

By-Laws Of
Brassfield Volunteer Fire Department,
Inc.
of Granville County, North Carolina

Origination of By-Laws: April 1, 1985

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BRASSFIELD VOLUNTEER FIRE DEPARTMENT
CONSTITUTION AND BY-LAWS

ARTICLE I **NAME AND PRINCIPAL OFFICE**

- Section 1:** The name of this organization shall be the Brassfield Volunteer Fire Department, Incorporated.
- Section 2:** Whenever the word Department is used in the context of these by-laws, it shall be meant to refer directly to this organization known as Brassfield Volunteer Fire Department.
- Section 3:** The principal office for the Department shall be:
1680 NC Highway 96
Franklinton, NC 27525

ARTICLE II **PURPOSE**

- Section 1:** The objective and purpose of this Department shall be the protection of life and property from fire and other emergencies within the Brassfield Fire District, Granville County, North Carolina, and to render mutual aid wherever possible, when requested.

ARTICLE III **MEMBERSHIP**

Section 1: **Classes of Membership**

- a. Supporting Members – All persons over eighteen (18) years of age, residing in the Brassfield Fire District as determined by the Granville County Board of Commissioners, as all persons owning real property located in said Fire District for ad valorem tax purposes shall be Supporting Members of the corporation. Supporting Members are not eligible to vote on matters affecting the Department.
- b. Active Members
1. Firefighter - Any person of good character of the age of eighteen (18) years or older shall be eligible for membership in the Department with all rights and privileges thereof, including the right to vote on matters affecting the Department, provided said person shall possess the qualifications for membership which, may from time to time, be established and set forth below, in this ARTICLE III.

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Any person less than eighteen (18) years of age shall be a Junior Firefighter as defined in Article XV here within.

2. First Responder – A medically trained person who responds to emergency/911 calls of a medical nature. These individuals are trained to address life threatening medical situations and shall be designated as a First Responder.

- c. There shall be no dues, assessments or other charges levied upon any person as an incident to membership in the corporation.

Section 2: Classification, requirements, privileges, and regulations

A. Firefighter:

1. Must be a minimum of eighteen (18) years of age.
2. Required to serve a minimum one-hundred-eighty (180) day probationary period as outlined in Article III, Section 3.
3. Required to complete or have completed fire training as required by the State of North Carolina or its equivalent, or as prescribed by the Fire Chief.
4. Will have a voice on the floor at all Department meetings.
5. After completion of any and all required probationary period, will be eligible to vote on all Department business.
6. After completion of any and all required probationary period, will be eligible to vote in annual Department Administrative Officer elections.
7. Will be eligible to hold any Administrative Office of the Department providing the prerequisites of that office are met.
8. Will observe all rules, regulations, and procedures established by this Department; failure to do so may result in disciplinary action.
9. Firefighter Classifications
 - a. Active Firefighter
 1. Required to maintain the following minimum averages per year:
 - a. 5% - Incident Responses;
 - b. Training Attendance or as prescribed by North Carolina General Statute and/or the North Carolina State Firefighters Association;
 - c. 25% - Monthly Business Meeting Attendance;
 2. Will be eligible to hold any Line Office of the Department, provided prerequisites of the office are met, and vote in the Line Officer Election as defined within these by-laws.
 - b. Firefighter - Probationary Member:
 1. Will not respond to emergency traffic calls for service in a private vehicle.
 2. Must be a minimum of eighteen (18) years of age.
 3. Required to serve a minimum one-hundred-eighty (180) day probationary period.
 4. Will have a voice on the floor at all Department meetings.

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5. After completion of any and all required probationary period, will be eligible to vote on all Department business.
6. After completion of any and all required probationary period, will be eligible to vote in annual Administrative Officer elections and Line Officer elections.
7. After completion of any and all required probationary period, will be eligible to hold any Administrative Office of this Department, provided prerequisites of the office are met.
8. Will not be eligible to hold any Line Office position of this Department.
9. Will observe all rules, regulations, and procedures established by this Department; failure to do so may result in disciplinary action.
10. Are prohibited from having emergency lights in their vehicles.

c. Firefighter - Honorary Member:

1. Elected by a majority vote of the voting membership at a regularly scheduled Department business meeting.
2. Honorary members will not respond to fire alarms or take part in any firefighting related aspect of the Department.
3. Will have a voice on the floor at all Department meetings.
4. Will not be eligible to vote on Department business.
5. Will not be eligible to vote in annual Administrative or Line Officer elections.
6. Will not be eligible to hold any Line Officer position of this Department.
7. Honorary members will observe all rules, regulations, and procedures established by this Department; failure to do so may result in disciplinary action.
8. Honorary Member Nomination Process
 - a. The member making the nomination must forward the request in writing, listing the reasons for the nomination.
 - b. A vote shall occur at the next regular meeting, with such vote requiring a simple majority of the members present.

d. Firefighter - Life Member:

1. This status will be granted to a member after accumulating fifteen (15) consecutive years of Active Firefighting status or a combination of twenty (20) years of service to the Department as an Active Firefighter.
2. Life members who wish to maintain a Firefighter Status, hold a Line Officer position or vote in Line Officer Elections must comply with provisions of Article III, Section 2.A.9.a.
3. Will have a voice at all Department meetings.

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4. Will be eligible to vote on all Department business.
5. Will be eligible to vote at Department Administrative Officer elections but not Line Officer elections, unless active firefighter status is maintained with the Department.
6. Will be eligible to hold any Administrative Office of this Department, provided the prerequisites of the office are maintained.
7. Will be eligible to hold any Line Officer position of this Department only if a firefighter status is maintained with the Department, and all prerequisites of the office are met.
8. Life members will observe all rules, regulations, and procedures established by this Department; failure to do so may result in disciplinary action.

Section 3: Exemption from firefighter membership requirements

- A. If the minimum requirements of the firefighter membership classifications are not met, the firefighter must submit a written request for exemption from the requirements set forth, including the time period up to one (1) year in which the exemption is requested, and the reasons for which the exemption is sought to the Board of Directors.
- B. Yearly review statistics will be conducted by the President each January based on activity reports filed by the Chief for Fire Response, Training Attendance and Meeting and Activity Attendance, by the Fire Chief. These statistics will be conducted based on the activity of the Department from the periods of January 1, through December 31 of the previous and current years, respectively. These statistics will be used in determining membership classification of the voting and officer eligibility requirements for Department elections. Firefighters not having served a complete year of service in this Department, will have their statistics compiled based on their time since induction.

Firefighters and Probationary Firefighters not meeting the minimum membership status requirements after one (1) complete year, and not being exempt from membership requirements, may be dismissed from the Department. Minimum requirements as set forth in this paragraph do not apply to Firefighter - Life Members. Those firefighters in jeopardy of dismissal may submit a letter to the Membership Committee expressing their concerns within thirty (30) days of their dismissal notice for a ruling. The Membership Committee will conduct the ruling procedure as prescribed by Article X, Disciplinary Action Procedure.

- C. Any new firefighter applicants who do not meet the requirements of the one hundred-eighty (180) day probationary period, as set forth and reviewed by the Fire Chief, may be dismissed.
- D. Those firefighters who leave for Active Military Duty, will remain in the classification they were in when activated, and will be exempted from all

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appropriate requirements until completion of their military duty. Active Military Duty being defined as called to serve for a period longer than the two (2) week normal training period including: National Guard or Reserve classifications. Also, the person being called to Active Duty must give a copy of their orders to the Fire Chief.

- E. Any firefighter that requests leave of absence (LOA) for any personal reason, assuming that member meets active firefighter status (non-probationary member) shall be granted up to one (1) year for their LOA. Firefighters should notify the Fire Chief of their request for LOA. If the firefighter is absent from the Department and unable to meet membership requirements, they will not be “certified” on the NCSFA roster as completing their annual mandate of 36 hours of training.

Probationary firefighters shall not be granted LOA during their probationary period. These firefighters will be removed from the Department roster and will need to reapply for membership at a later date.

Section 4: Probationary Period for Firefighter

1. Description of the Probationary Period

- a. New firefighter candidates shall be on probation for a minimum period of one-hundred-eighty (180) days.
- b. Auxiliary firefighter candidates, if enacted, are exempt from the probationary period.
- c. Purpose and Requirements of Probation:
The purpose and requirements of probation is for the new firefighter candidate to:
 - 1. Receive orientation by their mentor.
 - 2. Demonstrate their ability to satisfy the requirements of the Department.
 - 3. Acclimate themselves to the requirements of the Department.
 - 4. Successfully complete all training required of new members as described in Section 1, Paragraph I of this Article.
- d. Firefighter candidates shall receive, upon acceptance as a probationary firefighter, a membership kit. The kit shall consist of a copy of the Code of Conduct and Operational Guidelines, a copy of the Constitution and By-laws, and the ability to access the fire station(s).

2. Application for Probationary Firefighter Candidates

Potential candidates shall apply for probationary firefighter membership as specified in Section 4 of Article III.

3. Process to Terminate Probation

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Candidates for firefighter membership can be recommended by the Fire Chief for consideration to full Department membership only after the probationary criteria has been successfully completed.

- a. At the end of the prescribed one-hundred-eighty (180) day probationary period, the candidate must, at the next general meeting of the Department, be recommended to be removed from probationary status.
- b. The probationary period may be extended by the Fire Chief, but the maximum probationary period shall be an additional one-hundred eighty-five (185) days, after which, if not recommended, such candidate shall be terminated.
- c. Candidates may, at any time during the probationary period, be dropped from the Department roster for disciplinary reasons or if they fail to meet Department requirements. Submittal of false information shall be grounds for termination of membership.
- d. A firefighter candidate not recommended by the Fire Chief will not be considered for firefighter membership and dropped from the rosters of the Department.
- e. The firefighter membership shall be informed by distribution of the meeting minutes and at the general membership meetings that the member candidate is either accepted off probation, extended probation, or dropped from the rosters of the Department.

Section 5: Application for Membership as a Firefighter

- A. All applicants for membership to the Department must make application in writing, on the form provided by the Department.
- B. Applicants shall submit to a physical examination as required by the Brassfield Volunteer Fire Department Standard Operating Guidelines, providing the applicant is fit to perform the duties of membership applied for.
- C. Applicants with an unfavorable background check (Poor References, Criminal History, Driving Record, etc.) may be rejected for membership. The decision shall be based on the circumstances made in accordance with all applicable laws, rules, and regulations regarding admittance to volunteer fire departments. Legal advice may be sought where appropriate. This determination will be made by the Membership Committee at the time of application.
- D. After applying, applicants shall be processed through the New Member processing procedures.

Section 6: Resignation from the Department

- A. Any firefighter member may withdraw from membership by presenting a written resignation to the Department President or Fire Chief. This resignation will become effective upon return of all Department equipment.

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- B. Any firefighter member in good standing who resigns from the Department and wishes to re-join must apply as a new member.

ARTICLE IV BOARD OF DIRECTORS

Section 1: Members of the Board of Directors

The Board of Directors shall consist of the following five (5) members : President, Vice President, Secretary, Treasurer, and Member-at-Large, who shall be elected at the March membership meeting. The President shall be the Chairman of the Board of Directors.

Section 2: Responsibilities of the Board of Directors

The Board of Directors shall have the following responsibilities in addition to any others conferred on it, by these by-laws:

- A. To govern the activities of the Department and be responsible for the administration of the policies of the Department and, in this capacity, shall constitute the Board of Directors of the Department and their action shall be final.
- B. To cause to be prepared an annual budget, containing an estimate of all receipts and disbursements, which it shall submit to the general membership for approval. Such a budget shall also include the cash position of the Department at the time of drawing the same, and the estimated cash position at the end of the fiscal year.
- C. To approve all disbursements of money which shall be within the adopted budget, expenditures of funds not included in the budget should be submitted to the general membership for prior approval unless circumstances dictate immediate action be taken. Such action(s) shall require the approval of a simple majority of the Board.
- D. To have the financial records of the Department audited at any point a change in the position of Treasurer is made.
- E. To have an annual “procedures report” prepared by an independent CPA and submitted to Granville County on or before the last working day of December.
- F. To designate the depository bank or banks for the Department and invest any surplus funds.

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- G. To ensure that the Treasurer be bonded and to approve the surety.
- H. To secure adequate fire and liability insurance covering members, buildings, equipment and contents.
- I. To cause to be maintained a record of their official acts and meetings and permit examination of the same upon request of any member(s) in good standing.
- J. To cause personnel records to be maintained on all members and to periodically evaluate all members' performance of duties and compliance with these by-laws.
- K. To enforce or defend through litigation or otherwise compromise, adjust or release obligations due to or by the Department.
- L. The Members of the Board of Directors may expend, without prior approval of the Department, a sum not to exceed \$5,000.00 for any one item of purchase, maintenance, or repair. The expenditure of any amount in excess of \$5,000.00 by the Board Members must first be approved by the Department unless circumstances dictate immediate action be taken. Such action(s) shall require the approval of a simple majority of the Board.

Section 3: Non-departmental Board Members

- A. The Board of Directors, in addition to the five (5) members may be served by two (2) additional Members-at-Large that are non-departmental members.
- B. The two (2) Members-at-Large who are non-departmental members shall:
 - a. Reside within the Brassfield Fire District
 - b. Own property within the Brassfield Fire District
 - c. Must submit to and pass a background check
- C. Non-departmental Board Members shall not hold an Administrative Office on the Board of Directors.
- D. Any community member interested in serving in a Non-departmental Board Member-at-Large position will be required to complete and submit an application for service. Application will be solicited through printed and social media.

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- a. No community member shall be brought before the membership for approval when such applicant is directly related to a member. For the purpose of this clause, “related” shall mean.
 - i. Husband / Wife
 - ii. Father or Mother / Child or Stepchild
 - iii. Brother / Sister
 - iv. Grandparent / Grandchild
 - v. Brother-in-law / Sister-in-law
 - vi. Father-in-law / Mother-in-law
 - vii. Aunt or Uncle / Niece or Nephew

- E. All applicants will be vetted by the Membership Committee, who, in turn, will submit their recommendation for member(s)-at-large to the membership. The non-departmental applicant receiving the most votes will be presented to the Department as the Non-departmental Member-at-Large.

Section 4: Quorum of and Voting by the Board of Directors

A quorum of the Board of Directors shall be said to exist at any meeting of The Board of Directors when a majority of the Board members shall be in attendance. Once a quorum is established, Board of Directors actions shall not be taken except pursuant to a vote of the majority of the members present and voting.

The President of the Board of Directors shall be non-voting and serve as a tie-breaker only.

Section 5: Conflict of Interest

No member of the Board of Directors shall participate in a vote that involves any issue that would create, by actuality or by perception, a conflict of interest. The litmus test for a conflict of interest shall be based on three (3) criteria:

- a. Does the matter being voted upon create a financial impact on the Board Member?
- b. Does the matter being voted upon create a change in the Board Member in position?
- c. Does the matter being voted upon involve any relative, by blood or marriage, of the Board Member? For the purpose of this criteria, “relative” shall refer to:
 - i. Husband / Wife
 - ii. Father or Mother / Child or Stepchild
 - iii. Brother / Sister
 - iv. Grandparent / Grandchild
 - v. Brother-in-law / Sister-in-law
 - vi. Father-in-law / Mother-in-law
 - vii. Aunt or Uncle / Niece or Nephew

ARTICLE V OFFICERS

Section 1: Number

The officers and Board Members shall consist of both elected and appointed positions .

The elected positions shall be:

- a. President
- b. Vice President
- c. Secretary
- d. Member(s)-at-Large
- e. Fire Chief
- f. Deputy Chief

The appointed Officers shall be:

- a. Assistant Chief
- b. Captain
- c. Lieutenant

The appointed officers are appointed by the Fire Chief, as necessary, to assist them in Department operations.

Section 2: Election to Term of Office

Elections shall be held annually by the eligible members of the Department at its regular March meeting for those officers up for election. Each officer, excluding the Treasurer, shall hold office for a period of two (2) years beginning on April 1st following the election, until their successor shall have been duly elected, until their death, until they shall resign, or until they shall have been removed in the manner hereinafter provided. Transfer of authority will take place no later than April 1st.

Members-at-Large, both departmental and non-departmental, shall hold office for a period of two (2) years beginning on April 1st following the election, until their successor shall have been duly elected, until their death, until they shall resign, or until they shall have been removed in the manner hereinafter provided. Transfer of authority will take place no later than April 1st

Elections shall be staggered by positional grouping as follows:

- a. These elected positions shall be elected during odd years:
 1. President (2-year term)
 2. Deputy Fire Chief (2-year term)
 3. Department Member-at-Large (2-year term)

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4. Community Member-at-Large (2-year term)

b. These elected positions shall be elected during even years:

1. Fire Chief (2-year term)
2. Vice President (2-year term)
3. Secretary (2-year term)
4. Community Member-at-Large (2-year term)

c. The Treasurer shall be appointed by the Board of Directors when a vacancy exists:

Section 3: Removal

Any officer may be charged, impeached and removed from office on the grounds of willful dereliction of duty, misconduct in office, abuse of authority, non-performance of duty, misrepresentation of the Department, or misappropriation of the Department's property or funds. The following procedures are to be followed in bringing charges seeking impeachment and removal of an officer:

- A. The Board of Directors, by majority vote, may bring charges against an officer but the accused officer shall not have a vote. The Board may bring such charges on its own motion or upon the written petition of twenty percent (20%) of the general membership.
- B. The Board of Directors shall elect one of its members to bring the charges before the Trial Board.
- C. Upon the filing of the charges with the Trial Board, the procedure to be followed shall be the same as that for bringing charges against a member.
- D. If the Trial Board shall find the officer guilty of charges, the Trial Board shall submit recommended actions and refer the matter to the general membership.

Section 4: Vacancies

A vacancy in an elected office because of death, resignation, removal from office, or otherwise may be filled by appointment by the President. A vacancy in a line office may be filled by all remaining officers moving up in rank, or may be appointed, at the discretion of the Fire Chief. If necessary, appointments to office may ignore the qualifications to be nominated to that office.

Section 5: President

The President shall be the principal executive member of the Department and, subject to oversight of The Board of Directors, shall in general supervise and control all of the administrative business and affairs of the Department. The President shall, when present, preside at all meetings of The Board of Directors and of the general membership. The President may sign, with the Secretary or any other proper officer of the Department thereunto authorized by The Board of Directors, deeds, mortgages, bonds, contracts or other instruments which The Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by The Board of Directors or by these by-laws to some other officer or agent of the Department, or shall be required by law to be otherwise signed or executed; and in general shall perform all duties incident to the office of the President and such other duties as may be prescribed by The Board of Directors from time to time. The outgoing President, if requested by the incoming President, may serve in an advisory capacity to The Board of Directors during their term of office.

Section 6: Vice President

In the absence of the President or in the event of their death, inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as from time to time may be assigned by the President or by The Board of Directors.

Section 7: Secretary

The Secretary shall:

- A. Keep the minutes of all meetings of the membership and of The Board of Directors in one or more books provided for that purpose.
- B. See that all notices are duly given in accordance with the provisions of these by-laws.
- C. Be custodian of the records.
- D. In general, perform all duties incident to the office of the Secretary and such other duties as from time to time may be assigned by the President or by The Board of Directors.

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Section 8: Treasurer

The Treasurer shall:

- A. Have charge and custody of and be responsible for all funds of the Department.
- B. Receive and give receipts for monies due and payable to the Department from any source whatsoever, and deposit all such monies in the name of the Department in such banks, trust companies or other depositories as shall be elected in accordance with the provisions of Article XII of these Constitution and By-laws. [Contracts, Loans, Checks and Deposits]
- C. Pay no monies in excess of \$500 without the signatures of two (2) of the following: President, Vice President, Chief, or Treasurer. They shall present a written annual report of the financial condition of the Department at the July meeting of each year. They shall also arrange for an audit of the financial record of the Department by an independent outside authority, if necessary. They shall deliver all books, papers, etc. to their successor.
- D. Shall submit to an independent CPA such documentation and information as necessary for the CPA to prepare a procedures report. This report is to be submitted to Granville County by the end of the calendar year.
- E. Simultaneously serve as the Treasurer for the Firefighter's Relief Fund.
- F. In general, perform all the duties as from time to time may be assigned by the President or by The Board of Directors. The corporation is to maintain a fidelity bond covering the Treasurer in such sum and with such surety or sureties as The Board of Directors shall determine.
- G. Select a member of the Department to incorporate into succession planning for the position of Treasurer as an added redundancy to ensure continuity of operations upon vacating the position. This member shall also be bonded.

Section 9: Member-at-Large

The Member-at-Large's responsibilities are to participate in the discussions and evaluation of decisions necessary in the operation of the Department. The departmental Member-at-Large shall have exclusive right and authority to interact with any member of the Department as a Liaison between the general membership and the Board of Directors.

Section 10: Fire Chief

The Fire Chief shall be the principal Line Officer of the Department and, subject to the oversight and direction of The Board of Directors, shall in general supervise and control all the firefighting activities and equipment of the Department. This may be done through direct control or through delegation of tasks. The Fire Chief shall give such orders and directions as they consider proper. The Fire Chief shall record the names of all firefighters at the fires. The Fire Chief shall suspend all members who disobey the orders of their superior officer. The Fire Chief shall assign duties to the other Line Officers as necessary for the efficient operation of the Department. The Fire Chief shall also exercise and perform the powers and duties granted and imposed upon them under Article V of the By-laws of the Department. The activities for which the Fire Chief is responsible include, but are not limited to; firefighting, training, equipment, maintenance, public relations, pre-planning, inspections and all other duties incident to the office of the Fire Chief, and such other duties as may be prescribed by The Board of Directors.

The Fire Chief shall have authority to expend up to \$1,000 in a thirty (30) day period to purchase items or otherwise meet the needs of the Department. The \$1,000 expenditure limit is for a single purchase or cumulative total within those thirty (30) days. Any amount to exceed \$1,000 will require prior approval from the Board of Directors.

Section 11: Appointed Line Officers

The Fire Chief shall determine how many line officers are necessary and their ranks. The responsibilities of each officer are as specified by the Fire Chief for each position. Those line officers of the Department not elected shall be appointed by the Fire Chief of the Department. If necessary, appointments to office may ignore the qualifications to be nominated to that office upon recommendation of the Fire Chief and approval by the Board of Directors.

ARTICLE VI QUALIFICATIONS FOR OFFICE

Section 1: Board of Directors

- A. Be a firefighter in good standing.
- B. Be (18) eighteen years of age or older.
- C. Possess a minimum of (2) two years in the Department at the time of nomination.
- D. Have attended a majority of meetings from January 1 to December 31st of the preceding year.

Section 2: Line Officers

- A. General qualifications for Line Officers.
 - 1. Be a firefighter in good standing.
 - 2. Possess a minimum (1) one year in this Department as a firefighter .
 - 3. Have completed basic fire training of at least (40) forty hours in a recognized fire training program covering those subjects as outlined in the standard National Fire Protection Association (NFPA) pamphlet #1001, or has qualifications for Firefighter Level 1, as per the State of North Carolina.
 - 4. Nominees/appointees must present documentation of any training if needed, to determine their eligibility for this or any other Line Office.

ARTICLE VII MEETINGS

Section 1: Location

All meetings of the Department shall be held at the main fire station, unless otherwise specified by the Board of Directors

Section 2: Date and Time

The regular meetings for the transaction of business shall be held on the first Week of each month, starting at 7:00 p.m. When it is anticipated that legal holidays, or occasions of special activity or importance to the membership will occur on a regular meeting night, the meeting may be rescheduled for a date and time to be set by the President or presiding Officer. The rescheduled meeting dates, time, and place will be announced at the preceding meeting, by the presiding officer and posted at the fire station(s).

Section 3: Public Meeting

The Fire Department is required to hold at least one meeting per year that is open to the public. Notice of this meeting must be given consistent with the Open Meetings Law.

Section 4: Special Meetings

Special meetings for the transaction of business of the Department shall be held at the call of the President, Fire Chief or Secretary upon written request of five (5) members for a specifically stated purpose. The membership shall be notified of the special meeting by announcement at a regular meeting and by email notice given by the Secretary not less than five (5) days prior to such special meeting. Also, a notice will be posted at ALL Stations and provided by email when applicable.

Section 5: Meeting Minutes

The Fire Department shall take full and accurate minutes of all official meetings, including any closed sessions, as required by the Open Meetings Law and to make such meetings available to the public before the next meeting.

Section 6: Quorum

At any meeting of the Department, 1/3rd of all eligible voting members, one of whom shall be the President, Vice President, or Fire Chief, shall constitute a quorum for the transactions and, except for those transactions otherwise specified, a majority vote shall govern. Voting eligibility will be determined by the member's status on January 1st.

ARTICLE VIII CONDUCT OF THE MEETING

Section 1: Meeting Agenda

At the hour appointed for the commencement of the meeting, the President, or designated officer shall take the chair and, if a quorum is present, shall proceed to business in the following recommended order;

- i. Call to Order
- ii. Moment of Silence
- iii. Secretary's Report
- iv. Treasurer's Report
- v. Reports of Committees
- vi. Old Business (Including any Tabled Motions)
- vii. New Business

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- viii. Officer's Reports
- ix. Elections (If Necessary)
- x. Good and welfare of the Department
- xi. Adjournment

Section 2: Failure of Quorum

If less than a quorum is in attendance fifteen (15) minutes after the time for which the meeting has been called, the presiding officer may adjourn the meeting. Any meeting for which a quorum is present may be adjourned by motion only after all business has been completed.

Section 3: Meeting Rules

The following rules shall govern the proceedings of all meetings;

- A. After the presiding officer has taken their chair, every member shall cease all conversation not connected with the business before the meeting.
- B. A member wishing to speak on business of the Department shall rise and address the presiding officer and shall not be interrupted except by a call to order from the presiding officer: at that time, the member shall immediately cease, or make an appeal from the call to the Department who shall decide without debate.
- C. When a question or motion is under consideration, no other motion shall be in order except on the following:
 - 1. For the previous question.
 - 2. To lay on the table.
 - 3. To amend.
 - 4. To refer to committee.
 - 5. For permission to speak.
- D. Motion to postpone, to be tabled and for the previous question shall take precedence over all other motions, they shall stand on equal grounds and neither shall be made while the other is pending.
- E. The yeas and nays upon any question shall be taken and inserted upon the minutes if called for by two members.

ARTICLE IX PARLIAMENTARY AUTHORITY

Section 1: Parliamentary Authority

The most Current edition of Robert's Rule of Order, in effect as of January 1, shall govern the Department in all affairs where not inconsistent with these By-laws.

ARTICLE X DISCIPLINARY PROCEDURE

There shall exist, for the purpose of interdepartmental disciplinary matters, a written Department Disciplinary Policy.

Among other things, this policy, outlines offenses, procedures and an escalating scale of consequences shall be properly promulgated and conform to all pertinent local, state and federal laws along with any relevant Attorney General Guidelines.

ARTICLE XI COMMITTEES

Section 1: Committee Establishment and Members

At the April meeting of each year, the Board shall appoint a chairman and members of the following standing committees: Bylaws, Banquet / Fundraising, Apparatus, Trial Board and Membership Committee, plus others as needed. The President or a majority of The Board of Directors may establish such other committees and specify the duties of such other committees as may from time to time be expedient or desirable to fill the needs of the Department. The President and Fire Chief shall be ex officio members of all these committees.

Section 2: Responsibilities and Duties of the Committees

These committees shall be responsible to and shall report their affairs on a regular basis to The Board of Directors and general membership. The duties of the above-listed standing committees shall be as established from time to time by The Board of Directors or Fire Chief.

ARTICLE XII OUTREACH

The Fire Department shall prepare and implement an annual Fire Prevention and Public Education Plan, as well as a Community Risk Reduction Plan. The Fire Department's goal is to reach at least twenty-five percent (25%) of the total population of its Fire District each calendar year.

ARTICLE XIII CONTRACTS, LOANS, CHECKS AND DEPOSITS

Section 1: Contracts

By-Laws

The Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Department with the consent of a majority of the general membership, and such authority may be general or confined to specific instances.

Section 2: Loans

No loans shall be contracted on behalf of the Department and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of The Board of Directors and with the consent of a majority of the general membership. Such authority may be general or confined to specific instances.

Section 3: Checks, Drafts, etc.

All checks, drafts, or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Department shall be signed by such officer or officers, agent or agents of the Department and in such manner as shall from time to time be determined by resolution of The Board of Directors.

Section 4: Deposits

All funds of the Department not otherwise employed shall be deposited from time to time to the credit of the Department in such banks, trust companies, or other depositories as The Board of Directors may select.

ARTICLE XIV ELECTIONS

Section: 1: Election Date

The annual elections shall be held at the March meeting and the new officers shall take office no later than April 1.

Section 2: Election Schedule

At the annual election, elections shall be held in accordance with Article V, Section 2.

Section 3: Nominations

Nominations for Officers shall be made at the regular meetings in February of each election cycle and the nominees must be present on the night of the nomination to accept their nomination. If a nominee must be absent from the meeting, they must submit a letter of acceptance on or before the close of nominations. The Treasurer shall post the names of all nominees immediately following nominations.

By-Laws

Section 4: Voting

Voting shall be by individual secret ballot and each member of the Department in good standing who is eligible to vote shall be entitled to cast one ballot for each office being elected. Proxies will not be recognized. The nominee receiving the greatest number of votes shall be elected to the office for which he or she was nominated.

Section 5: Qualification to Vote

In order to qualify to vote, a member must be an Active Firefighter / First Responder for a minimum of two quarters within the year. New members will qualify to vote providing they have completed their probation by March 1 and have maintained Active Firefighter / First Responder status.

All members in good standing shall be eligible to vote for the elected positions other than Line Officers.

Section 6: Voting by Proxy

Voting by proxy shall not be recognized for any election process.

Section 7: Member Standing

A member shall be deemed "Not in good standing" and thereby ineligible to vote if on the day of elections they are:

- a. Suspended
- b. Expelled

Section 8: Absenteeism

Any member who must work or who can prove that it would be a hardship to attend an election, as determined by The Board of Directors, shall be eligible to cast an absentee ballot provided that the absentee ballot is in the hands of the Treasurer before the election meeting is called to order. The ballot must be in a sealed envelope and initialed by the Treasurer and the member casting the vote on the outside of the envelope.

ARTICLE XV AMENDMENTS TO THE BY-LAWS

These By-laws may be amended by an affirmative vote of two-thirds of the members present at any regular meeting.

By-Laws

Section 1: Committees

By-laws committee may be established in January of each year, in accordance with Article XI, to review these By-laws and recommend amendments thereto if deemed necessary and proper. This committee shall be responsible for interpreting the By-laws.

Section 2: Changes

A. Any member in good standing of the Department may recommend to the Committee that it study certain existing By-laws or to add to, delete or alter the same. Said member will obtain the By-laws Change form from the desk drawer in the Department office and complete the form. The form will show the old wording, the new wording proposed by the member, and what benefit the change will provide. This form should then be turned over to the By-laws committee. Upon receipt of a proposed change, the committee will review the change and make a report back to the member making the proposed change within thirty (30) days. The change request will then be forwarded to The Board of Directors.

B. By-laws Change form is shown Article XV, Form B.

Section 3: Submission to By-laws Committee

The By-laws Committee shall make its recommendations and shall recommend their adoption or rejection to The Board of Directors.

Section 4: Submission to Board of Directors

The Board of Directors shall study any proposed amendments and shall recommend their adoption or rejection to the membership.

Section 5: Presentation to Membership

The Board of Directors shall, at the first regular meeting following its action on the proposed amendment, introduce the same to the membership and shall make known its recommendations concerning the amendments. The member requesting the change will be available to answer questions from the membership at the time the By-laws change is introduced at the general membership meeting.

Section 6: Posting

The proposed amendments shall thereafter be posted on the Department's bulletin board for a minimum period of twenty-five (25) days or until the next regular meeting, at which time the matter of adoption or rejection of the proposed amendments shall be voted upon. Such amendments (if not inconsistent with the

By-Laws

articles of incorporation) shall be adopted if approved by two-thirds (2/3) of the members present and voting at such meeting.

Section 7: Security

For security reasons the following actions will be taken by the Secretary of the Department to protect the By-laws. The Secretary shall keep one copy of the By-laws on a computer digital media backup device marked "Master" and secured in the Department's safe deposit box. The Secretary shall keep another copy of the By-laws on an electronic storage device to use and on which changes can be made. The Secretary shall also keep and make available a printed copy of the By-laws and have that document secured in the office. This document will be labeled "Master Copy". Any changes made to the By-laws will be made by the Secretary and the By-laws committee, and the disks corrected and updated accordingly. These changes will be made after Sections 1 through 6 of Article XV have been followed and changes approved. The Secretary shall also keep their copy updated and current.

Section 8: Documentation Control

In order to keep all changes made to the By-laws in an accurate format, the Secretary will keep the "Revision History Page" up to date and as page ii of the By-laws. This list will mark the date, revision, and who made the changes. As incorporated in these By-laws, all changes will be noted and recorded.

Section 9: Change Notice

- A. The By-laws committee will post the proposed changes with a "By-laws Change Notice" form indicating the changes, author and paragraph and section affected.
- B. By-laws Change Notice is shown on Article XV, Form A.

Section 10: Disclaimer

If any provision of these By-laws is found to be in violation of any State or Federal law, rule, regulation, etc., that provision shall be deemed subordinate to said law, rule, regulation, etc., and the remaining By-laws shall remain intact with the exception of said provision. As an interim measure, The Board of Directors will review said conflicts to determine an immediate course of action for the Department.

By-Laws

Form A

By-laws Change Notice

The By-laws committee has received a request for a change to the By-laws for the Department. Per the By-laws this request must be posted for thirty (30) days.

Please review the attached By-laws change request and the documentation provided by the author requesting the change. This change will be introduced at a general membership meeting and then posted for 25 days. Please contact the By-laws committee chairperson or the author should you have any questions about the pending change.

Date: _____ Author: _____

Paragraph/section affected: _____

Form B

By-laws Change Request Form

Date: _____ Member Making Request: _____

Proposed Change: Article: Section: Paragraph: _____

Old Text: _____

Proposed Text: _____

Benefit to the Department: _____

Date Received: _____ Date Reviewed: _____ By-law Committee: _____

Presentation to The Board of Directors _____

ARTICLE XVI JUNIOR FIRE AUXILIARY

The Department may have a Junior Fire Program. The Junior Fire Program will abide by the Constitution and By-laws of the Department and the rules and regulations set forth by the Fire Chief. The determination of program requirements and subsequent eligibility for such program shall be set by the Fire Chief.

ARTICLE XVII PRESS/MEDIA CONTACT

No member of the Department or its affiliates will release any official information or represent the position of the Department, regardless of the nature of the information; persons involved, type of incident or personal/professional opinion thereof, to any press/media personnel, without the expressed consent of the Officer in charge of the incident or situation regarding the Department or its affiliates.