

# Die Donauschwäebische Blaskapelle



**Bylaws**

## **ARTICLE I**

### **Name and Objectives**

**Section I:** The name of our organization shall be “Die Donauschwabische Blaskapelle” (hereinafter “The Band”.) The Band shall also be recognized by the English translation, “The Danube Swabian Brass Band.”

**Section II:** The Band’s objectives shall be:

- to preserve and promote the musical heritage of the Danube Swabian people.
- to be musical ambassadors of the German-American Cultural Center of Cleveland, Ohio.
- to entertain public and private audiences.
- to provide a recreational musical forum for local volunteer musicians to display their talents.

**Section III:** The Danube Swabian Brass Band is and shall always be a subgroup of *The Society of Donauschwaben* at the German-American Cultural Center (hereinafter “The Club”) of Olmsted Township, Ohio, and will abide by The Club’s rules and regulations.

## **ARTICLE II**

### **Membership**

The Band shall consist of volunteer musicians of a competency level that is acceptable to The Band’s Director and President. This competency level may be determined by an audition or may be based solely on past experiences, accomplishments, or recommendations. Qualified musicians are welcome to membership with no regard to race, creed, national origin, or religion. A candidate should consider The Band’s objectives, however, prior to joining since the charter of The Band will not be changed to accommodate any of its specific members.

Each member of The Band is required to be a member in good standing of The Club and to acknowledge his/her acceptance of these bylaws by evidence of their signature on the endorsement page herein.

There are no dues, annual or otherwise, assessed the members. Members are, however, required to do the following at their own expense:

- Maintain their own musical instruments
- Purchase and maintain their uniform components. Note that the uniform vest shall be purchased by the member at The Band’s actual cost with no markup. Members are required to purchase their vest prior to their first public performance.
- Provide their own transportation to and from rehearsals and performances; however, in the case of performances requiring significant travel, The Band will, at its option, either reimburse reasonable fuel and toll costs or provide group transportation, i.e. bus, train, etc.

## **ARTICLE III**

### **Organization and Officers**

#### **Section I: Executive Officers of The Band**

The executive officers of The Band (hereinafter, "Officers") shall be:

- The President
- The Vice President
- The Secretary/Treasurer

All executive officers shall be elected by the membership of The Band. The election shall be conducted at a meeting before the end of January of each year. Nominations will be taken at the beginning of the annual meeting. Only members in good standing may nominate and vote.

#### **Section II: Terms of Officers**

All executive officer positions shall hold a two-year term. The President and Secretary/Treasurer will be elected in even years. The Vice President will be elected in odd years. Newly elected officers shall assume their duties immediately upon their election by The Band's membership.

#### **Section III: Office Vacancies**

A vacancy in any office shall be filled by an appointee of the President once that candidate's appointment has been ratified by 2/3 of The Band. Only band members in good standing can be considered for such an appointment. The appointed member, once ratified, shall serve out the remaining term of the vacated seat.

A ratification vote will be held at the next regularly scheduled rehearsal after the President's appointment. Quorum rules apply as per Article VII of these bylaws.

Temporary vacancies shall be filled as follows:

- Vice President assumes role as interim President
- Vice President assumes role as interim Secretary/Treasurer
- Secretary/Treasurer assumes role as interim Vice President

#### **Section IV: Library Committee**

The library committee shall consist of the Director, President, and three appointed librarians. The committee's charter is to purchase and maintain the sheet music library for The Band. The committee is also responsible for the broad musical direction of The Band. Librarians are appointed by the President and their appointments shall be ratified as in Section III above.

## **ARTICLE IV**

### **Annual Meeting**

A meeting shall be held annually during the month of January for the membership of The Band. At that time:

- a complete report of the status of the organization shall be presented to the members by the current executive officers
- the Secretary/Treasurer shall deliver all pertinent minutes as well as a complete financial report.
- the general election of officers shall be held in accordance with the rules as described in Article III herein.

## **ARTICLE V**

### **Limitation of Powers**

Matters pertaining to The Band shall be open for discussion, but no action(s) shall be taken which bind any members to any activity or agreement until such action(s) has been approved by the members of The Band. Ratification of said actions shall be dependent upon the approval guidelines as set forth in Article VII.

## **ARTICLE VI**

### **Expenses**

**Section I:** The routine operating expenses of The Band shall be born by the membership through the collection of donations from the parties that hire The Band, from the sales of recordings, from fund raisers, and from fees assessed the members.

**Section II:** Checks drafted by The Band shall require two signatures to be valid. Those authorized to sign checks shall be the President, Secretary/Treasurer, and Vice President. The checks shall be drafted and recorded by the Secretary/Treasurer. In the Secretary/Treasurer's absence, the checks shall be drafted and recorded by the Vice President.

**Section III:** If a member of The Band wishes to be reimbursed for expenses incurred, he/she must first attain approval for such an expense from 2/3 of the Executive Officers. No expenses incurred will be reimbursed without said prior approval as well as an original sales receipt itemizing the expense.

## **ARTICLE VII**

### **Quorum**

A quorum shall be considered present for the conduct of band business when a minimum of ten (10) members, or at least 51% of the membership (whichever is less) is present. If a recognized quorum is not present at any prescheduled meeting, voting cannot occur, and thus The Band will seek an alternate meeting date and will repeat the process until a proper quorum is achieved.

All motions require 2/3 majority passage by a recognized quorum to be acted upon.

## **ARTICLE VIII**

### **Duties of officers**

**Section I:** Band President – The band President shall be the Chief Executive Officer (CEO) of The Band. The President's responsibilities include, but are not limited to:

- solicitation of performance contracts (gigs)
- chair all band-related meetings
- act as principal business contact for all non-fiscal issues
- representing The Band at all pertinent meetings with The Club
- settle and mediate all disputes between The Band's members

**Section II:** The Vice President – Responsibilities of the Vice President include, but are not limited to the following:

- all marketing communications for The Band.
- manage and maintain the official Band Website.
- review and approve all contracts prior to signature by the Band President.
- internal band communications including newsletters, updates, and reminders.
- communicate and remain current with the other executive officers thus being prepared to assume an alternate role if an executive officer vacancy occurs.

**Section III:** Band Secretary/Treasurer shall be responsible for recording the fiscal and non-fiscal business aspects of The Band and its meetings. He/she is also responsible for:

- maintenance and safety of The Band's physical assets (i.e., music, recordings, stands, storage, instruments, uniforms, etc.).
- collection and recording of all funds of The Band.
- reconciliation of all bank statements and fiscal records.
- preparation and delivery of the annual fiscal report to the membership at the annual meeting of members.
- maintain the official membership list of The Band.
- communicate and remain current with the other executive officers thus being prepared to assume an alternate role if an executive officer vacancy occurs.

## **ARTICLE IX**

### **Code of Conduct**

#### **Section I: Performance Dress Code (Musicians and Director)**

##### **Men:**

- *Vest:* Band-issued red vest with gold buttons.
- *Shirt:* A white, long-sleeved, collared, button down dress shirt shall be worn over a plain white undershirt.
- *Trousers:* Either, *a*) full-length navy blue dress trousers, or *b*) navy blue knickers.
- *Socks:* Navy blue or black socks shall be worn with full length trousers. All white knee socks shall be worn with knickers.
- *Belt:* Only a black belt shall be acceptable.
- *Shoes:* Black dress shoes only.
- *Tie:* A band-issued bolo shall be worn loosely around the neck and under the collar of the dress shirt; only top button of shirt open.
- *Jewelry:* The gentlemen in The Band shall refrain from wearing any jewelry whatsoever during performances. Allowable exceptions are a wristwatch and a wedding ring.
- *Suspenders:* Red suspenders are optional.
- *Hats:* Hats are not a part of the uniform and cannot be worn during performances.
- *Public Displays:* Buttons, pins, patches, etc., depicting or representing self-expression, political and/or religious references and/or religious symbolism, shall not be worn upon the uniform or one's person during, immediately before, or immediately after any performance. No commercial advertising material may be worn due to The Band's not-for-profit status.

##### **Women:**

- *Vest:* Band-issued red vest with gold buttons.
- *Blouse:* A white, long-sleeved, collared, button down blouse shall be worn with appropriate white undergarments.
- *Slacks or Skirt:* Either *a*) full-length, navy blue dress slacks, or *b*) navy blue skirt, below the knee.
- *Socks:* Navy blue or black socks shall be worn with full length slacks. All white knee socks or white tights shall be worn with a skirt.
- *Belt:* Only a black belt shall be acceptable if appropriate for the skirt or slacks
- *Shoes:* Black dress shoes only.
- *Tie:* A band-issued bolo shall be worn loosely around the neck and under the collar of the dress shirt; only top button of blouse open.
- *Jewelry:* The ladies in The Band shall refrain from wearing any jewelry whatsoever during performances. Allowable exceptions are a wristwatch, a wedding ring and no more than one small pair of earrings, one per ear.
- *Suspenders:* Red suspenders are optional.

- *Hats*: Hats are not part of the uniform and cannot be worn during performances.
- *Public Displays*: Buttons, pins, patches, etc., depicting or representing self-expression, political and/or religious references and/or religious symbolism, shall not be worn upon the uniform or one's person during, immediately before, or immediately after any performance. No commercial advertising material may be worn due to The Band's not-for-profit status.

## **Section II: Performance Dress Code (Singers)**

The uniform of the male vocalists shall either match the male musicians (see Section I of this Article) or shall be Lederhosen (or other appropriate traditional German garb). The uniform of the female vocalists shall either match the female musicians (see Section I of this Article) or shall be a Dirndl (or other appropriate traditional German garb). In addition, rules for jewelry, and public displays must be followed as stated above in this Article.

## **Section III: Drugs and Alcohol**

The members of The Band are ambassadors of not just The Band, but of The Club. Public displays of intoxication will not be permitted. Members who violate this rule are subject to dismissal from performances and/or rehearsals by the Director. Ultimately, repeat offenders are subject to expulsion from The Band.

Members shall consume no alcoholic beverages during any performance. While members are free to partake in libations before and after a performance (as well as during their breaks), the Director at his/her discretion can remove any member of The Band from the performance.

Members are expressly prohibited from consuming, being in possession of or being under the influence of illicit drugs at any Band meeting, Club function, rehearsal or performance. Violators are subject to immediate dismissal from The Band.

## **Section IV: Sergeant at Arms**

The Director is the *Sergeant at Arms* for all disputes and disruptions at all rehearsals and performances. He/she can remove any member from any rehearsal or performance if the member is being disruptive or counterproductive to the rehearsal/performance. Disciplinary actions, as needed, shall be decided by the Executive Officers to resolve issues pertaining to members fighting, bylaws violations or any behavior that is damaging to the Band.

# **Article X**

## **Amendments**

A proposal to amend these bylaws may be made by any member of The Band in good standing. The proposed amendment must be submitted to the Band President at least 30 days prior to the meeting at which it is to be considered. A 2/3 vote by The Band's members in favor of the proposed amendment is necessary for its adoption.

## Acknowledgement of Bylaws

Each member shall receive a copy of the current bylaws on file. Each new member shall receive a copy of the bylaws as early as practical; however, their membership shall not be deemed to be official nor shall they have voting rights until they have met all criteria as set forth in Article II.

The Band's bylaws shall be published on The Band's official website and are also available via direct request of the Secretary/Treasurer.

By signing below, and by the countersignatures of The Band's Executive Officers, the named individual shall be recognized as a member of The Band, so long as he/she remains in good standing as per the requirements of these bylaws. All amendments shall be attached as ratified.

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, The Band proudly welcomes

\_\_\_\_\_ as a member.

_____	Member
Home address	_____
_____	President
Home City, State, Zip	_____
_____	Vice President
Home phone	_____
_____	Secretary/Treasurer
Other phone (cell, work, etc.)	
_____	
Birthday (mm-dd-yy)      Spouse	
_____	
e-mail address	
_____	
Emergency contact (name & tel.)	
_____	