

New Manchester Volunteer Fire Department

Constitution and Bylaws

Article I

Section 1

This organization shall be known as the New Manchester Volunteer Fire Department Inc. It shall consist of such personas that are received into membership in compliance with the articles of this constitution and bylaws.

Section 2

The elected officers shall be

- | | |
|-------------------|--------------------------|
| 1) President | 5) Ways & Means Chairman |
| 2) Vice-President | 6) Trustees |
| 3) Secretary | 7) Fire Chief |
| 4) Treasurer | 8) Deputy Chief |

Section 3

The term of office of the President, Vice-President, Secretary, Treasurer, Ways & Means Chairman, and the Deputy Chief shall be one (1) year. The Fire Chief's term shall last for a period of two (2) years. They may serve as many terms as they are elected.

Section 4

There shall be a total of seven (7) trustees. For five of the seven, the term of office shall be for five (5) years. One of the trustees, out of the five, shall be elected each year for a five-year term, and they may succeed themselves in office. The Fire Chief and the Ways & Means Chairman shall make up the remaining two (2) trustees. In the event that the office of Fire Chief or the Ways & Means Chairman shall be filled by a non-property owner, additional trustees shall be elected to fulfill the position for a one (1) year term; otherwise, their terms as trustees will last as long as their elected office permits. After the first of each year, one out of the five elected trustees will be chosen as Chairman of the Trustees by the remaining trustees. The Chairman's duties include calling and conducting trustees' meetings, signing checks, and other functions deemed necessary.

Section 5

Nominations for office shall be held during the regular monthly meeting in November of each year. A member's name placed in nomination in November can be renominated in December for any other office. However, any person not placed in nomination in November cannot be placed in nomination in December. The official election shall take place during the regular monthly meeting in December. All officers shall be elected by secret ballot. The two highest candidates of each office shall have a run-off, unless one candidate receives a fifty-one percent (51%) majority of the vote. In the event of a run-off, a special election shall be held on the Monday following the regular monthly meeting. Persons who are absent of the election day due to circumstances beyond their control, may vote by absentee ballot on the day of the election. A Sergeant-at-Arms will be appointed by the President to handle the absentee voting.

Section 6

The newly elected officers shall be installed in their respective offices during the regular monthly meeting in January of each year.

Section 7

The retiring officers shall continue to serve the department until their successors have been duly installed into office.

Section 8

Retiring officers shall turn over to their successors all properties of the Department that may be in their possession at the expiration of their term of office.

Section 9

Vacancies occurring in any elected office shall be filled temporarily by the President. However, the office must be filled by an election within a period of six (6) weeks.

Section 10

If an officer shall fail to discharge the duties of his or her office for three (3) consecutive meetings without just cause, the President must declare the office vacant.

Article II

Section 1

The time of the regular monthly meeting will be the second Monday of each month at 7:30 pm.

Section 2

There must be a quorum of seven (7) members, including a duly-elected officer, before a meeting can be officially conducted.

Section 3

Members shall be requested to sign the roll at each meeting.

Section 4

The Order of Business for each regular monthly meeting shall be:

- 1) Salute to the Flag
- 2) Roll call of officers
- 3) Reading of the minutes from the previous meeting
- 4) Treasurer's and kitchen's reports
- 5) Trustees meeting
- 6) Bills read and disposed of
- 7) Departmental Officers' report
- 8) Committee reports
- 9) Communications read and disposed of
- 10) Unfinished business
- 11) New business
- 12) Proposition of membership
- 13) Initiation of new members

- 14) Election of candidates
- 15) Installation of officers
- 16) Report of members sick or in distress
- 17) Good of the Department
- 18) Prayer

Section 5

The president shall have the authority to cancel any meeting for good reason.

Section 6

The president must call a special meeting if he receives a petition signed by no less than seven (7) members of the Department. The president must make an attempt to contact all members before the special meeting is held.

Section 7

The Trustees are the Executive Committee. The Executive Committee shall have full power to act should an emergency occur between meetings. The Trustees shall be responsible for all financial and legal documents. The Trustees shall meet following the regular monthly meeting.

Section 8

No candidate for public office shall be permitted to use any meeting for the purpose of soliciting votes.

Section 9

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Section 10

No posters, signs, handbills, etc. shall be posted on Fire Department property or distributed by anyone for personal gain.

Article III

Section 1

President: The president is the chief executive officer of the Department. He/She shall preside at all business meetings. He/She shall appoint all committees that are essential to the welfare of the Department. He/She shall be an ex-officio member of all committees that are appointed by aforesaid officer. He/She shall decide all questions of order, subject to the appeal of the Department, and shall be governed by the Robert's Rules of Order. He/She shall enforce and preserve the Constitution of the Department and perform such other duties that are ascribed to this office.

Section 2

Vice-president: The vice-president shall assist the president in the discharge of his duties and, during his absence, shall perform the duties of the president. In the event that a vacancy occurs in the office of the president, the vice-president shall serve as president until a new president has been elected.

Section 3

Secretary: The secretary shall keep a true record of the proceedings of all meetings. He/She shall receive and make all correspondence of the Department. He/She shall read all papers and make disposal of them as prescribed by the Department. In the absence of the president and vice-president, the secretary shall open the meeting and appoint a temporary chairman for the meeting.

Section 4

Treasurer: The treasurer shall receive all money and deposit it in the bank designated by the Department. He/She shall keep an accurate financial record of the Department and shall, at times, have his books open for an examination by the Auditing Committee. He/She shall sign all checks and have them countersigned by a member on the bank's list. He/She shall make an itemized financial report at each regular monthly meeting, at the end of the calendar year, and whenever requested by the Department or Trustees. He/She shall pay all authorized expenditures when due.

Section 5

Ways & Means Chairman: The Ways & Means Chairman shall be responsible for the operation of bingo and/or any money-making effort deemed necessary by the president. He/She may select a committee to assist him in these endeavors only upon approval of a departmental vote with fifty-one percent (51%) needed for passage.

Section 6

Trustees: The trustees shall have charge of the firehouse and all the property of the Department. They shall be the Auditing Committee who, at the end of each calendar year, shall audit all books and make an inventory of all properties of the Department, and any other such duties as the Department may require.

Section 7

Fire Chief: The Fire Chief shall have full jurisdiction over all fire-fighting equipment, and it shall be his duty to keep the fire truck(s) and other fire-fighting equipment in good service and ready for use at all times. He/She shall be authorized to make any expenditures not exceeding one-hundred dollars (\$100.00) without the approval of the Trustees. On all activities outside the county, prior permission of the highest-ranking fire officer available shall be obtained. He/She shall be in command of all fires, parades, and excursions. It shall be his/her duty to see that the fire apparatus is kept clean and in good order. He/She shall keep a record of all fires and alarms. He/She shall enforce all rules and regulations as may increase the efficiency of the Department. He/She shall keep records of all equipment and gasoline purchases.

Section 8

Deputy Chief: The Deputy Chief shall assist the Fire Chief in the discharge of his duties. In the absence of the Fire Chief, the Deputy Chief shall assume his duties. In the event of a vacancy occurring in the office of Fire Chief, the Deputy Chief shall serve as the Fire Chief until a new Fire Chief has been elected.

Section 9

The Fire Chief, with the aide of his elected Deputy Chief, shall choose for efficient operation of the Department, one (1) Assistant Chief, two (2) captains, and two (2) lieutenants. A Safety Officer and Training Officer will also be named, and these officers may be filled by one of the appointed or elected officers. The number of appointed officers may be increased or decreased depending upon the prevailing number of active firefighters. All the appointed officers must be approved by membership vote.

Section 10

Safety Officer: The Safety Officer shall follow the guidelines and enforce them in accordance with NFPA 1500, Standard on Fire Department Occupational Safety and Health Program, and NFPA 1521, Standard for Fire Department Safety Officer.

Section 11

Squad Training Officer: The Squad Training Officer shall abide by all state regulations for training officers. He/she shall schedule all classes and training in firefighting and emergency medical services along with the Fire Chief. He/she shall keep an accurate record of all training exercises and participation.

Article IV

Section 1

Any person entering the firehouse in an intoxicated condition or acting disorderly shall be ejected from the building. These people shall not be permitted to operate the fire truck(s) or any other firefighting equipment. No alcoholic beverages are permitted in the station or on the premises.

Section 2

No fire equipment shall leave the fire station for non-firefighting use, unless authorized by the Fire Chief or a line officer in charge in the absence of the Fire Chief. The Fire Chief has full jurisdiction over fire equipment leaving the department.

Section 3

Any qualified department driver shall drive the fire engine to the fire as quickly as possible in a safe and orderly fashion. The driver, if no other line officer is present, shall assume command and may appoint any firefighter (if possible, one schooled in firefighting tactics) to take over the command. Should the Fire Chief, his Deputy Chief, or any line officer arrive or be enroute to the scene via radio communications, the temporary officer shall surrender the command to him.

Section 4

Any qualified driver will be required to drive and pump all fire trucks once a year at the discretion of the Fire Chief or one of his/her officers. All drivers shall receive a pass/fail grade. Any member failing will lose their driving privileges. Failure to test will result in a failing grade.

Section 5

The pump operator shall be in charge of the operation of the fire engine and pump at all fires and fire drills, but under the supervision of the officer in command.

Section 6

The Fire Chief, Deputy Chief, and the Training Officer shall be constantly alert to training firefighters in the act of firefighting and emergency medical services. Two (2) training periods shall be held each month at the discretion of the Fire Chief.

Article V

Section 1

All applications for membership must be in writing and signed by one active member of the Department.

Section 2

All senior applicants for membership must be eighteen (18) years of age.

All junior applicants for membership must meet requirements set forth in West Virginia State Fire Commission Administrative Policy Title 87, Series 8, Section 4.02B Junior members must meet requirements of WV 42CSR9 §42-9-5 before being permitted to participate in any activities. Activities of junior members shall be limited as defined by WV 42CSR9 §42-9-6 and any Department Policy defining their participation.

Section 3

The Membership Committee shall investigate all applications and recommend disposition of same.

Section 4

Voting shall be done in the absence of the applicant. An applicant shall be admitted to membership upon a fifty-one percent (51%) majority approval of the members present.

Section 5

Once the application is accepted, the new member will be on probation for one (1) year. Six months after the application is accepted, the new member will then be reevaluated. At this time the members and Fire Chief will decide if the new member will become a permanent member or be required to complete the remaining six months probationary period. This will be determined by having met standard requirements set forth by the membership, willingness to follow directions, general interest in the first six months, and willingness to learn basic firefighting skills.

Section 6

One year from the date of application, applicant is required to pass Firefighter I, First Aid/CPR, and Hazardous Materials Basic Concepts when offered in our area.

Section 7

Membership will be limited to not more than sixty (60) active members.

Section 8

Any member, in good standing, who attains twenty (20) years of service may be issued a life membership with approval of the membership at a regular monthly meeting.

Section 9

Any member, in good standing, with ten (10) years of service, who wishes to resign for reasons of health or welfare, may receive an honorary membership with approval of the membership at a regular monthly meeting.

Section 10

New members shall not be permitted to vote while on probation and shall not be permitted to hold office for a period of one (1) year from date of application.

Section 11

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Section 12

Membership may be considered for persons living within 2 miles of the department's fire district recognized by United Hancock County Firefighter's Association, with membership approval. Anyone moving outside of these boundaries shall automatically forfeit his/her membership and all properties of the fire department. A leave of absence may be granted in lieu of forfeiture of membership upon request.

Section 13

Membership classification and participation requirements shall follow West Virginia State Fire Commission Administrative Policy Title 87, Series 8, Section 4.02. Additional participation requirements shall be set forth in Department Policy 2.0

Section 14

The rules in Article V, Section 13 regarding appealing termination to the trustees would also apply for a firefighter being removed from the departmental roster due to disciplinary action.

Section 15

Any member approved for membership on or after January 10, 2005, who does not reside in the department's fire district (as approved by United Hancock County Firefighter's Association and WV State Fire Commission) may not hold an elected office, as defined in Article I Section II of these bylaws.

Section 16

Applicants for associate members may be accepted by vote of the membership at a regular monthly meeting following voting procedures set forth in Article V, Section 4. They shall participate in at least one fund-raising activity per year. They shall not be allowed to vote on any issues or during the election of officers. At the end of the year, associate memberships shall be reviewed.

Section 17

Members shall belong to one and only one volunteer fire department. This includes ladies auxiliaries, associate members, etc. No one shall be considered for membership while a member of another volunteer fire department without a written statement from that department stating that the member is no longer active. Any member of this department who joins another volunteer fire department automatically forfeits his/her membership to this department.

Section 18

Junior members must maintain a 2.0 GPA to remain active. Junior members failing to maintain this minimum standard at the school's 9-week grading period shall be placed on probation until the requirement is met. Junior firefighters must submit a copy of the 9-week report card to the Fire Chief within 1 week of the report being issued by the school.

Article VI

Section 1

A copy of the Constitution and By-Laws shall be available to all members in good standing at all times.

Section 2

The Constitution and By-Laws will be updated as changes are made.

Section 3

Amendments to the Constitution and By-Laws may be made at any time. They must be in writing and approved.

Section 4

The Constitution or any amendments to the same or to the Policies or By-Laws shall be read at two (2) consecutive regular monthly meetings. Upon second reading, a favorable vote of seventy-five percent (75%) of members present shall be necessary for passage.