

**By-Laws  
of the  
Norfolk City Democratic Committee**

**Article I**

**Name**

The name of this organization shall be the Norfolk City Democratic Committee (herein called the "NCDC" or the "Committee").

**Article II**

**Purpose**

The NCDC is organized for the following purposes:

- A. To do all within its power to aid in the victory of the Democratic Party's nominees in all elections.
- B. To promote the growth and success of the Democratic Party at the local, state and national levels.
- C. To promote efforts to register all qualified Democratic voters in the City of Norfolk and to encourage such voters to participate in the political process.
- D. To promote harmonious relationships among all members of the Committee and to cooperate wholeheartedly with local, state and national Democratic committees.
- E. To recognize the diversity of our society and the belief that our Party will be strengthened by these differences. We encourage full, timely and equal opportunity for all segments of the population to participate in Party affairs. Particular concern should be undertaken regarding young people, women, African Americans and other ethnic minorities, persons with disabilities and other constituent groups.
- F. Such other legal purposes that may, from time to time, be determined by the Committee.

**Article III**

**Membership**

- A. **Eligibility.** Each voting member of the NCDC shall be a qualified voter under the laws of the Commonwealth of Virginia, duly registered to vote in the City of Norfolk and, in the case of precinct committee members, shall be a resident of and be registered to vote in the precinct which he or she represents.

B. **Classes of Membership, Selection, Duties.** There shall be six membership classes: Officers, Executive Committee members, Precinct Captains, Assistant Precinct Captains, At-Large members and Ex-Officio members all of whom shall have voting privileges; and associate members who shall not have voting privileges. It shall be the duty of each committee member to perfect the organization of the Democratic Party in Norfolk and to do all within his or her power to aid in the victory of the Democratic Party's nominees in all elections.

1. **Executive Committee Members.** The Executive Committee shall be comprised of the following members: 1) Officers, 2) Chairs of Standing Committees, 3) the Immediate Past Chair. Executive committee members shall assume office as of the date of election or appointment.

a. **Duties.** Each member shall perform his or her duties as described in Article V. The Executive Committee shall have entire charge and full control of all party matters arising between meetings of the NCDC Committee. The Executive Committee may not fill any vacancies in membership. All powers that are inherent in the NCDC shall be vested in the Executive Committee at such times, as the NCDC is not meeting. The following actions are exceptions to this rule:

- i. The Executive Committee may not amend the By-Laws.
- ii. The Executive Committee may not determine the method of nominating Democratic candidates for any public office, except in cases when the nominated candidate dies, withdraws, refuses candidacy or if the nomination is set aside for any reason or in the case of a special election and there is insufficient time for the full Committee to act.
- iii. The Executive Committee may not fill any vacancies in membership.

2. **Precinct Captains.**

a. **Election.** Precinct Captains shall be elected by caucus, as provided for in the Virginia Democratic Party Plan, or by the Committee to fill a vacancy and shall assume office on the date of election. If a Precinct Captain is elected from a precinct that is merged with another precinct by the Electoral Board, that precinct committee member shall become an At-Large member even if the addition of the member increases the number of At-Large members for that district or combined districts.

b. **Duties.** It shall be the duty of every Precinct Captain, in cooperation with Democratic nominees, to organize the precinct represented so as to maximize the Democratic vote therein. Each Precinct Captain shall try their best to communicate at least once with newly registered voters in the precinct.

3. **Assistant Precinct Captains.**

a. **Election.** Assistant Precinct Captains shall be chosen by a majority of the members of the NCDC present and voting at a regular meeting, as provided for in the Virginia Democratic Party Plan, or by the Committee to fill a vacancy and shall assume office on the date of election. If an Assistant Precinct Captain is elected from a precinct that is merged with another precinct by the Electoral Board, that Assistant Precinct Captain shall become an At-Large member even if the addition of

the member increases the number of At-Large members for that district or combined districts.

- b. **Duties.** It shall be the duty of every assistant precinct captain, in cooperation with Democratic nominees, to Assist the Precinct Captain in organizing the precinct represented so as to maximize the Democratic vote therein. Each Assistant Precinct Captain shall assist the Precinct Captain in trying their best to communicate at least once with newly registered voters in the precinct.

4. **At-Large Members.**

- a. **Election.** At-Large members shall be chosen by a majority of the members of the NCDC present and voting at a regular meeting for which notice required in Article VII shall have been duly given.

There shall be one At-Large member for every two precincts within each legislative House District (including split precincts). In the case of an odd number, the total shall be rounded up to the next even number. Each precinct may only have one At-Large representative. At-Large members shall be a resident of and be registered to vote in the house district that they represent. If the number of At-Large positions allocated to a house district is decreased due to a reduction in the number of its precincts, the decrease shall not take effect until the next reorganization of the Committee. Increases in the number of At-Large positions due to the increase in the number of precincts in a house district shall take effect immediately.

- b. **Duties.** At-Large members represent their House of Delegates district, and are expected to assist the Precinct Captains in their House District and to provide support to the Committee's other operations.

5. **Ex-Officio Members.**

- a. **Selection.** The following, provided they reside in the City of Norfolk, shall be automatic Ex-Officio voting members of the NCDC: Democratic elected officials, members of the Democratic State Central Committee, , the President(s) of Young Democrats Club(s) in Norfolk, the Immediate Past Chair of the NCDC, Democratic member(s) of the Norfolk Electoral Board, and local Presidents or Chairs of Democratic affiliate organizations as recognized by the Democratic State Central Committee.

6. **Associate Members.**

- a. **Eligibility.** Associate members may be appointed by any member of the executive committee.. Appointments of Associate members shall be confirmed by a majority vote of the executive committee.. Associate members may include those who are registered to vote in other jurisdictions, but reside, work or attend school in Norfolk and those who reside in Norfolk, but are not eligible to vote due to age. Associate members do not have voting privileges.
- b. **Duties.** Associate members are expected to assist the Precinct Captains for their precinct and to provide support to the Committee's other operations. Associate members are encouraged to attend meetings. And, as they are not elected to the Committee, are not granted voting privileges.

**ARTICLE IV**  
**VACANCIES**

A. **Officers.** In the event the Chair position shall become vacant, the 1st Vice Chair shall assume the duties and responsibilities of the chair. In the event the 1st Vice Chair position becomes vacant or does not wish to assume the position the order of succession shall be as follows:

1. 2nd Vice Chair
2. House and Senate Vice Chairs with the most seniority
3. Secretary
4. Treasurer

The positions of Chair, 1st Vice Chair and 2nd Vice Chair are the only positions that can be assumed by order of succession. The new chair, 1st Vice Chair or 2nd Vice Chair shall be confirmed by a majority vote of the members of the NCDC present and voting at a regular meeting for which notice required in Article VII shall have been duly given.

B. **Other Vacancies.** If a Precinct Captain, Assistant Precinct Captain, At-Large member or other officer position shall become vacant, nominations shall be made by the Nominating Committee. The election shall take place at the next regular meeting for which due notice of such vacancy has been given. If no candidate receives a majority vote on the first ballot for such position, there shall be a run-off between the two candidates receiving the highest number of votes.

**ARTICLE V**  
**OFFICERS**

A. **Officers.** The Committee shall elect the following officers:

1. Chair
2. 1<sup>st</sup> Vice Chair
3. 2nd Vice Chair
4. Vice Chair for Senate District 5
5. Vice Chair for Senate District 6
6. Vice Chair for Combined House Districts 79, 80 & 100
7. Vice Chair for House District 87
8. Vice Chair for House District 89
9. Vice Chair for House District 90
10. Secretary
11. Treasurer

**B. Application Process and Elections.**

1. **Applications.** Applications for officers shall be taken up to 7 days prior to the biennial organizational meeting of the Committee. Officers do not have to be members of the Committee at the time of submitting an application and election. The outgoing Secretary and Chair of the nominating committee shall be the only NCDC officials eligible to receive officer applications. All applications must include a brief description of the candidate's qualifications.
2. **Elections.** Elections for officers shall be conducted at the biennial organizational meeting and shall be decided by a majority of those NCDC voting members present. Write-in votes will be allowed for persons present at the reorganization meeting. Nominations from the floor at the biennial meeting shall not be recognized at the biennial meeting unless an application was not received for a position.
3. **Timing of Election of Officers.** Officers shall be elected within 40 days after the biennial election of Precinct Captains.

**ARTICLE VI**  
**DUTIES OF OFFICERS**

**A. Chair.** The Chair shall have the following duties:

1. To preside over all meetings of the NCDC, which meetings shall be called as provided in Article VI.
2. To appoint the chair and approve membership of all standing and special committees.
3. To appoint a parliamentarian to advise the Chair as to proper procedure under Robert's Rules of Order, Newly Revised, and the Virginia Democratic Party Plan.
4. To appoint a Sergeant-at-Arms to maintain the general order of all meetings and to oversee the conduct of any caucuses.
5. Subject to prior approval by the members, to sign all contracts, notes and leases in the name of the NCDC. The Chair may also sign drafts, checks or orders for the payment of money.
6. To be an ex-officio voting member of all committees except the Nominating Committee.
7. To be a member of the House Legislative Nominating Committee. If the Chair does not reside within the House District, the Chair shall appoint the Vice Chair of that House District to serve instead. If the Vice Chair is unable to serve or the position is vacant, the Chair shall appoint a member of the Committee who resides within the House District.
8. To be a member of the Senatorial Legislative Nominating Committee. If the Chair does not reside within the Senatorial District, the Chair shall appoint the Vice Chair of a House District who resides in the Senatorial District to serve instead. If no Vice Chair residing within the Senatorial District is able to serve or the position is vacant, the Chair shall appoint a member of the Committee who resides within the Senatorial District.
9. To enforce these By-Laws, perform all the duties of the office required herein, by the Virginia Democratic Party Plan or by statute, and generally to supervise and conduct the business and affairs

of the NDCD.

- B. **1st Vice Chair.** The Executive Vice Chair shall have the following duties:
1. To perform the duties incumbent upon the Chair when the Chair is absent or unable to perform such duties, in which case the powers and responsibilities of the Chair shall also rest with the Executive Vice-Chair
  2. To coordinate the activities of the Vice-Chairs for each Senate and House District.
  3. To oversee all precinct organization to include working with the House and Senate Vice Chairs in filling all vacant Precinct Captains.
  4. To coordinate and oversee all Election Day precinct organization.
  5. To perform such other duties and accept such other powers and responsibilities as the Chair or the Committee may from time to time prescribe.
- C. **2nd Vice Chair.** The Administrative Vice Chair shall have the following duties:
1. To handle all public relations that affect the NDCD committee.
  2. To coordinate activities on voter education for members and non-members.
  3. To educate all new Democratic candidates in Norfolk on the policy and procedures of the NDCD and the Virginia Democratic State Party Plan.
  4. To work with the House and Senate Vice Chairs on candidate recruitment.
  5. To chair the Resolutions Committee.
  6. To perform such other duties and accept such other powers and responsibilities as the Chair or the Committee may from time to time prescribe.
- D. **Vice Chairs for Senate Districts.** The Vice Chairs for each Senate District shall have the following duties in coordination with the House District Vice Chairs:
1. To take such actions as are necessary to perfect the organization of the Democratic Party within the City of Norfolk and every precinct within the district.
  2. To serve as the primary liaison between the Committee and the incumbent legislator or prospective candidates.
  3. To be responsible for coordinating with and assisting the House District Vice Chairs with all precinct activities.
  4. To perform such other duties and accept such other powers and responsibilities as the Chair or the Committee may from time to time prescribe.
- E. **Vice Chairs for House Districts.** The Vice Chairs for each House District shall have the following duties in coordination with the Senate District Vice Chairs:
1. To take such actions as are necessary to perfect the organization of the Democratic Party within the City of Norfolk and every precinct within the district.
  2. To serve as the primary liaison between the Committee and the incumbent legislator or prospective candidates.
  3. To identify and train new Precinct Captains.

4. To perform such other duties and accept such other powers and responsibilities as the Chair or the Committee may from time to time prescribe.

F. **Secretary.** The Secretary shall have the following duties:

1. To keep an accurate and permanent record of all the proceedings of the NCDC.
2. To serve as custodian of the records of the NCDC, except those financial records retained by the Treasurer.
3. To keep a roster of the names, addresses, phone numbers and voting precincts of the members and a list of the Committee's officers which shall be forwarded within ten days of the election to the state headquarters of the Democratic Party of Virginia.
4. To give notice of NCDC meetings as required in Article VIII, and to mail with such notice (except for notice of emergency meetings) a copy of the minutes of the preceding meeting.
5. To conduct and retain copies of all correspondence and to advise the Chair of official communications received.
6. To maintain the roll at all meetings.
7. To notify the executive committee members when attendance requirements have not been met.
8. To participate as a voting member of the Nominating Committee.
9. To receive, record and transmit all funds to the Treasurer. All funds received must be deposited within five business days of receipt of such funds.
10. To perform all other duties incident to the office of Secretary or as the Chair or the Committee may from time to time prescribe.

G. **Treasurer.** The Treasurer shall have the following duties:

1. To have charge of and be responsible for all the funds of the NCDC and to deposit said funds in the name of the NCDC in such banks or savings and loan companies as the officers of the Committee shall direct.
2. To pay all bills incurred in the ordinary course of business and, upon the approval of a majority of the members present and voting, to pay any other expenses incurred.
3. To make, sign and endorse in the name of the NCDC all checks, notes, drafts or other orders for the payment of money as authorized in the preceding two paragraphs
4. To keep accurate books of account of all business and transactions of the NCDC, and to report therein to each regular meeting of the membership and to the Chair upon request.
5. To work with the Finance Committee to prepare an annual budget and to assist with the Finance Committee in conducting budget reviews, which should be performed at least annually.
6. To cooperate fully in all audits.
7. To provide the Secretary with a record of all funds received.
8. All funds received by the Treasurer must be deposited within five business days of receipt of such funds.
9. To prepare and sign all State Board of Elections required Financial Reports. Reports should accurate and filed timely.

10. To perform all other duties incident to the office of Treasurer or as the Chair or the Committee may from time to time prescribe.

## Article VII

### Term of Office

- A. **Officers.** The term for all officers shall begin after adjournment of the meeting in which the election of the officer occurred. The term for all officers shall end at the adjournment of the meeting in which new officers are elected.
- B. **Precinct Captains.** The term for all Precinct Captains shall begin immediately following the certification of the election of Precinct Captains at the reorganization caucus held on odd-numbered years. The term for all Precinct Captains shall end at the election of Precinct Captains at the proceeding reorganization caucus.
- C. **Assistant Precinct Captains and At-Large Members.** The term for all Assistant Precinct Captains and At-Large Members shall begin immediately following the election of such positions. The term for all Assistant Precinct Captains and At-Large Members shall end at the certification of Precinct Captains at the proceeding reorganization caucus.

## ARTICLE VIII

### MEETINGS

- A. **Regular Meetings.** There shall be no less than four regular meetings of the Committee each year. The Executive Committee shall meet on a monthly basis.
- B. **Special Meetings.** Special meetings may be held (1) at the call of the Chair following consultation with the officers of the Committee, (2) not less than fifteen days following receipt by the Chair of a written request signed by at least ten percent of the members of the NCDC, or (3) by a vote of the Committee at a properly convened meeting of the Committee.
- C. **Attendance.** All members, except elected officials, ex-officio and associate members shall be expected to attend all meetings and other functions of the Committee unless excused from such attendance by having given prior notice to the Chair or the Secretary.
- D. **Notice.** Notice of meetings shall be given as follows:
1. **Regular Meetings.** Five days written notice shall be given to all members of all regular meetings either by mail or electronic mail. Said notice shall state the date, time, address and agenda for the forthcoming meeting.
  2. **Special Meetings.**
    - a. **When called by the Chair.** Notice shall be considered given upon the making of a good faith

effort to notify (by any reasonable means) all members, at the earliest practicable moment, of the special meeting's date, time, address and agenda.

b. **When called by ten percent of the voting members.** 15 days written notice of the special meeting shall be given to all members.

c. **Written Notice.** Written notice shall be deemed given upon the delivery to the members of written notice by hand or by mail. If notice is mailed, the date of notice shall be the date postmarked thereon.

E. **Quorum.** The quorum at a meeting of the membership shall be determined as follows:

1. **Regular Meetings.** The quorum for regular meetings of the NCDC shall be that as defined by the State Party Plan or when declared by the chair.

2. **Executive Committee Meetings.** The quorum for executive committee meetings of the NCDC shall be fifty percent of the voting members of the executive committee.

3. **Special Meetings called by the Chair.** The quorum for special meetings called by the Chair shall be that as defined by the State Party Plan.

4. **Special Meetings called by ten percent of the membership.** The quorum of special meetings called by ten percent of the membership shall be forty percent of the voting membership (excluding ex-officio members).

## **ARTICLE IX**

### **COMMITTEES**

A. **Executive Committee.** There shall be an Executive Committee comprised of the officers; the chair of each standing committee; and the Immediate Past Chair of the NCDC, which shall have the following responsibilities:

1. To plan the regular meetings.
2. To draft the call for the reorganization of the Committee.
3. To supervise an annual audit of the books of the NCDC.
4. To handle other matters which may come before the NCDC according to Article III, B.1.(a).

B. **Standing and Special Committees.** The Chair of each Standing and Special Committee shall be appointed by the Chair of the NCDC and shall be approved by a majority vote of the Executive Committee. Members of each committee shall be appointed by the Standing or Special Committee Chair and approved by the Chair of the NCDC.

1. **Finance Committee.** There shall be a Finance Committee which shall have the following responsibilities:

- a. To raise funds for such purposes as may be approved by the members of the NCDC.
- b. To prepare an annual budget for the NCDC which includes a plan for payment of the annual state assessment.

- c. To conduct an annual audit of the books of the NCDC, the results of which audit shall be made available to any member so requesting.
  - d. To organize at least one major fund-raising event each year.
  - e. To perform such other duties as normally incident to a Finance Committee.
2. **Nominating Committee.** There shall be a Nominating Committee that shall recruit and recommend qualified persons to fill any vacancy that shall occur on the NCDC.
  3. **Outreach Committee.** There shall be an Outreach Committee that shall develop a program for implementation by the NCDC that will reach out to all segments of the population for participation in Democratic affairs. Particular concern should be undertaken regarding young people, women, African Americans and other ethnic minorities, persons with disabilities and other constituent groups.
  4. **Resolutions Committee.** There shall be a Resolutions Committee that shall accept and recommend resolutions to the membership. Any member of the NCDC may offer a resolution. All resolutions shall be presented to the Resolution Committee. Resolutions approved for the NCDC shall be presented at one NCDC meeting and voted on at the following meeting.  
Only the Executive Committee may send a resolution to the full Committee for consideration without prior approval by the Resolutions Committee.
  5. **Ad Hoc Committees.** The Chair may establish Ad Hoc committees as the need arises. All Ad Hoc Committees shall be approved by a majority vote of the Executive Committee. Ad Hoc Committee Chairs shall not be voting members of the Executive Committee.

**ARTICLE X**  
**REMOVAL AND REVOCATION**

- A. **Removal From Office; Grounds.** An officer may be removed from office or a the membership of any member shall be revoked if guilty of willful neglect of any duty imposed upon him. In such event, the Committee shall afford such officer the protection of due process prescribed in Section C., below.
- B. **Revocation of Membership, Grounds.**
  1. **Absenteeism.** If a member (other than an elected official, ex-officio or associate member) shall miss three consecutive regular meetings of the NCDC without having been so excused, then such member's membership on the Committee may be revoked.
  2. **Breach of Loyalty.** Any member who violates Section 10.8 of the Virginia Democratic Party Plan ("No Democratic Committee member... or officer shall publicly support, endorse or assist any candidate opposed to a Democratic nominee. In the event any Democratic committee member shall undertake such public activity, the appropriate Democratic Committee shall remove said person from office.") or shall have his/her membership revoked.
  3. **Neglect of Duty.** Any member who shall be guilty of willful neglect of duty imposed upon him may have his membership revoked.

- C. **Procedure.** An officer shall be removed from office or the membership of any member shall be revoked only by the following procedures:
1. Any alleged infraction shall be presented to the NCDC in the form of a motion. At a minimum, the motion shall specify an overt act or acts which constitute the infraction. The maker of the motion shall support the claim with appropriate evidence.
  2. The Executive Committee shall have sixty-five (65) days from the date of passage of the motion to investigate the infraction and present its recommendation to the NCDC. The Executive Committee shall schedule a hearing on the charges. They shall notify the accused of the date, time and place of the hearing and nature of the charges.
    - a. Notice shall be given by registered or certified letter, with a return receipt. The letter shall be mailed within three (3) days of the date on the letter.
    - b. The hearing shall not be earlier than twenty-five (25) days after the date on the letter.
    - c. The letter shall offer the accused the opportunity to present a written rebuttal, rather than appearing in person. If the accused chooses to respond in writing, he/she shall notify the Executive Committee of that decision by regular or electronic mail within ten (10) days of receiving the letter. Absent such notice, the Executive Committee shall assume that the accused will appear in person.
    - d. The written rebuttal shall be provided to the Executive Committee prior to the date and time of the hearing.
  3. The NCDC shall vote on removal upon hearing the report of the Executive Committee. Removal shall require a majority of the voting members present.

## **ARTICLE XI**

### **REORGANIZATION**

- A. **Timing.** A caucus to elect Precinct Captains shall occur in every odd-numbered year as prescribed by the Democratic Party of Virginia.
- B. **The Call.** The Executive Committee shall draft the call for the reorganization of the Committee.
- C. **Contents of the Call.** The call shall prescribe, among other things:
1. The procedure to be followed in the reorganization process.
  2. The date, time, agenda, place and address of the caucus.
  3. All filing deadlines, fees, forms, filing place(s) and instructions with respect to declarations of candidacy as required by the State Party Plan. The filing fee will be the following years dues.
  4. The date, time and place of the reorganization meeting to elect officers.
  5. The establishment of the Rules Committee, the Credentials Committee and the Arrangements Committee.
  6. That every Democrat who is a registered voter in the City of Norfolk is urged to attend and participate in the election.

- D. **Notice of Proposed Call.** A copy of the Executive Committee's report, including a copy of the proposed call, shall be sent to every member of the NCDC in the mailing containing the notice of and agenda for a regular meeting of the NCDC.
- E. **Adoption.** The Executive Committee shall report to the NCDC, and the NCDC shall adopt the call in a timely manner.
- F. **Committees for the Caucus.** Upon adoption of the call, the Chair shall appoint three members to each of the Arrangements, Rules, Credentials and Balloting committees.
- G. **Notice of Adopted Call.** Within seven days after its adoption, a copy of the adopted call shall be mailed to every member of the NCDC and the Chairs of the appropriate Congressional District Democratic Committees.

**ARTICLE XII**  
**GENERAL PROVISIONS**

- A. **Dues.** There shall be an annual voluntary assessment of each member. All high school or college members shall receive a dues reduction to \$10.00. The following dues structure shall be applied:
  - 1. Officers, Precinct Captains, Assistant Precinct Captains, At-Large Members - \$20.00
  - 2. Associate Members - \$15.00
  - 3. Democratic Elected Ex-officio members - \$30.00
  - 4. Non-elected Ex-Officio members - \$20.00
- B. **Voting.** Only voting members have parliamentary authority at NCDC meetings.
- C. **Proxy Voting.** No member shall be permitted to vote by proxy.
- D. **Dual Membership.** Members may occupy two or more positions on the Committee, but shall only be entitled to one vote.

These By-Laws, when not in conflict with law or the Virginia Democratic Party Plan shall be considered valid and binding.

**ARTICLE XIII**  
**PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern this Committee in all cases to which they are applicable and in which they are not inconsistent with these By-Laws, the Virginia Democratic Party Plan, or any special rules of order the Committee may adopt.

**ARTICLE XIV**  
**AMENDMENTS**

These By-Laws can be amended at any regular meeting of the NCDC by a two-thirds vote of members present and voting, provided that: (a) The proposed amendment has been submitted to the Secretary, read and discussed at the previous regular meeting or (b) the text of the proposed amendment has been sent to the members with the notice of the regular meeting at which the amendment is to be adopted; except that clause (a) shall not apply to any amendments necessitated by a revision in the Virginia Democratic Party Plan.

**Amended:** August 2, 2006

Norfolk City Democratic Committee

Attest:

By \_\_\_\_\_

\_\_\_\_\_

Mike Koceja, Chair

Barbara Klear, Secretary

By-Laws Committee Members: Tommy Smigiel, Chair; Nan Hall, Sean Holliahan, Randy Klear, Christine Smith, and Jay Taylor.