

# **BYLAWS AND CHARTER OF THE BARLEY LEGAL HOMEBREWERS**

This document is the complete Bylaws and Charter of the Barley Legal Homebrewers

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## **BARLEY LEGAL HOMEBREW CLUB RULES OF CONDUCT**

## **ARTICLE I – GENERAL**

### **SECTION 1 – NAME**

A. The name of the club is “Barley Legal Homebrewers a NJ Nonprofit Corporation”, hereinafter referred to as such or as “Barley Legal Homebrew Club”, “Barley Legal Homebrewers”, “Barley Legal”, or “Club”.

B. The Club is the only legally recognized entity. All Club chapters, groups, committees, teams, and task forces are subunits of the Club and cannot enter into legal actions without the permission of the Board or those to whom the Board has delegated authority to grant such permission.

### **SECTION 2 – PURPOSE**

A. The Barley Legal Homebrew Club exists as a means for members to explore their hobby through the promotion and education of home brewing.

B. The mission of the Barley Legal Homebrew Club is to promote awareness and appreciation of the quality and variety of homebrewed fermented beverages (beer, mead, cider, etc.) through education, research, and the collection and dissemination of information; to serve as a forum for the technological and cross-cultural aspects of the art of brewing; and to encourage personal responsibility when using beer or other alcohol containing beverages. The consumption of samples allow for examination of the various styles of home brewed beverages for the purposes

of competition, evaluation, feedback and problem solving.

### SECTION 3 – GOALS

A. To engage in social activities focused on home brewing and/or craft beer as a common foundation.

B. To learn more about beer, beer evaluation, and brewing techniques.

C. To promote the hobby and enjoyment of home brewing.

D. To promote the responsible use and enjoyment of alcoholic beverages.

### SECTION 4 – AFFILIATIONS

A. The Barley Legal Homebrew Club is an American Homebrewers Association (AHA) affiliated club.

B. Barley Legal Homebrewers Club Chapters are subsidiaries of the Club .

### SECTION 5 – CHAPTERS

A. Members of the Club who reside in the same region may, with the approval of the Board, form a chapter of the Club. No chapter shall be approved unless a request has been submitted to the Board. The request shall be made by a member of the Club in good standing who is a resident of the designated region. The request shall state the proposed boundaries and name chosen for the chapter.

B. When the formation of a chapter has been approved by the Board, the Secretary of the Club shall send a notice to all members of the Club announcing the action of the Board and setting the schedule and location for the election of the first Chapter Lead and adoption of the Club bylaws. The Club President shall act as Chapter Lead until the election occurs and the position filled.

C. A Chapter may not change its name, its boundaries, or operate by any other bylaws without approval as specified by the Board. Chapters are bound by the Club bylaws and members must agree to the Club Rules of Conduct.

Chapters must meet the following minimum standards:

- i. Holds regular meetings, keeps minutes and holds regular elections of Chapter Lead on the same cycle as the Club Officers.
- ii. Meet standards for fiduciary responsibility and adhere to Club policies, bylaws, and the Rules of Conduct.
- iii. Offer a range of opportunities for member participation.
- iv. Engage in one or more Club events.
- v. Communicate regularly with Chapter members.
- Vi. Build Club visibility in the Chapter's community.

D. The Board may, by affirmative vote, suspend or annul a chapter if, in the judgment of the Board, such action is in the best interest of the Club. Such action shall not affect the standing of the individual members as members of the Club. The Board shall not suspend or annul a chapter until the following conditions are met: (1) written specification of the ground or grounds upon which the proposed action is to be based shall have been furnished to the members of the chapter involved and to the Officer of the Chapter; (2) a reasonable opportunity shall have been provided for members of the chapter to present evidence in opposition to the proposed action with a full opportunity to be heard thereon.

E. Any member of the Club who resides within the territorial limits of a chapter shall be considered to be a member of that chapter and shall be entitled to its privileges. No member shall belong to more than one chapter. Any member may, upon written request to the principal office of the Club, become a member of the chapter of the member's choice. Any member of the Club may attend any meeting or event of any Chapter or of the main Club.

F. No dues shall be assessed or collected by a chapter; however, consistent with the policies of the Board, chapters may conduct fundraising and other activities which require members, as well as others, to pay a fee in order to participate. Any funds collected are property of the Club and follow the bylaws as defined in ARTICLE VI – FINANCES.

## **ARTICLE II – RIGHTS AND LIABILITIES OF MEMBERS**

### **SECTION 1 – HOLD HARMLESS RESPONSIBILITY FOR ACTIONS**

A. Each member's participation in the Barley Legal Homebrew Club is strictly voluntary. Each member realizes that participation in Barley Legal Homebrew Club activities may involve the consumption of alcoholic beverages, which may affect perception and reactions. All members shall be responsible for their own conduct and actions as well as those of their guests. Each member and guests of members accepts sole responsibility and all liability for their conduct behavior and actions and agrees to indemnify and hold harmless the Barley Legal Homebrew Club, its Officers, its members and any business (including owners, staff and patrons) where meetings are held from any and all claims or liability whatsoever resulting from actions of the Barley Legal Homebrew Club, its members, and guests of members. Through membership in the Barley Legal Homebrew Club, each member agrees to and is bound by this article and the attached Hold Harmless Release Agreement incorporated herein.

B. No individual general member or any member of the Board, nor any authorized representative of Barley Legal Homebrew Club shall be personally liable for any debt or obligation of the club.

C. No member shall receive compensation for services rendered to the club except as otherwise approved by the officers of the club. A member may be reimbursed for properly documented expenses, which were reasonably incurred on behalf of the club and subject to prior approval of the club officers.

## SECTION 2 – RIGHTS OF MEMBERS

A. Each regular member of the Barley Legal Homebrew Club shall have the right to vote on club matters as described in Article V.

## **ARTICLE III – MEMBERSHIP**

### SECTION 1 – MEMBERSHIP POLICIES

#### A. GENERAL MEMBERSHIP

- i. General Membership is unlimited and open to any individual person interested in the advancement of zymurgy, and who will support the charter and basic policies of this club, subject only to compliance with the provisions of the Bylaws.
- ii. Members are not required to brew beer.
- iii. Only members of the club shall be eligible to participate in its business meetings, or serve in any of its elective or appointed positions.

- iv. Provide a support base from which the Board of Directors can form action committees.
- v. Provides guidance and assistance to the Board of Directors on issues that are within the purview, charter, and function of the club.
- vi. Provides an opportunity to give feedback on issues and concerns that need to be brought to the attention of the Board of Directors. Members wishing to present ideas to the Board for consideration should do so in writing.
- vii. Affords a pool of members to draw from for the election of the Board of Directors, and all members a vote in the annual election of that Board.

## B. ELIGIBILITY

- i. All persons of legal age to consume alcoholic beverages in the state of New Jersey are eligible for membership. Membership in this club shall be available without discrimination.

## C. ACCEPTANCE

- i. A criterion for membership is submission of a written or electronic application to the Barley Legal Homebrew Club, written agreement, or electronic acknowledgement, of agreement of the Barley Legal Homebrew Club Rules of Conduct as attached and incorporated herein and payment of annual dues. Upon acceptance, contact information will be recorded in the member roster.

## D. WEBSITE POLICIES

- i. The Barley Legal website resides at [www.barleylegalhomebrewers.com](http://www.barleylegalhomebrewers.com).
- ii. Use of the Barley Legal website and forum is restricted to regular members in good standing.
- iii. User names must include your real name. First and last is recommended, however in the interest of privacy a minimum of first name and last initial is required.
- iv. Use a custom photo or avatar for your profile.

## E. MEMBERSHIP YEAR

- i. The membership year will be the twelve month calendar year beginning on January

1st.

## F. DUES

- i. Payment of annual dues is calculated per member.
- ii. Dues will be \$20.00 per individual. Timely payment of dues grants full membership benefits and rights. Annual dues shall expire on and become due in January of each year. If payment of dues in full is not received by January 31, the member shall cease to be current and all benefits, rights and privileges shall be revoked until such time as payment in full is received.
- iii. New members' dues will NOT be prorated to the date of membership.

## G. MEMBERSHIP PRIVILEGES

- i. Regular members, as described by Article III, Section 1, are provided the following:
  - Unlimited access to the club forum and webpage.
  - Access to regular club meetings and functions.
  - Access to club only bulk buys.
  - Discounts for club sponsored events.
  - Use of Barley Legal Discount Card program at participating partner businesses
  - Voting rights as described in Article V

## H. MEMBER GUESTS

- i. Regular members in good standing are permitted to bring guests to club sponsored events.
- ii. Guests attending club sponsored events will not be afforded any discount which may be provided to regular members.
- iii. Guests shall have no voting rights in regards to club business.
- iv. Members shall be responsible for the conduct of their guests.

## I. SUSPENSION AND EXPULSION FOR CAUSE

i. Any member may be suspended or expelled from membership upon a showing of willful disregard of these Bylaws, Rules of Conduct, or other actions detrimental to the Barley Legal Homebrew Club in any way, as determined by a majority vote of the Board of Directors.

ii. The charges against the member will be considered at a regular Board of Directors Meeting or a Special Meeting called for that specific purpose. The member will be notified of the charges and date, time and place of the meeting. The member may appear and respond to the charges.

iii. The decision of the Board of Directors shall be final. iv. No refund of dues will be issued to any member who is suspended or expelled.

## J. REINSTATEMENT

i. A suspended or expelled member, or one who has resigned with disciplinary action pending, may be returned to full membership upon written application and with a unanimous approval vote of the Board of Directors and payment of current dues.

## SECTION 2 – MEMBERSHIP ORGANIZATION

### A. BOARD OF DIRECTORS

i. The Board of Directors, hereinafter referred to as such or as “Board” or “Officers” shall consist of SEVEN (7) elected positions, plus ONE (1) elected Chapter Lead per Chapter, as follows:

- President
- Vice President
- Secretary
- Treasurer
- Event Coordinator
- Competitions Coordinator
- Technology Coordinator
- Chapter Lead(s)

ii. The purpose of the Board of Directors is to provide responsible leadership, an administrative structure to conduct business and shall be responsible for the management of the affairs of the club.

iii. Officers must have been members in good standing for the past 12 months.

#### B. ELECTION OF OFFICERS

i. Election of Officers shall be held at the Meeting in November of every other year.

ii. Nominations for elective officers of the club shall be nominated in an election year from the floor at the October meeting.

iii. In the event that no nominations are made, the current Board of Directors shall retain their positions.

#### C. TERM OF OFFICE

i. The term of office for the Board of Directors shall serve for a period of two (2) years starting in January.

ii. There is no limit to the number of terms an elected officer may serve as long as he or she is elected in accordance with Article III.

#### D. VACANCIES

i. Whenever a vacancy shall occur on the Board of Directors, the office shall be appointed without delay by the current President. If the office of President should become vacant, the Vice President will fill the position

ii. Interim officers will then hold office until the next election of Officers.

#### E. REMOVAL OF OFFICERS

i. Any one or more of the Officers may be removed with cause, at any time, by the vote of the General Membership; through a special meeting called for that purpose, or at a regular monthly meeting, provided that a three fourths (75%) of the General Membership present shall vote in favor of such removal.



## SECTION 3 – DUTIES OF BOARD OF DIRECTORS

A. The duties and responsibilities of the Board of Directors shall be as follows:

### i. PRESIDENT

- Shall preside at all meetings of the Board of Directors and General Membership and be Ex-officio member of every committee.
- Shall plan the meeting, arranging for topical discussions, demonstrations or guest speakers.
- Shall act as the principle point-of-contact between the Barley Legal Homebrew Club and the American Homebrewers Association, other homebrew clubs, businesses, and organizations.
- Shall assist in the execution of committees and be responsible for directing and advising committees formed by the Board of Directors and coordinate committee activity with other functions of the club
- Shall create committees and coordinate the efforts of all Standing Committees.
- Shall maintain the club's email (barleylegalhomebrewers@gmail.com), Instagram (@barleylegalhomebrewers) and Twitter (@barleylegalHB) accounts.
- Shall review the financial records of the club on a regular basis.
- Shall track and maintain the award for "Member of the Year".

### ii. VICE PRESIDENT

- Shall, in the absence of the President, fulfill all duties as described in above in Article III Section 3 (A)(i).
- Shall work under the direction of the President to advance and promote the good image and beneficial works of the Barley Legal Homebrew Club.
- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall assist in the execution of committees and be responsible for directing and advising committees formed by the Board of Directors and coordinate committee activity with other functions of the club.

### iii. SECRETARY

- Shall work under the direction of the President to advance and promote the

good image and beneficial works of the Barley Legal Homebrew Club.

- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall act as principal point-of-contact for all outside notices, including developing press releases and contacting media outlets.
- Shall present to the Board of Directors at their meetings all communications addressed to the club.
- Shall, in a timely manner, provide accurate minutes of each regular meeting to the general membership.
- Shall assist the treasurer in maintaining the membership list.

#### iv. TREASURER

- Shall work under the direction of the President to advance and promote the good image and beneficial works of the Barley Legal Homebrew Club.
- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall have the overall responsibility of care and custody for all club funds and securities. By regulation, the Treasurer is required to make all deposits for the club into our account.
- Shall render a statement of the condition of the finances of the club at each meeting of the Board of Directors and general meetings or at such other times as required.
- Shall keep correct books of account of all its business and transactions and such other books of account as the Board of Directors may require.
- Shall exhibit at all reasonable times the books and accounts to any members when requested.
- Shall collect dues for deposit in the club's account and notify Technology Coordinator of members' paid status.

#### v. EVENT COORDINATOR

- Shall work under the direction of the President to advance and promote the good image and beneficial works of the Barley Legal Homebrew Club.
- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall coordinate "Field Trips", visits to (and reciprocate) other clubs,

conventions and/or workshops.

- Under the direction of the President, is responsible for the promotion and education of the club; arranging for educational programs such as peer and guest speakers, videos, books, workshops, “Q & A” sessions, etc.
- Shall maintain the official Club calendar (current and the next 12 months) with regard to club events.
- Shall maintain a record/possession of club property including, but not limited to: club-owned brewing equipment, club-owned brewing ingredients, draft equipment, wood casks and any other club-owned item(s).

#### vi. COMPETITION COORDINATOR

- Shall work under the direction of the President to advance and promote the good image and beneficial works of the Barley Legal Homebrew Club.
- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall coordinate, organize, and execute both club internal and BJCP nationally recognized homebrew competitions.
- Shall maintain the official Club calendar (current and the next 12 months) with regard to homebrew and beer competitions.
- Shall track and maintain the award for “Brewer Of The Year”.

#### vii. TECHNOLOGY COORDINATOR

- Shall work under the direction of the President to advance and promote the good image and beneficial works of the Barley Legal Homebrew Club.
- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall work to evaluate, suggest, and guide decisions on technology to support and enable management, coordination, and communication for the Club.
- Shall deploy and maintain technology platforms, applications, and systems as required
- Shall maintain licensing, subscription, and other expenses for technology with coordination with the Treasurer
- Shall maintain the active membership list and authorized forum users

#### viii. CHAPTER LEAD

- Shall work under the direction of the President to advance and promote the good image and beneficial works of the Barley Legal Homebrew Club.
- Shall work with the President to recommend, determine and implement policy decisions made by the Board of Directors
- Shall plan the Chapter meetings, arranging for topical discussions, demonstrations or guest speakers.
- Shall act as the principle point-of-contact between the Chapter and the Board.
- Shall track and maintain the points from meetings and Chapter events for “Member of the Year” and report them to the President.

### **ARTICLE IV – ORDER OF BUSINESS**

#### SECTION 1 – REGULAR MEETINGS

A. Regular meetings will be held at 7 PM on the first Tuesday of each month at the Spellbound Brewery located in Mount Holly, NJ. Meetings may be scheduled at other locations, these will be added to the Club calendar and communicated to the Membership prior to the meeting.

B. Upon arrival all regular members and guests must sign in.

C. New members and guests shall provide prompt payment to the Treasurer.

D. The order of business at regular meetings shall be as follows:

- i. President’s (or Chapter lead) Call to Order
- ii. Welcome New Members / Guests
- iii. Officer’s Announcements
- iv. Committee Reports v. Call For Member Issues
- vi. Guest Speakers
- vii. Educational Presentation Topic and Discussion
- viii. Scheduled Brew Tasting/Beer Judging
- ix. Adjournment of Regular Meeting

- x. Social Portion of the Meeting
- xi. Raffle Results

## **ARTICLE V – VOTING**

### **SECTION 1 – ELIGIBILITY**

A. All members with voting rights as described under Articles II & III and have paid current dues, shall be eligible to vote.

### **SECTION 2 – ITEMS PUT TO VOTE**

A. The following items will be decided by a majority vote of the general membership at a regularly scheduled meeting:

- Election of Officers
- Changes in the Bylaws, as defined in Article VII
- Single expenditure equal to, or greater than 20% of available Club funds
- Any other issues offered by an officer

B. Any issue, other than proposed Bylaw Amendments and the Election of Officers, may be considered by the membership at a Regular Meeting. The issue must be raised in the form of a motion and requires a second before being considered.

C. Any issue considered and defeated by the majority of the members at the meeting may not be considered again for six (6) calendar months.

### **SECTION 3 – QUORUM**

A. At least three (3) officers, including the President, AND twenty-five per cent (25%) of the regular members shall be considered a quorum.

B. A quorum is required to transact business of the Barley Legal Homebrew Club.

### **SECTION 4 – NOMINATIONS**

A. Nominations will be opened and taken from the floor at the regular meeting in October and will close after one week.

B. A list of nominees will be published in the secretary's meeting notes and made available to

all members through email, and the web.

C. Members unable to attend the October meeting who wish to make a nomination may do so by contacting the club President or Secretary any time before, but no later than, one week after the October meeting.

## SECTION 5 – ELECTION DATES

A. Elections shall be held every other year in November, with new officer taking office in January of the following year.

## SECTION 6 – VOTING METHOD

### A. Election of Officers

i. Election of officers shall be by controlled ballot. All members in good standing shall be eligible to cast a ballot.

ii. Members unable to attend the November meeting may cast an “absentee” ballot. All absentee ballots must be in a sealed, unmarked envelope and received by the club Secretary prior to the November meeting.

iii. The Secretary will tally all ballots and two impartial club members will verify the results.

iv. Vote totals and the new club Officers shall be introduced prior to ending the November meeting.

B. Votes on other issues may be conducted by any appropriate method that insures a fair determination of a majority decision of eligible voting members as determined by the Officers.

## ARTICLE VI – FINANCES

### SECTION 1 – NON-PROFIT STATUS

A. The Club is a NJ Non Profit Corporation as recognized by the state of New Jersey

B. The Club tax federal tax ID number is 46-4040006.

C. The Club is declared to be a not-for-profit organization. This does not give the club tax-exempt status under the rules of the United States Department of Internal Revenue unless

applied for and received at a later date.

## SECTION 2 – MEMBERSHIP DUES AND FEES

A. Dues will be \$20.00 per individual. Timely payment of dues grants full membership benefits and rights. Annual dues shall expire on, and become due in January of each year. If payment of dues in full is not received by January 31, the member shall cease to be current and all benefits, rights and privileges shall be revoked until such time as payment in full is received.

B. New members' dues will NOT be prorated to the date of membership.

C. Payments shall be made by cash or credit card via the web store located at <http://www.barleylegalhomebrewers.com/>

## SECTION 3 – CLUB EXPENDITURES

A. All expenditures must be approved by a majority vote of the Board of Directors.

B. Any single expenditure equal to or greater than 20% of the Club's available funds will require a majority vote by the general membership.

## SECTION 4 – CLUB ASSETS

A. Club assets shall include but not be limited to: club-owned brewing equipment, club-owned brewing ingredients, draft equipment, wood casks and any other club-owned item(s).

B. Unless unreasonable, all club owned assets must be housed by a current member of the Board.

C. Use of any club owned asset is at the discretion of the Board of Directors.

## SECTION 5 – ACCOUNTING

A. The Club funds shall be held in a checking account, which is maintained by the Treasurer and President.

B. Net proceeds of the Club shall not, under any circumstance benefit any single member or Individual.

C. All monies received from dues or by any other means shall be used for sustaining the Club and furthering its Objectives

## **ARTICLE VII – BYLAWS ACCEPTANCE**

### **SECTION 1 – ACCEPTANCE**

A. These Bylaws are accepted at the time of adoption by a majority vote of current members.

### **SECTION 2 – AMENDMENTS OR CHANGES**

A. The Board of Directors will meet annually to review the Bylaws.

B. The Board may make necessary corrections (grammatical, spelling, or changes in Board titles or responsibilities,) at any time by the majority of Board Members.

C. Any member or members may petition for a change or amendment to the Bylaws. The petition must be presented in writing and introduced at a regular meeting. The proposed changes or amendments shall be published for review by the membership, in the newsletter or by a special mailing to all members, at least thirty days prior to the meeting at which the changes will be voted on. Amendments or changes must be approved by a majority vote of all current voting members.

D. Changes, Additions, or Deletions affecting the rights and/or privileges of members, the conduct of meetings or any other significant proposition for changes of these Bylaws submitted by the Board or General memberships will be reviewed and approved by the Board prior to a vote of the General Member, in accordance with the above.



# **BARLEY LEGAL HOMEBREW CLUB RULES OF CONDUCT**

1. Members must be 21, the legal drinking age for the State of New Jersey.
2. All laws of the federal, state, and local regulatory bodies for the consumption and the production, distribution and use of alcohol apply to all members at all meetings.
3. Events for the meeting will occur as outlined in ARTICLE IV of the Bylaws.
4. Members will respect the property, rules and staff of the host meeting site, before, during and after any club meetings or events. Any member, who appears to be alcohol impaired, when asked, will surrender their keys and arrangements for a ride or designated driver will be made.
5. Members exhibiting violence, abusive language, intoxication, or unbecoming/unruly conduct during club meetings or events will be expelled from the function and be subject to further punishment as deemed necessary by the Board as outlined in ARTICLE III of the Bylaws.
6. Samples are to be consumed only within the meeting room. At the conclusion of each meeting, all beverages (in glasses, growlers, bottles, pitcher, or any other container) must be consumed, sealed or disposed of prior to leaving the meeting room.

Failure to comply with the Rules of Conduct will constitute a review of membership and may result in temporary suspension of membership or privileges, expulsion, or in the case of damage, restitution, as defined in ARTICLE III of the Bylaws.

## **BYLAWS AND CHARTER OF THE BARLEY LEGAL HOMEBREW CLUB ACKNOWLEDGMENT**

By my signature below, I hereby acknowledge that I have read and received the Bylaws and Charter of the Barley Legal Homebrew Club and its attachments, and agree to be bound by the terms set forth therein:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_