

# SAMPLE

## CONSTITUTION AND BY-LAWS

### OF THE

### FIRE DEPARTMENT

WHEREAS, Certain laws and regulations are necessary for the good order and well being of all associations, in order to define duty, to establish discipline, the maintenance of harmony for the full promotion of the object for which we are associated together, do ordain and adopt the following Constitution and By-Laws for our regulation and government, and do hereby pledge ourselves to cheerfully submit to the legally expressed will of the majority, and to support our Officers in the discharge of their duties.

#### ARTICLE I

Section 1. The name of this department shall be \_\_\_\_\_  
Fire Department.

Section 2. The object of the department shall be the saving of lives, and the protection of property endangered by fires and other disasters, and to promote the teaching and practice of fire prevention and protection.

#### ARTICLE II

Section 1. The Officers of this department shall consist of a President, a Vice President, a Secretary-Treasurer, a Chaplain, a Fire Chief, two Assistant Fire Chiefs, and on Captain and one Lieutenant for each piece of fire fighting apparatus.

#### ARTICLE III

Section I. It shall be the duty of the President to preside at all meetings of the department; he/she shall sign all minutes, resolutions, orders and summons of the department; as well as these By-Laws and Amendments thereto. He/she shall appoint all committees and officers, not otherwise provided for. He/she shall hold, as trustee for the City of \_\_, Texas, title to all property belonging to, used by, or in possession of the department, and shall execute all conveyances of such property as such trustee. He/she shall do such other and further things as the department may direct. He/she shall have the authority to fine any member in an amount not to exceed One Dollar (\$1.00) for misbehavior, or misconduct during any meeting of the department.

Section 2. The Vice-President shall act and have all authority of the President in his/her absence and shall do such other and further things as the department may direct.

Section 3. It shall be the duty of the Secretary-Treasurer to keep a record of all department business, a

roster of all fire department personnel and an account of the department's finances. He/she shall have the authority to collect all monies due the department and shall keep a record of the same. He/she shall render an annual report of all monies received and disbursed during the year, and submit his/her books to the proper committee for inspection at least one week before the annual meeting. It shall be the duty of the Secretary-Treasurer to keep a record of all fire alarms, meetings, drills and other activities of the department showing a list of those in attendance. He/she shall be in charge of all department correspondence. He/she shall pay no order or account unless certified by at least two members of the finance committee. He/she shall transfer to his/her successor all books, paper, stocks or other collateral belonging to the department within one week after the termination of his/her office.

#### ARTICLE IV

Section 1. It shall be the duty of the Chaplain to be present at all meetings of the department where he/she shall properly assist in their opening and closing. He/she shall officiate at funerals and such other occasions that may require his services.

Section 2. At the will of the department, the Chaplain may be exempt from all drills, dues and duties except those pertaining to this office.

#### ARTICLE V

Section 1. It shall be the duty of the Fire Chief to assume full charge of all members, apparatus, and equipment, while on parade, at drills, at conventions, and at fires or other emergencies requiring the services of the department. He/she shall have the right to call out any and all members and apparatus for any purpose incidental to this office. He/she shall assume full responsibility for all fire equipment and see to its proper care and maintenance. It shall be his/her responsibility to recommend the purchase of new equipment. He/she shall see that adequate training programs are conducted in the department and shall acquaint himself/herself with all new fire fighting methods by attending fire schools, drills and conferences. He/she shall recommend the purchase of suitable training manuals, text books and other instructional material. He/she shall see that proper discipline is maintained in the department.

Section 2. It shall be the duty of the Chief to see that a proper record is kept of all fires, the hour and date, the type of occupancy, the name of owner or tenant, the value of the property involved, the estimated amount of damage, the amount of insurance carried and insured loss paid, the type of building construction, where the fire originated, the extent of its spread and how it was extinguished. He/she shall make such reports as is provided by law, furnishing a copy of same to the Secretary- Treasurer.

Section 3. It shall be the duty of the Chief to see that periodic inspections of the public and commercial buildings in the City be made for the purpose of furnishing the members of the department with the necessary information to provide improved fire fighting practices. And he/she shall do such other and further things as the department may direct.

#### ARTICLE VI

Section 1. The Assistant Fire Chiefs shall be under the orders of the Fire Chief, and in his/her absence shall succeed to his duties and authority in the order of their respective rank.

#### ARTICLE VII

Section 1. It may be the duty of the Captain to take command of his/her company at all fires, drills, parades and other public appearances. He/she shall be held responsible for the action and discipline of his/her company. He/she shall have the authority to dismiss any member of his company for insubordination. It shall be his/her duty to see that the equipment in his/her charge is in good repair and ready for service. It shall be his/her duty to report any loss or breakage of equipment to the Chief immediately.

#### ARTICLE VIII

Section 1. The Lieutenant shall be under the orders of the Captain and in his/her absence shall succeed to his/her duties and authority.

#### ARTICLE IX

Section 1. Any male/female resident of \_\_, Texas, or having resided within \_ miles of the Fire Station who has attained the age of \_ years and who is in good physical condition may apply for membership in the department and will become a member after receiving a favorable report from investigating committee and a favorable vote of the members present at any regular meeting. All applications shall contain the endorsement of at least two active firemen, it shall be read at the first meeting of the department following date of filing, and shall not be voted upon until the next regular meeting. If a vacancy exists, a secret ballot is taken and if the applicant receives no more than (negative) votes, he/she shall be declared an active member of the department.

Section 2. An investigating committee shall be appointed by the President to investigate the moral character and physical condition of all applicants. Their findings will be reported to the department and any member of the department who makes public the findings of this committee, upon being found guilty, will be dismissed from the department.

Section 3. Any member who is absent from three consecutive meetings of the department without legal excuse, shall be dismissed from the department and shall be so notified by the Secretary.

Section 4. In case of dismissal, expulsion, resignation, total disability, or death of an active member, the Secretary shall, in writing, certify such facts to the City Council and other authorities who, for legal purposes, are furnished a roster of the department.

Section 5. Any member whose name has been dropped from the rolls, shall deliver any property belonging to the department, which he/she may have in his/her possession, to the Secretary of the department.

Section 6. Any member who reports for duty at a fire, drill or parade, in a state of intoxication, shall be subject to expulsion from the department.

Section 7. Any officer or member of the department who knowingly fails to report an intoxicated member as provided in Section 6, shall be fined the sum of one dollar (\$1.00).

Section 8. If any officer or member of the department be charged with improper conduct while discharging his/her duty as a fireman, or at any function sponsored by the fire department, the charges shall be made in writing, signed by the member making such charges, and filed with the Secretary. The Secretary will then furnish the accused member with a copy of the charges and require him/her to make his/her defense before the department, which, if he/she refuses to make within one month, after having been so notified, he shall be dismissed from the department.

Section 9. For gross neglect of duty an officer may be charged before a regular meeting of the department. After presenting his/her defense and if found guilty by a two-thirds majority of the members present, he/she shall be dismissed from the department.

Section 10. Each member shall pay \$\_ as annual dues, he/she shall pay \$\_ for non-attendance at fires, drills, meetings, or for leaving a fire before the equipment is back in service, unless excused by an officer. He/she shall pay \$ for disobedience of orders or disorderly conduct at a fire, drill or parade. He/she shall pay \$ for the use of profane or abusive language at a fire, or at a fire station.

Section 11. All excuses must be made to the department at its regular by the defaulter in person, unless he/she is unable to attend, due to absence from the city, sickness, or some other unavoidable cause, in which case a written excuse must be filled with the Secretary for action by the department. Sickness of the member, or in the family of a member, absence from the city, or business conditions being of such nature that prevented his/her leaving his/her work, shall constitute the only legal excuses.

## ARTICLE X

Section 1. Honorary membership in the department may be conferred on a person only for outstanding service rendered to the department. Recommendations for honorary membership must be made in writing and signed by at least ten active members, unsolicited by the honoree. Said recommendations shall be read by the Secretary to the department at a regular meeting and carried over until the next regular meeting, a three-fourths majority vote being required.

## ARTICLE XI

Section 1. The following standing committees shall be appointed by the President to serve a term of one year, three members shall constitute each committee, the first person named on each committee to be its chairman:

1. Finance Committee
2. Investigating Committee
3. Entertainment Committee
4. Welfare Committee

Section 2. It shall be the duty of the Finance Committee to check all finances, payments, dues, assessments, and to promote all fund raising campaigns for the department.

Section 3. It shall be the duty of the Investigating Committee to investigate the Character, physical fitness, and other eligibility requirements for applicants for membership, and to report their findings at the next regular meeting of the department.

Section 4. It shall be the duty of the Entertainment Committee to arrange all programs conducted for the entertainment of the members of the department.

Section 5. It shall be the duty of the Welfare Committee to take care of all cases of distress among members of the department, including cases of illness or death where the services of the fire department may be required.

## ARTICLE XII

Section 1. Any proposed amendment to this Constitution and By-Laws shall be presented at any regular meeting by ten members filing in writing with the Secretary of the department, the amendment offered to be voted. The Secretary shall read the proposed amendment and following the second reading at the next regular meeting if such amendment receives a two-third majority vote of the members present, same shall become a part of the Constitution and By-Laws.

A Suggested Form for Application for Membership

\_\_\_\_\_ Texas \_\_\_\_\_ 19 \_\_\_\_\_

To the President and Members of the \_\_\_\_\_ Fire Department:

Gentlemen:

I hereby make application for membership in your organization. I have been a resident of the City of \_\_\_\_\_, Texas, for the past \_\_\_\_\_ years. My occupation is \_\_\_\_\_, my age is \_\_\_\_\_ years. If elected I agree to abide by all of your Rules and Regulations.

Signed: \_\_\_\_\_

Recommended by:

\_\_\_\_\_

\_\_\_\_\_