CRYSTAL PARK VOLUNTEER FIRE DEPARTMENT (CPVFD)

Constitution & By-Laws (Version #3)

Adopted February 26, 2016

TABLE OF CONTENTS

ARTICLE #1 DEPARTMENT DESCRIPTION 4
SECTION 1. Department Name
SECTION 2. Purpose
SECTION 3. Fire Protection Service Area
SECTION 4. Funding
SECTION 5. Size
ARTICLE #2 MEMBERSHIP 4
SECTION 1. Membership Classes
Subsection 1.1. "Active" Membership
Subsection 1.2. "Associate" Membership
Subsection 1.3. "Life" Membership
Subsection 1.4. "Auxiliary"
SECTION 2. Department Requirements for Membership and the Approval Process
SECTION 3. Probationary Period
SECTION 4. Responsibilities of Department Members
SECTION 5. Conflict of Interest
SECTION 6. Dues
SECTION 7. Obligation
SECTION 8. Monthly Meeting of Members
SECTION 9. Order of Business (Tailorable
SECTION 10. Absence from Meetings
ARTICLE #3 DEPARTMENT BUSINESS OFFICERS
ARTICLE #4 LINE OFFICERS AND FIRE POLICE 8
SECTION 1. Line Officers
Subsection 1.1. Fire Chief
Subsection 1.2. Deputy Chief
Subsection 1.3. Assistant Chief/Captain/Lieutenant and Additional Appointed Positions
SECTION 2. Fire Police
ARTICLE #5 ELECTIONS
SECTION 1. Nominations
SECTION 2. Election of Officers
SECTION 3. Vacancies
ARTICLE #6 REQUIREMENTS, QUALIFICATIONS, AND EXCLUSIONS
SECTION 1. Officers
SECTION 2. Drivers
SECTION 3. Leave of Absence
SECTION 4. Reapplication of Former Members
ARTICLE #7 COMMITTEES
SECTION 1. Application Review Committee
SECTION 2. Constitution Committee

{ 2 }

ARTICLE #8 DISCIPLINE)
SECTION 1. Removal from Office	
SECTION 2. Detrimental Conduct	
ARTICLE #9 MEMBER DUTIES & RIGHTS1	l
SECTION 1. Duties	
SECTION 2. Rights	
ARTICLE #10 AMENDMENTS1	l
SECTION 1. Form	
SECTION 2. Approval by the Majority	
SECTION 3. Temporary Suspension of Specific By-Laws	
ARTICLE #11 GENDER AND NUMBER1	2

ARTICLE #1 DEPARTMENT DESCRIPTION

WHEREAS, in all regulated societies, certain constitutions and/or by-laws are adopted as necessary for the good order thereof, we, the Members of the Crystal Park Volunteer Fire Department, County of El Paso, and State of Colorado, do for the purpose of furthering objectives for which we stand united, agree to support the following Crystal Park Volunteer Fire Department Constitution & By-Laws.

SECTION 1. Department Name

- This Department shall be known as the CRYSTAL PARK VOLUNTEER FIRE DEPARTMENT (CPVFD), officially located at 496 Palmer Trail, Manitou Springs, El Paso County, Colorado, 80829.

- Requested in February 2007, the Colorado Division of Fire Safety issued the following Fire Department Identification Number (FDID) for the Crystal Park Volunteer Fire Department: 04120.

- The Department type is classified as "Volunteer" and is in a "Special District" category as the operational fire protection organization of the Crystal Park Metropolitan District (CPMD).

SECTION 2. Purpose

- The purpose of the Crystal Park Volunteer Fire Department (herein referred to as the "Department") shall be the preservation and protection of life and property from the consequence of fire and/or other emergency, and to promote the health and welfare of Crystal Park and its residents.

- The Department may also be called upon to assist other communities in times of need.

- The Department shall have full and complete oversight of all operations associated with executing its mission. **SECTION 3. Fire Protection Service Area**

- Crystal Park is a 2,211-acre private community set in the mountains above Manitou Springs, Colorado. Two subdivisions are included in these 2,211 acres: Crystal Park #1 and Crystal Park #2. Crystal Park #1consists of six home sites and Crystal Park #2 consists of 360 individual memberships/home sites, of which more than 200 are developed sites at the time these By-Laws were adopted. The Department provides fire protection services within the boundaries of these two subdivisions, which represent the Department's "service area".

- In cooperation with El Paso County, the Department may also be called upon to respond to other areas, outside of the Department's service area, through mutual aid.

- There are 23 miles of roadway in Crystal Park that are maintained year-round. These roads provide limited but critical fire service access to many areas of Crystal Park and in some cases are the only access to remote areas of El Paso County and the Pike National Forest.

SECTION 4. Funding

- The Department may receive funding from the Crystal Park Metropolitan District and may receive monies from other sources such as grants, donations, and fee-for-service charges.

SECTION 5. Size

- The Department shall consist of not more than thirty Active and Associate Members.

ARTICLE #2 MEMBERSHIP

SECTION 1. Membership Classes

- The Membership of the Crystal Park Volunteer Fire Department, shall consist of three classes: Active, Associate, and Life.

Subsection 1.1. "Active" Membership

- Active Members are those Members who have received certification/qualification, by passing one or more of the courses identified in the CPVFD Standard Operating Procedures (SOPs), entitling them to be called Firefighter, Wildland Firefighter, or Emergency Medical Service (EMS) provider; OR will do so within the first (probationary) year of their joining the Department.

Subsection 1.2. "Associate" Membership

- Associate Members are those Members that do not achieve certification/qualification as firefighters or EMS providers, but support the maintenance, training and emergency response operations of the Department by driving and tending to apparatus, manning pumps, and/or providing for logistical support as described in the Associate Membership Standard Operating Procedures (SOP).

- Associate Members may be adult or youth residents of the Park or members of youth organizations associated with the Park who may not be able to participate in all required activities, but want to receive training and

contribute to the Department. Associate members who elect to pay dues and meet the full-participation requirements prescribed in the SOP will be entitled to the same rights and voting privileges as Active Members.

Subsection 1.3. "Life" Membership

- Any Member who has served at least twenty years as an Active or Associate volunteer Member, seven of which have been with this Department, shall be eligible for Life Membership. The Fire Chief shall recommend to the active Membership acceptance or rejection of Life Membership. A majority of the Members present at any regular monthly meeting may accept or reject such application. In addition to the above appointment based on tenure, the Department may by a majority vote accept a Member as a Life Member in recognition of meritorious service. A Life Member shall be exempt from dues or assessments.

- If a Life Member wishes to continue support, firefighting, and/or EMS duties, they must fulfill the requirements of an Active or Associate Member.

- Inactive Life Members shall be entitled to all the privileges of an active Member, with the exception of responding to calls with the Department or voting at the Department elections or business meetings.

Subsection 1.4. "Auxiliary"

- CPVFD Auxiliary Volunteers are NOT members of the Department, but instead represent those residents and family members that otherwise want to help the Department be successful through their service, and are recognized here as such. The Auxiliary may provide support to the operations of the Department by providing administrative assistance, grant support, help with traffic control, fundraising, etc. The Auxiliary Volunteers do not train, operate equipment, or achieve certifications that would qualify them as firefighters or EMS personnel

- The Auxiliary shall NOT wear the uniform of the Department's Members, but rather may have their own unique uniform shirt, marked with the Department's Maltese and the word "Auxiliary".

- Auxiliary Volunteers have their own leadership for organization and administrative purposes, but will receive direction from the Incident Commander or designated Department members if employed during an incident response.

- Auxiliary Volunteers do NOT have voting privileges in the Department.

- Auxiliary Volunteers will be entitled and encouraged to attend all social functions of the Department.

SECTION 2. Department Requirements for Membership and the Approval Process

- Any person eighteen years of age or older, and of good character may apply for Active or Associate Membership in the Department. In addition, any Member must be a Crystal Park #2 member, OR reside in Crystal Park #1; OR be a Renter in either. On a case-by-case basis, consideration for Membership shall be given to well-qualified individuals who live outside of the District.

- Youth under the age of eighteen who are Park residents or members of youth organizations associated with the Park may apply for Associate Membership.

- All applications for membership shall be submitted to the Application Review Committee (ARC).

- The ARC will recommend to the membership to either accept or reject the applicant and will explain the reasons for the recommendation. A majority vote of the membership at a monthly meeting will be required to approve the ARC recommendation. Approval of an ARC recommendation to accept an applicant by means of this process shall constitute acceptance of a new Member.

- Upon approval by the Members, the Secretary of the Department shall place the new Member on the rolls and record the approval in the minutes.

- Upon placement on the rolls, the Treasurer shall collect the new Member's dues.

SECTION 3. Probationary Period

- Members that are new Active and Associate Members must serve a minimum probationary period of twelve months.

- During the probationary period, a Member's Membership may be terminated by the Chief, Deputy Chief, or a majority of the Members, as determined by a majority vote of the Active and Associate Members, for reasons deemed not beneficial to the reputation or good order and discipline of the Department.

SECTION 4. Responsibilities of Department Members

- Members are required to abide by these By-Laws, which govern how the Department does business and the SOPs, which govern how the Department executes the operations of its mission.

Crystal Park Volunteer Fire Department Constitution & By-Laws, El Paso County, Colorado

- Members are required to attend the training and business activities of the Department as dictated by the SOPs. The Department, by majority vote, shall take action on an individual basis, to censure, suspend, or terminate the membership of any Member failing to fulfill minimum attendance requirements.

- When in the area protected by this Department, it is the duty of all Active and Associate Members of this Department to respond, whenever possible, to alarms of fire and/or emergency which are transmitted to this Department.

- All Members must use diligence, caution, and sound judgment in getting personal vehicles and apparatus to the scene of a fire or drill.

- The majority of the Active and Associate Members present at a meeting shall control all "dues" money.

SECTION 5. Conflict of Interest

- No Member of the Department shall vote on any Department issue that may involve a conflict of interest.

- If any decision or action, taken by or on behalf of the Membership, would financially benefit any Member or a member of his family, that Member shall be allowed to participate in the discussion but shall NOT vote on the issue.

- No part of the Department's assets will inure to the benefit of any individual, association, corporation, or any Member of the Department.

SECTION 6. Dues

- All Active and fully participating Associate Members shall be required to pay annual membership dues of thirty dollars (\$30.00) on or before the first day of October each year.

- Any Member failing to pay said membership dues on or before the first day of December of each year may have their membership terminated by a majority vote of the membership.

- Based on the needs of the Department/Membership, annual Membership dues may be adjusted, increased or decreased, for the upcoming dues year after a majority vote of the Department's Members at the September business meeting as described in Article 2, Section 8. At the end of any "adjusted" dues year, dues will revert to thirty (30) dollars for the next year and subsequent years, unless the membership again votes to adjust the amount.

SECTION 7. Obligation

- Every Member being admitted shall assume the following oath: I ______ do promise to support the Constitution and By-Laws of the Crystal Park Volunteer Fire Department, to obey all those in authority over me, to safeguard all department property that is in my possession, and to perform my duties to the best of my ability in accordance with the Department's Standard Operating Procedures.

- Every Officer at his installation, appointment or annually at the December business meeting shall take the following oath: *I* ______ do promise to support and uphold the Constitution and By-Laws of the Crystal Park Volunteer Fire Department, I accept the responsibility of the office to which I have been [elected / appointed] and promise to faithfully discharge the duties of the office to the best of my ability.

SECTION 8. Monthly Meeting of Members

- The Active and Associate Membership shall hold regularly scheduled business meetings on the second Monday of each calendar month to receive the Treasurer's report, Secretary's report, Committee Reports, Fire Chief's Report, or to consider any other matters properly brought before the Members. The Fire Chief may reschedule a monthly meeting that is scheduled on a Holiday or is in conflict with another important Department function. A quorum of at least fifty percent (50%) of the Active and Associate Members will be required to conduct business at any meeting of the Department.

- Special meetings of the Department may be called by the Fire Chief at any time, and shall be called by him upon the written request of at least five Active and/or Associate Members. Such request shall state the reasons for which the meeting is to be called. The Foreman shall give each Member notice of any special meeting at least three days prior to such meeting. Such notice shall contain a statement of matters to be considered at the meeting.

- Meetings should be conducted under Robert's Rules of Order for Small Assemblies in addition to any other rules stated in the Constitution and By-laws of this Department.

SECTION 9. Order of Business (Tailorable):

- Meeting called to order;
- Salute to the Flag;

- Announcement of Guests Present (Guests may be asked to depart after their reason for attending the meeting has been accomplished);

- Approving Minutes of preceding meeting;
- Treasurer's Report;
- Secretary's Report;
- Committee Reports;
- Communications;
- Fire Chief's Report;
- Election of Candidates;
- Old Business;
- Election of new members;
- New business;
- Announcements;
- Installation of officers;
- Adjournment.

SECTION 10. Absence from Meetings

- Members who are absent from three consecutive regular business or training meetings without an excuse that is acceptable to a majority of the Members may have their membership terminated by a majority vote of the membership.

ARTICLE #3 DEPARTMENT BUSINESS OFFICERS

SECTION 1. CPVFD Business Officers

- The Department shall elect for a term of one year each, a Foreman, Secretary, and Treasurer. No member shall hold more than one such office at the same time.

- Foreman - It shall be the duty of the Foreman to preside at all regular and special meetings of the Department. It is the responsibility of the Foreman to conduct such meetings in accordance with Robert's Rules of Order for Small Assemblies. The Foreman shall call all special Department meetings as directed by the Fire Chief, appoint all standing and/or ad hoc committees and appoint special committees as the need may arise. The Foreman shall enforce the Constitution and By-Laws of the Department. On any question or election of officers, the Foreman shall not vote except in the case of equal division when his vote shall decide. The Foreman (or Fire Chief) shall be the civil spokesman of the Department. The Foreman may appoint a parliamentarian to recommend an interpretation of the Constitution or Rules of Order as needed.

- Secretary - The Secretary shall: record and maintain the minutes of all meetings of the Department, which shall include regular meetings, judicial committee meetings and special meetings; and maintain attendance records. The Secretary shall receive and/or forward all correspondence of the Department. The Secretary shall safeguard an official copy of the Constitution and By-Laws of the Department. Said official copy will be maintained and updated as needed. At the conclusion of his term, or upon resignation or termination, the Secretary shall deliver to his successor all documents, papers and correspondence belonging to the Department.

- Treasurer - The Treasurer shall be the Financial Officer of the Department and shall receive all monies and pay all applicable bills as authorized by the Members. The Treasurer will also be required to work with the CPMD to ensure all Department bills are paid, as negotiated. The Treasurer shall keep an accurate accounting of all Department funds. The Treasurer shall maintain a record of dues and notify any delinquent Members, and the Department Membership. He shall deposit all monies obtained through fundraising or donations into the Department checking account. All monies disbursed by the Department must be approved by a majority vote of the Membership. The Treasurer shall report the state of finances to the Members at each regular business meeting of the Department. He shall supply any requested documents or financial information to the Chief as needed for Departmental budgeting.

ARTICLE #4 LINE OFFICERS AND FIRE POLICE

SECTION 1. Line Officers

- Line officers shall consist of an elected Fire Chief and an elected Deputy Fire Chief, as well as Assistant Chiefs, Captains and Lieutenants who may be appointed by the Fire Chief as deemed necessary.

Subsection 1.1. Fire Chief

- The Fire Chief shall be required to be a Crystal Park resident, have at least one year of service with the Department and have completed firefighter training to a level acceptable by the membership. Also highly desirable are general experience in emergency response and sound working knowledge of emergency response procedures; demonstrated leadership ability, leadership experience and the willingness to lead; and the ability to communicate clearly and respectfully to the Department membership and the community.

The duties of the Fire Chief shall be the following:

- To answer for good order, discipline and efficiency of the Department:

- To assume command, assign command duties, or coordinate with the acting incident commander at an incident scene;

- To be responsible for all Fire Department property, equipment and buildings;

- To prepare and submit to the CPMD a Fire Department budget, in accordance with municipal procedures, which reflects a true representation of Department operations;

- To provide for training and general improvement of the Members of the Department, and to maintain efficient, effective, and safe firefighting standards and practices;

- To appoint qualified members to the positions of Assistant Chief, Captain and/or Lieutenant and such additional positions as may be requested by the Fire Chief and approved by the Members;

- To hear all complaints and grievances of the Members and either take appropriate action or make a recommendation to the Department concerning such complaint or grievance.

Subsection 1.2. Deputy Chief

- The Deputy Chief shall have the same required and desired duty qualifications as the Fire Chief.

- The Deputy Chief and/or other officers in order of their rank, shall perform the duties of the Fire Chief in his absence.

Subsection 1.3. Assistant Chief/Captain/Lieutenant and Additional Appointed Positions

- The Fire Chief may appoint qualified Active and/or Associate members as Assistant Chiefs, Captains, Lieutenants, and/or other positions as deemed necessary for the proper function of the Department,

SECTION 2. Fire Police

- The Fire Chief may appoint Fire Police who shall be responsible for crowd control, traffic control, safety of fire personnel and equipment from traffic, and fire scene security, as required.

ARTICLE #5 ELECTIONS

SECTION 1. Nominations

- Nominations for each of the offices of Fire Chief, Deputy Chief, Foreman, Secretary, and Treasurer shall be made from the floor or in writing to the Foreman during the regular monthly meeting in October of each year. - Nominations shall also be accepted at the November business meeting.

- Any nominee may withdraw his name from consideration by notifying the Foreman in writing or verbally at a Department business meeting. Should no candidate remain after such declination, nomination for said office shall be reopened prior to the annual election.

SECTION 2. Election of Officers

- In December of each year, the Foreman will direct the voting process to elect the Fire Chief, Deputy Chief, Foreman, Secretary, and Treasurer prior to the December business meeting. Voting will be by written, anonymous ballots. Upon completion of the counting of ballots, the Foreman shall immediately announce the results.

- In event of a tie, the Foreman shall cast a ballot to break the tie.

- Members are elected to office by a plurality of the votes counted.

- Only Active and fully participating Associate Members are eligible to vote.

Crystal Park Volunteer Fire Department Constitution & By-Laws, El Paso County, Colorado

- The Foreman shall administer the oath of office to all newly elected officers and all reappointed officers as the last order of business at the December monthly meeting. The term of office shall commence immediately upon the taking of the oath.

SECTION 3. Vacancies

- Should a vacancy occur in the position of Fire Chief, the Deputy Chief shall assume the role of Fire Chief and remain the Fire Chief until the next election cycle.

- Should a vacancy occur in the position of Deputy Chief, the vacancy shall be filled by the ranking Assistant Chief, or if none exists, by a special election directed by the Foreman. Upon receiving notice of the vacancy, the Foreman will request nominations at the next regular meeting of the Department. The special election will be held during the subsequent month's regular meeting.

- Assistant Chief, Captain and Lieutenant positions are appointed by the Fire Chief and shall be filled as deemed necessary by the Fire Chief. The Fire Chief may also appoint qualified members to temporarily fill vacancies in elected positions or to provide temporary coverage for elected positions during absences. Any such temporary appointments exceeding one month in duration must be affirmed by a majority vote of the members at the next business meeting.

- Should a Vacancy occur in any Business Officer position, the vacancy shall be filled by nomination at the next regular meeting of the Department, followed by the election at the next regular meeting of the Department subsequent to the nomination.

ARTICLE #6 REQUIREMENTS, QUALIFICATIONS, and EXCLUSIONS

SECTION 1. Officers

- Any person seeking and holding any office in the Department must be an Active or Associate Member.

- Any person elected or appointed to a line officer position must be at least twenty-one years of age and have been an Active or Associate Member for at least twelve consecutive months.

SECTION 2. Drivers

- All drivers/operators of any Department vehicle must be qualified to fully operate said vehicle and have a valid Colorado State Driver's license. A Member may be considered "qualified" by the authority of the Fire Chief.

SECTION 3. Leave of Absence

- The Fire Chief may grant A Leave of Absence with majority approval of the active Membership. Requests must be submitted in writing to the Fire Chief, stating the reason for the request. The Member shall remain on an active list but shall not vote at elections or seek office until fully reinstated by the Fire Chief. Any line officer seeking a Leave of Absence must resign his office when such leave is granted. Any Member on Leave of Absence shall NOT be exempt from payment of dues. Members granted a leave of absence must return all Department-issued clothing and equipment to the station for safe storage until returning from leave.

SECTION 4. Reapplication of Former Members

- Termination - Terminated Members may reapply for Membership not less than twelve months from the date of termination. Such Members shall not seek office for a period of six months from date of acceptance of such application.

- Resignations - A Member who has resigned in good standing shall be given credit for continuous service if an application for Membership is received and accepted within twelve months from the date of resignation.

ARTICLE #7 COMMITTEES

SECTION 1. Appointment

- It shall be the duty of the Foreman to appoint all committees.

- Committees shall be approved and designated "Ad Hoc", "standing" or "special", by majority vote of the Membership present at any business meeting.

- Each committee shall elect a chairman.

- Committees may include, but are not limited to the following:

SECTION 2. Application Review Committee (ARC)

- Shall consist of two or more Active and/or Associate Members. The responsibility of this committee shall

Crystal Park Volunteer Fire Department Constitution & By-Laws, El Paso County, Colorado

be to investigate the fitness and background of all those applying for any class of Membership.

- The ARC is responsible for interviewing the applicant, checking references when deemed appropriate, and presenting a recommendation to the membership.

SECTION 3. Constitution Committee

- Shall consist of at least three Active and/or Associate Members who shall investigate, suggest and propose any changes, additions or deletions to the Constitution and By-laws of this Department.

ARTICLE #8 DISCIPLINE

SECTION 1. Removal from Office

- Any elected officer may be removed from office for failure to properly perform the duties of office.

- Any charge against an elected officer for the purpose of removal from office for failure to properly perform the duties of office shall be in writing, signed by the Member or Members making such charge, and shall contain a request that the officer shall be removed from office. Such charge shall be submitted to the Secretary or Foreman who shall immediately inform the officer charged of the nature of the charge and of the officer's opportunity to be heard at the next regular meeting.

- At the next regular meeting after a charge is made pursuant to this Section, the Secretary shall read the charge of charges to the Members present. The officer so charged shall then be granted an opportunity to be heard and present evidence. After discussion, and if the charge is not withdrawn by the charging Member or Members, the matter shall then be tabled until the next regular meeting.

- At the next regular meeting following the reading of a charge of charges pursuant to this Section, a vote shall be conducted by written ballot to determine whether the charged officer should be removed from office. In the event that at least two-thirds (2/3) of the Members present shall vote to remove the charged officer from office, such officer shall be deemed removed from office and the resulting vacancy shall be filled as set out in Article 5, Section 3 of these By-laws.

- The result obtained from a vote to remove an officer from office shall be conclusive and final. Any officer removed from office pursuant to the conditions set forth in these By-Laws shall remain a Member in good standing of the Department, unless those charges stem from detrimental conduct. If the charges stem from detrimental conduct, the consequences will be pursuant to the conditions set forth in Article 8, Section 2.

SECTION 2. Detrimental Conduct

- The occurrence of the following as a result of the conduct of a Member shall be cause for dismissal of such Member from the scene of a fire or emergency by the officer in charge:

- Insubordination;
- Intoxication;
- Unwarranted property damage;
- Conduct detrimental to the Department.

- The occurrence of any of the following as result of the conduct of a Member shall be cause for termination of such Member from the Fire Department upon the affirmative vote of two-thirds (2/3) of the Members present at a regular meeting at which such conduct is considered:

- Insubordination;
- Intoxication at the scene of a fire or emergency;
- Unwarranted property damage;
- Theft;
- Conduct detrimental to the Department;

- Being absent from three consecutive scheduled business or training meetings, regular or special, without submitting an excuse to the Fire Chief and receiving approval for the absence prior to such meeting;

- Failure to properly perform the duties of a Member as set out in Article 9, Section 1, of these By-Laws;

- Failure to pay the Department's annual Membership dues.

ARTICLE #9 MEMBER DUTIES & RIGHTS

SECTION 1. Each Member of the Department shall have the following duties:

- To obey all reasonable commands of the officers present at the scene of a fire and/or emergency;

- To comply with the rules of the Fire Department and to conduct himself at all times in a manner which will reflect credit on the Fire Department;

- To attend all regular and special meetings of the Fire Department in accordance with the Department SOP unless an excuse is submitted to the Fire Chief and approval of the absence is received prior to the meeting.

- To respond to fire and emergency calls whenever possible;

- To prevent any person who is not a Member of the Department from riding on or operating any vehicles or any equipment owned or used by the Fire Department in the performance of Department operations/training (except as may be otherwise authorized by the Fire Chief);

- To remain at the fire or emergency scene after answering a call until the fire is extinguished and/or the emergency is abated and equipment and vehicles are returned to the Fire Department premises and returned to full service, except as may be otherwise authorized by the Fire Chief or Incident Commander;

- To prevent unnecessary damage to or loss of property at the scene of a fire or emergency;

- To refrain from giving information to the public concerning a fire or emergency and to refer such matters to the Fire Chief or appointed Public Information Officer (PIO);

- To properly maintain and preserve equipment issued to the Member of the Department and to comply with the following rules:

- The Member shall sign a receipt listing all items of equipment issued to him by the Department;

- Within thirty days after resignation, retirement, or termination of the Member from the Department, the Member shall return all equipment issued to him, including identifying insignia or identification, to the Department or shall pay the Department the replacement cost of such equipment; and,

- The Member shall pay to the Department all reasonable costs, including replacement cost if applicable, resulting from the loss or theft of, or damage to, any equipment issued to the Member by the Department where such loss, theft, or damage is due to the negligence of the Member.

SECTION 2. Each Member of the Department shall have the following rights:

- To attend all meetings, schools and training sessions designated as being for the general Membership;

- To vote on all matters brought before the Membership, if eligible to vote;

- To be a member of any committee, Ad Hoc or "standing";

- To be a candidate for any elective office for which the Member is qualified;

- To attend all recreational functions of the Department; and

- To appear before the Membership at any regular meeting to appeal any action or decision that directly affects the appealing Member and is considered by the appealing Member to be unjust. The affirmative vote of two-thirds (2/3) of the Members present shall be necessary to sustain such an appeal.

ARTICLE #10 AMENDMENTS

SECTION 2. Form

- Any properly approved addition, deletion, or change to this document shall require the publication of a new version of the Constitution and By-Laws. New, amended versions will be sequentially numbered and dated as of the date of the final approval. All previous versions of this Constitution shall be kept with the amended document and placed at the end of the new document.

SECTION 1. Proposal and Approval of Amendments

- Any proposed amendments presented by an Active or Associate Member of the Department in writing shall be voted upon by the Membership at its next regularly scheduled meeting. Amendments to this Constitution and By-Laws shall be made only after final approval by three-quarter (3/4) vote of the entire general Membership (Active and Associate) following a majority vote of two thirds (2/3) of the Members present at two successive regular meetings of the Department.

SECTION 3. Temporary Suspension of Specific By-Laws

- Realizing that there may be unforeseen situations that are not specifically or clearly addressed in this document, in such rare situations the Membership should have the ability to take appropriate steps to ensure the

Department's ability to complete its mission without significant interruption. When deemed to be in the overriding best interest of the Department and/or the Crystal Park Community, the membership may temporarily suspend a specific requirement or restriction contained in this document, by an affirmative vote of three-fourths (3/4) of the total Voting Membership. Any such suspension shall be clearly defined, limited to apply only to the specific situation being addressed at that one time, and will not constitute an amendment to this document.

ARTICLE #11 GENDER AND NUMBER

- As used in this Constitution and By-Laws words of the masculine gender include the feminine, and words in the singular include the plural and words of the plural include the singular where appropriate.