphs in the General, Provincial or Branch By-Laws shall be considered null and void.

c) House Rules may be amended at any time without prior approval from Command.

CERTIFIED to be a true and correct copy of the By-Laws of Manitoba and Northwestern Ontario Command, West Kildonan Legion Branch No. 04-030 of the Royal Canadian Legion.

By-Laws Committee – 2025

Gordon Demedash, Chairman. R Percy McTavish, Dominic Jones, Janet Raymond

*Ernie Tester*

*Cohen Rutledge*

General Bylaws of West Kildonan Legion No.  
Ernie Tester - Provincial President

Cohen Rutledge - Provincial Director



## ANNEX A - WEST KILDONAN LEGION BR 04-30 HOUSE RULES

The Legion's image is portrayed by the conduct of its members.

We must ensure our behaviour does not reflect poorly on the Legion at any time, particularly while in Legion Dress.

1. Members, Guests, Visitors, and Staff must comply with the Manitoba Liquor, Gaming, and Cannabis Control Act as well as any Municipal, Provincial, and Federal regulations.
2. NO SMOKING, NO GAMES OF CHANCE OR ILLEGAL BETTING.
3. It is unlawful to take alcoholic beverages to or from Branch premises.
4. Bar Staff are legally responsible for refusing service and must request patrons to leave the premises. Staff must refuse service to intoxicated persons. Other persons shall not offer them a drink under penalty of non-service within Provincial Law.
5. Premises must be vacated by all patrons thirty (30) minutes after bar closure.
6. Members and guests are not to interfere with Branch employees in any way.
7. Behaviour that interferes with the quiet use and enjoyment of the Branch will not be tolerated.
8. Profane language, disorderly conduct, or interfering with staff are grounds for refusal of service. Such disturbances shall be reported in writing.
9. Players may use only one (1) VLT during busy periods in the Branch. VLT terminals may be reserved for ten (10) minutes provided the

terminal is in active use. Should winnings remain on a reserved but expired terminal then bar staff shall end play and hold the winnings for the player to claim.

10. Casual dress code in effect. Attire shall be in clean condition, respectful and appropriate for the venue. The wearing of OMC/ street gang colours is not permitted at Legion events and premises as this is contrary to the Legion's Articles of Faith and disrespectful of the sacrifices made by our Veterans
11. Wearing of hats, hoods, or scarves is not permitted, except as part of a costume or festive dress allowed during Special Occasions as may be authorized by the Executive Committee or as protected by Canadian Law or for medical reasons.
12. Executive members who have been served or consumed alcohol, have NO authority, and cannot overrule the Bartender.
13. This Branch is a scent-free public area and workplace. Members and Gue could be asked to leave the premises if they are deemed to violate this policy. This rule is for the comfort, health, and safety of our members and employees.
14. Members shall have a valid Legion Membership card to take advantage of members-only events and special pricing.
15. No member shall bring in a person of ill repute or undesirable character.
16. Cost of damages to the premises or contents by negligence or improper handling shall be charged to the person responsible for the damage.
17. Minors are permitted in the Clubroom Between opening hours and 7 pm except for special events and family-friendly occasions

with the approval of an Executive member who is not the child's caretaker. Minors are to be supervised by their caretaker while in the Branch.

18. Ticket sales, soliciting, and petitions are not allowed on Branch premises, or during Branch activities or functions, except as authorized by the Executive.
19. Table reservations may be by members only.

**The interpretation and enforcement of the above rules are the responsibility of the Executive and Management, and we retain the right of final decision.**

These regulations are intended to enhance the Branch atmosphere and provide a friendly atmosphere and facilities for the enjoyment of our Members, Guests, and Visitors.

Your cooperation in assisting us in managing the Branch in an orderly manner is sincerely appreciated.

Amended March 18/2025

# General Bylaws of West Kildonan Legion No. 04-030