

Revised December 1999

Constitution and By-Laws

Chugwater Fire Protection District

ARTICLE I - TITLE AND OBJECT

Section 1 - This organization shall be know as the Chugwater Fire Protection District.

Section 2 - Its object shall be the preservation and protection of the property from and during such fires and other emergencies as may occur in the Chugwater Fire Protection District. It shall endeavor to remove fire hazards and to prevent fires.

ARTICLE II - ORGANIZATION

Section 1 - The Department shall consist of a maximum of twenty-five (25) active members and such honorary members as maybe elected by the Department.

ARTICLE III - OFFICERS

Section 1 - The officers of the Department shall consist of one Chief, one Assistant Chief, and Training Officer. Officers shall be elected separately at the regular (annual) meeting of the department. A majority of all votes cast shall constitute election and such "standing committees" as may be necessary.

Section 2 - One Secretary will be elected at the regular annual meeting.

Section 3 - Standing committees shall consist of a committee on grievances. Each committee shall consist of three (3) members.

ARTICLE IV - ELECTION AND APPOINTMENT OF OFFICERS

Section 1 - The officers of Chief, Assistant Chief, and one training officer shall be filled by an election by ballot at the regular ANNUAL MEETING of the department. A majority of votes cast shall constitute election. The last meeting in April will be open for nomination of officers. The first meeting in June will be election of officers. Officers will take office July 1.

Section 2 - Vacancies occurring during the year may be filled by calling a special election. One week's notice in writing shall be given each member of such special election. Election to such a vacancy shall be the period of the unexpired term.

Section 3 - Standing committees and their members shall serve for one year and the members shall be appointed by the Chief. It shall be within the power of the Chief to remove any member from a standing committee.

ARTICLE V - ELECTION OF MEMBERS

Section 1 - Any person eighteen (18) years of age or over, of good reputation and standing, shall be eligible to membership in the Department if there is a vacancy.

Section 2 - Any member shall have the privilege of presenting the name or names of candidates for election.

Section 3 - Ballot shall be secret or oral. Ballot shall be taken on each candidate separately. It shall not be permissible to suspend the rules in voting on candidates.

Section 4 - Any active member of the department, who has been an active member for three (3) consecutive years, may at his/her request be transferred to the honorary roll without a vote of the membership. It shall require a secret ballot to be returned to the active rolls from the honorary list. Honorary members may be used when no other fire members are available and/or as an emergency arises.

Section 5 - Probationary time for all new members is for the purpose of training and observation for one year. At any time during that year, the member can be terminated by a majority vote of fire members. New members shall have voting privileges.

Section 6 - Following probationary time, members are eligible for fire shirts and coats. The member must attend a minimum of seven (7) meetings during that probationary time.

ARTICLE VI - DUTIES OF MEMBERS

Section 1 - It shall be the first duty of all members of this department to obey the order and commands of their officers while on duty. If there is a conflict of orders, the order of the higher officer is to be followed.

Section 2 - It shall be the duty of all members to prompt at all meetings, to assemble at the Fire Hall, without delay on all alarms unless previously excused by the Chief, or unless unable to report.

Section 3 - It shall be the duty of the members to report to meetings unless sickness or business shall prevent them.

Section 4 - No member shall appear at the meeting of the department or on duty at a fire in the state of intoxication; leaving the scene without notifying the officer in charge; nor shall he/she be guilty of using insulting, indecent or improper language, or otherwise be guilty of conduct unbecoming to a gentleman/lady; or in any way bring disrepute upon the department, under the penalty of fine or expulsion from the department as hereinafter provided.

Section 5 - It shall be the duty of all members to see that any fire truck or any other apparatus returning from a call is filled with gasoline, oil and refilled with water.

Section 6 - Any member responding to a call will wear the necessary protective clothing.

Section 7 - All members will use the radios in the proper manner - "i.e." use ten code when possible and no profane language.

Section 8 - All members must attend a minimum of fifty (50) percent of the training meetings a year. If any member is absent from more than fifty (50) percent of the training meetings per year, he/she shall be dropped from the rolls. During that year, a member will have the opportunity to make up for unattended training meetings.

Section 9 - If any member is absent from six (6) regular business meetings without being properly excused, he/she shall be dropped from the roll. The Secretary shall inform the Chief when any member has been absent, without being excused, from five (5) meetings in succession or six (6) meeting in one (1) year. He must attend the next meeting or be excused by the Chief personally, other wise he/she shall be dropped from the roll.

Section 10 - The Chief or Assistant Chief has the authority to bring any member before the membership for disciplinary action for misconduct. Disciplinary action constitutes a letter of misconduct, suspension, dismissal, or a fine. The Secretary will inform the member in writing within one (1) week before the following meeting. Action may be taken at that meeting regarding the member. The member shall be present unless other arrangements have been made.

ARTICLE VII - AMENDMENTS

Section 1 - No alteration or amendment shall be made to this Constitution and By-Laws unless proposed in writing at a regular meeting, such an amendment shall be referred to a special committee which shall report at the next meetings, when it shall be acted upon. Each member of the department shall be notified in writing by the Secretary at least one (1) week before such report by the committee. If there be a majority, the amendment shall be declared adopted.

Section 2 - Should the committee fail to report at the proper time, the matter may be considered in committee of the whole and immediate action taken thereon.

ARTICLE VIII - PRIVILEGES

Section 1 - The first member reaching the fire hall shall ascertain the location of the fire or other emergency and shall write such location on the "Board." He/She shall assume command and retain such command until the Chief or Assistant Chief arrive. While in command, he/she shall be subject to the same penalty for neglect of duty as any other officer in command.

Section 2 - NO EQUIPMENT SHALL BE STARTED UNTIL LOCATION OF FIRE OR OTHER EMERGENCY HAS BEEN DETERMINED CERTAIN.

ARTICLE 18 - RULES OF ORDER

Section 1 - Only one member shall be entitled to the floor at any time.

Section 2 - Any member desiring the privilege of the floor shall arise and address the chair.

Section 3 - No member shall be allowed to speak on any subject until he/she has been recognized by the chair.

Section 4 - No question shall come before the Department unless properly moved and seconded and has been declared open for discussion by the chair.

Section 5 - Any member may call for yeas or nays on any question. When such request is made, each member shall answer to his/her name on the roll unless excused from voting by the chair.

Section 6 - All questions, unless otherwise stated in the Constitution and By-Laws, shall be decided by a majority vote of members present.

Section 7 - No member shall speak more than five minutes at one time on any one subject, or more than twice on the same subject without obtaining permission of the chair.

Section 8 - When the point of order is raised by any member, the member having the floor shall relinquish the floor until the chair has ruled on the point of order. After the chair has ruled on the point of order, he/she may resume the floor.

Section 9 - When there is a motion before the Department, it must be disposed of before any other motion can be made except motion to amend the original motion, to amend the amendment, or to adjourn.

Section 10 - Unless it is understood by the chair at the time it is tabled, a subject cannot be taken up again in the same meeting.

Section 11 - A motion to reconsider a subject already voted upon must come from a member who voted with the majority in the previous vote on the question.

Section 12 - Any member may appeal to the Department as a whole, from the decision of the chair. When voting upon such appeal, it shall be stated: "Shall the decision of the chair be sustained?" It shall take a two-thirds vote of all members present at the time of the voting to over-ride the "Decision of the chair".

Section 13 - All resolutions offered must be submitted in writing.

Section 14 - No member may leave the room during the meeting of the department without obtaining permission of the chair.

Section 15 - One-third of the roster shall constitute a quorum to carry on business. No quorum is necessary to vote to adjourn.

Section 16 - Unless otherwise stated in the Constitution and By-Laws, the chair shall decide which questions may be voted upon by secret ballot and those by voice or hand ballot.

ARTICLE X - HONORARY MEMBERS

Section 1 - The department may select such honorary members as it may see fit from time to time.

Section 2 - Honorary members shall have the same privileges, but **NON-VOTING RIGHTS**, when attending meetings of the department.

ARTICLE XI - PURCHASES

Section 1 - All purchases made or liabilities incurred shall be approved by the Chief or in his absence by an Assistant Chief.

ARTICLE XII - ORDER OF BUSINESS

Section 1 - Regular meetings of the department shall be held on the second Monday of the month. Training sessions to be designated by the Chief.

Section 2 - The following shall be the order of business:

1. Roll Call
2. Reading of Minutes of Previous and Subsequent Meetings
3. Report on Fires Occurring Since the Last Meeting
4. Nomination of Candidates for Membership
5. Nomination and Election of Officers
6. Reports of Committees
7. Unfinished Business
8. New Business
9. Second Roll Call
10. Adjournment

DUTIES OF OFFICERS:

ARTICLE I - DUTIES OF THE CHIEF

Section 1 - It shall be the duty of the Chief to call special meeting and practice calls; to preside at all regular and special meetings, to preserve order; and to decide all points of order that may arise. Such decisions on points of order may be reversed upon an appeal from the decision of the chair may be reversed upon an appeal from the decision of the chair by a two-thirds vote of all members present and voting.

Section 2 - To see that all subordinate officers and all members do their duties as assigned.

Section 3 - To cast a vote in case of a tie and to carry out and enforce the Constitution and By-Laws of this Department to the best of his/her ability.

Section 4 - To be at all fires if possible, to plan the attack, and to have charge of the membership on duty.

Section 5 - He/She shall see that a report is made at the next meeting, following a fire, of the following facts: discovery, date, hour, minute, and by whom discovered, alarm, by whom, where, and how started, cause of delay if any, estimate of damage and general remarks.

ARTICLE II - DUTIES OF ASSISTANT CHIEF

Section 1 - It shall be the duty of the Assistant Chief to perform the duties of the Chief when he/she is absent. The Assistant shall have charge, as delegated by the Chief, of all fires or practices within the Chugwater Fire Protection District.

Section 2 - It shall be the duty of an Assistant Chief to call a special meeting of the Department at the written request of eight (8) of the members of the department. Such requests shall state the object of such a call.

ARTICLE III - DUTIES OF THE TRAINING OFFICER

Section 1 - It shall be the duty of the Training Officer to set up training meetings and to inform all members of such meetings.

ARTICLE IV - DUTIES OF THE SECRETARY

Section 1 - It shall be the duty of the Secretary to keep a record of all proceedings of the department; to keep roll; to record all absentees, to keep the department books and preserve the department records.

ARTICLE V - IMPEACHMENT OF OFFICERS

Section 1 - Any officer of the department , for the abuse of his/her authority or misconduct in his/her office, may be impeached therefore and removed from his/her office by a vote of two-thirds of the whole number; provided that the charge against him/her be made in writing and filed with the Secretary at least one (1) month before any vote shall be taken upon it, and a copy of said charge shall be served upon him/her by the Secretary at least two (2) weeks before such vote shall be taken.