

# CRYSTAL PARK VOLUNTEER FIRE DEPARTMENT (CPVFD)



## Constitution & By-Laws

COLORADO FIRE DEPARTMENT IDENTIFICATION NUMBER (FDID): 04120

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**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 2 Waterfall Loop (Manitou Springs) in El Paso County, Colorado.
- 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

**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 consequences of fire and/or other emergency, to promote the health and welfare of Crystal Park, and to assist other communities in times of need. The Department shall have full and complete oversight of all operations associated with executing its mission. The Department may receive funding from the Crystal Park Metropolitan District, the Crystal Park Homeowners Association, and other potential sources such as dues, grants, donations, and fee/service charges.

**SECTION 3. Fire Protection Service Area**

- Crystal Park is a 2,000 acre private community set in the mountains above Manitou Springs, Colorado. Two subdivisions are included in these 2,000 acres: Crystal Park #1 and Crystal Park #2. Crystal Park #1 consists of six (6) home sites and Crystal Park #2 consists of 360 individual memberships/home sites, more than 200 of which 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 represents the Department's "service area". The operations and functions of Crystal Park are overseen by several committees of member volunteers. The formation of the Department is in the spirit of this volunteerism. In coordination with El Paso County, the Department may also be called upon to respond to other private areas in the vicinity of the service area through mutual aid. The Department type is classified as "Volunteer" and is a "Special District" category as an operational fire protection organization of the Crystal Park Metropolitan District. There are 46 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 the only access to remote areas of El Paso County and Pike National Forest.

**ARTICLE #2 MEMBERSHIP**

**SECTION 1. Membership Classes**

- The active membership of the Crystal Park Volunteer Fire Department, shall consist of three (3) classes: Active, Associate, and Life.

**SECTION 2. Size**

- The Department shall consist of not more than thirty (30) Active Members.

**SECTION 3. Department Membership (Volunteer) Requirements**

- Any person eighteen (18) years or older, of good character, and meeting Department eligibility requirements, may apply for membership in the Department. In addition, any volunteer member must reside within Crystal Park either fulltime or part time and be a Crystal Park Member in good standing as determined by the Crystal Park Homeowners Association. Crystal Park employees are also eligible to apply for Department membership.
- All applicants for Department membership must be sponsored by one active member of the Department.

- All applications for membership shall be submitted to the Application Review Committee (ARC). Upon acceptance by the ARC, a majority vote by the Department's Active and Associate members shall be required at the next scheduled monthly meeting.
- Approval by a majority of the Volunteers present at any regular monthly meeting shall constitute acceptance.
- Upon approval by the Volunteers, the Secretary of the Department shall place the new member on the rolls (if accepted), collect annual dues (if accepted), and document the acceptance or rejection in the official record.

#### **SECTION 4. "Active" Membership**

##### **Subsection 4.1 Requirements for New Active Volunteers:**

- Volunteers that are new Active members must serve a minimum probationary period of twelve (12) months.
- During the probationary period, an Active Volunteer must complete either the Wildland S130/190 class or the Probie Course (Basic Firefighter).
- During the probationary period, a Volunteer shall attend all required training drills and business meetings as those required for Active Volunteers no longer in a probationary status in addition to the required S130/190 or Probie Course. Any waiver of these requirements will require majority approval of the active members.
- During the probationary period, a Volunteer's membership may be suspended by the Chief, Deputy Chief, or majority of the Volunteers 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.
- Probationary Active members will not be able to vote at membership meetings or vote in Department elections for six (6) months. Probationary members will not receive or be permitted to display a Colorado "Firefighter" license plate until such time as they complete the probationary period of twelve (12) months and complete the Probie Course (required for all structure firefighters). Completing the Wildland S130/190 class and receiving a Red Card does not qualify to receive the Colorado "Firefighter" license plate.

##### **Subsection 4.2 Responsibilities of Active Volunteers**

- Active Volunteers are required to attend the training and business activities of the Department. An Active Volunteer must attend a minimum of nine (9) monthly training drills and nine (9) monthly meetings per calendar year. Active Volunteers shall also be known as a Firefighter once having achieved Firefighter 1 (FF1) certification.
- When in the area protected by this Department, it is the duty of all Active Volunteers of this Department to respond to alarms of fire or emergency which are transmitted to this Department. All Active Volunteers must use diligence, caution and sound judgment in getting personal vehicles and apparatus to the scene of a fire or drill.
- Any use of the apparatus must be listed in a log book and signed by the member operating said apparatus. The logs shall be kept in a place assigned by the Fire Chief.
- Any Active Volunteers responding to an alarm in a privately owned vehicle shall do so with caution and shall observe the Colorado State vehicle and traffic laws.
- The majority of the active membership present at a meeting, Active and Associate, shall control all "dues" money and Department property.
- In March of each year, the Fire Chief and Secretary shall compile a list of members indicating attendance at drills, meeting and calls. The Department, by majority vote, shall take action on an individual basis, to censure, suspend or expel any member failing to fulfill minimum attendance requirements.
- The Fire Chief shall post and maintain, on a semi-annual basis, a master attendance list. Such master list shall be displayed in a conspicuous location in the Fire House.

#### **SECTION 5. "Associate" Volunteers**

- Associate Volunteers are those active members that do not train or achieve certification as firefighters but support the operations of the Department by tending to apparatus, manning pumps, or provide for logistic

support so as to free up certified firefighters to conduct direct operations of the Department. Persons seeking to be Associate Volunteers shall be at least eighteen (18) years of age and sponsored by two (2) active members of the Department not on probation.

- Associate Volunteers shall be accepted or rejected by the majority vote of active members present at any regular meeting.
- Associate Volunteers cannot vote at meetings with the exception of being able to vote on any expenditure from the Volunteer account or revocation of another Associate Volunteer. An Associate Volunteer can be revoked at any time by a majority vote of the active membership present at a regular meeting.
- Associate Volunteers are a critical resource to operations and are thus required to meet the same participation requirements of Active Members. The Associate Volunteer will be entitled and encouraged to attend all social functions of the Department.

#### **SECTION 6. "Auxiliary" Volunteers**

- Auxiliary Volunteers are those Department supporters that do not train, operate equipment or achieve certification as firefighters. They support the operations of the Department by providing administrative assistance, grant support, are called on to act as Information Center staff, or help with traffic control when needed.
- Auxiliary Volunteers represent those residents and family members that otherwise want to help the Department be successful through their service. Auxiliary Volunteers shall not wear the uniform of the Department's Active or Associate Volunteers but rather, shall be assigned a unique uniform shirt clearly marked with the Department's Maltese and the words "Auxiliary".
- Auxiliary Volunteers do not have voting privileges.

#### **SECTION 7. Life Membership**

- Any active member who has served at least twenty (20) years as an active volunteer firefighter, 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. The Department may by a majority vote nominate an active member to the membership as a Life Member in recognition meritorious service. A majority of the active membership may accept or reject such recommendations. A Life Member shall be exempt from dues or assessments. In order to remain an active member, he/she shall be subject only to the minimum training requirements of the State of Colorado. If a Life Member wishes to continue firefighting duties, they must also attend all required training drills.
- Any Life Member not fulfilling the minimum attendance requirements shall be classified as an Inactive Life Member. Such members shall be entitled to all privileges as an active member, with the exception of responding to calls with the Department or voting at the Department elections or business meetings.

#### **SECTION 8. Conflict of Interest**

- No volunteer of the Department shall discuss or vote on any Department issue that may involve a conflict of interest. If any decision or action taken by or on behalf of the volunteers would financially benefit any volunteer or member of his/her family, that volunteer shall not participate in the discussion nor shall he/she vote on the issue.
- No part of the Department's assets will inure to the benefit of any individual, association, corporation or any Volunteer of the Department.

#### **SECTION 9. Dues**

- All Active Members shall be required to pay an annual membership fee of no less than thirty-dollars (\$30.00) on or before the first day of October each year.
- Associate Volunteers shall be required to pay an annual membership fee of no less than twenty-dollars (\$20.00) on or before the first day of October each year.
- Any Volunteer failing to pay said membership fee on or before 1 December of each year shall cease to be a member of the Department.

- Auxiliary Volunteers shall not pay annual dues.
- Annual membership fees may be adjusted after a majority vote of the Department's Volunteers at a monthly business meeting described in Section 11.

**SECTION 10. Obligation**

Every Volunteer being admitted shall assume the following oath:

- I \_\_\_\_\_ do promise to support the Constitution and Bylaws 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 return said property if I should resign or be expelled.

Every Officer at his/her installation 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 and promise to faithfully discharge the duties of the office to the best of my ability.

**SECTION 11. Monthly Meeting of Volunteers**

- The active membership shall hold regular 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 Volunteers. The Fire Chief may reschedule a monthly meeting that is scheduled on a Holiday. All regular meetings of the Department shall begin at 1800 hours. A quorum of at least 50% of the active 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/her upon the written request of at least five (5) active members in good standing. Such request shall state the reasons for which the meeting is to be called. The Secretary shall give each member notice of any special meeting at least three (3) 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 in addition to any other rules stated in the Constitution and By-laws of this Department.

**SECTION 12. Order of Business (Tailorable)**

- Meeting called to order.
- Salute to the Flag.
- Roll Call.
- Announcement of Guests Present (Guests Depart after being recognized)
- Reading 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 13. Absence from Meetings**

- Volunteers who are absent from three (3) consecutive regular business or training meetings without an excuse that is acceptable to a majority of the Volunteers shall have their membership revoked.

### **ARTICLE #3 CIVIL OFFICERS AND DEPARTMENT BUSINESS OFFICERS**

#### **SECTION 1. Support by the Crystal Park Metro District & Homeowners Association Board of Directors**

- The CPVFD may be funded through the Crystal Park Metropolitan District, the Crystal Park Homeowners Association, and other potential sources such as dues, grants, donations, and fee/service charges. The Department Volunteers control all functions, activities, elections, events and operations of the Department. Under no circumstance will either of Crystal Park's Board of Directors control or oversee Department operations or activities.

#### **SECTION 2. CPVFD Business Officers**

- The Department shall elect for a term of one (1) 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. The Foreman shall call all special Department meetings as directed by the Fire Chief, appoint all standing 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/her 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; call the roll at each meeting 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/her term, or upon resignation or expulsion, the Secretary shall deliver to his/her 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 moneys and pay all bills as authorized by the Volunteers. The Treasurer will also be required to work with the Crystal Park Metropolitan District or Crystal Park Homeowners Association Board of Directors 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. He/she shall invoice and collect any moneys for the use of the Department. He/she shall deposit all moneys in an interest bearing savings account except for moneys necessary to pay current expenses; these funds shall be deposited in a checking account. All moneys disbursed by the Department must be in the form of a check or money order and must bear the signatures of two (2) designated signatories. The signatories shall be the Foreman, the Fire Chief, the Deputy Fire Chief, the Secretary and/or the Treasurer. The Treasurer shall serve as the Department's financial advisor to the Crystal Park Metropolitan District Board of Directors and shall report the state of finances to the Volunteers at each regular business meeting of the Department.

### **ARTICLE #4 LINE OFFICERS AND CAPTAIN OF FIRE POLICE**

#### **SECTION 1. Line Officers**

Line officers shall consist of Fire Chief, Deputy Fire Chief, (and Captains/Lieutenants as deemed necessary).

- The Fire Chief shall have at least three (3) years of service with the Department. The duties of the Fire Chief shall be the following:
  - To answer for good order, discipline and efficiency of the Department
  - To assume command of the Department at all fires and emergencies



- To be responsible for all Fire Department property, equipment and buildings
  - To prepare and submit to the Crystal Park Metro District a Fire Department budget, in accordance with municipal procedures, which reflects a true representation of Department operations
  - To serve as an advisor to the Pension Board
  - To provide for training and general improvement of the members of the Department, and to maintain efficient firefighting standards, in compliance with law and pension eligibility requirements;
  - To appoint qualified members to the positions of Captain 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 Volunteers and either take appropriate action or make a recommendation to the Department concerning such complaint or grievance.
- Deputy Chief - The Deputy and Assistant Chiefs, in order of their rank, shall perform the duties of the Fire Chief in his/her absence.
  - Captain/Lieutenant - The Fire Chief shall appoint Captains and/or Lieutenants as deemed necessary for the proper function of the Department.

**SECTION 2. Fire Police**

- The Fire Chief shall 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**

- The Department members at its regular May meeting shall propose a slate of candidates whose names shall be nominated together with names nominated pursuant to Article 5 Section 1 of the Constitution and By-Laws.

**SECTION 2. Nomination of Officers**

- Nominations shall be made from the floor during the regular monthly meetings in May of each year. Each name offered in nomination must be seconded by a separate member in attendance. Any nominee may withdraw his/her name from consideration by notifying the Foreman in writing. Should no candidate remain after such declination, nomination for said office shall be reopened prior to the annual election.

**SECTION 3. Election of Officers and Directors**

- Election of officers, Foreman, Secretary and Treasurer shall be held on the first Wednesday in December of each year at a time and place designated by the Foreman. The Foreman shall appoint two tellers at the beginning of said meeting to receive and count the ballots. The tellers shall report the final count to the Foreman who 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 members present and appearing on the current active list are eligible to vote.
- All candidates for Fire Chief and Deputy Fire Chief shall be voted on the same ballot and the two (2) candidates depending on the year, receiving the highest number of votes will be elected to the office of Chief and Deputy Chief.
- Members will cast separate ballots to elect a new Foreman, Secretary and Treasurer
- The Foreman shall administer the oath of office to all newly elected officers as the last order of business at that monthly meeting. The term of office shall take effect at the next regularly scheduled meeting.

**SECTION 4. Vacancy of a Line Officer Position**

- Should a vacancy occur among the line officers of the Department, each officer holding rank below the vacant office shall advance one grade. The resulting vacancy in the lower rank shall be filled as prescribed in Article 5 Section 5. Should a vacancy occur in any business officer position, the vacancy shall be filled as prescribed in Article 3 Section 2.

**SECTION 5. Election to Fill a Vacancy**

- A vacancy shall be filled by nomination at the next regular meeting of the Department and the election at the next regular meeting of the Department subsequent to the nomination. The exception is for Captain and Lieutenant positions which are appointed by the Fire Chief.

**ARTICLE #6 REQUIREMENTS, QUALIFICATIONS, and EXCLUSIONS**

**SECTION 1. Officers**

- Any person seeking and holding any office in the Department must be an active member in good standing.
- Any person elected to a line officer position must be at least twenty-one (21) years of age and have been an active member for at least twelve (12) consecutive months and be certified by the Colorado State Fire Fighting Essentials course or by a course of training recognized by the Department as being equivalent.

**SECTION 2. Drivers**

- All drivers/operators of any Department vehicle must be qualified to fully operate said vehicle and have a valid Colorado State operators license. A member may be qualified by the authority of the Fire Chief. A list of qualified drivers shall be posted and maintained by the Fire Chief in a conspicuous place in the firehouse.

**SECTION 3. Leave of Absence**

- Leave of absence may be granted by the Fire Chief with 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/her office when such leave is granted. Any member on leave of absence shall be exempt from payment of dues.

**SECTION 4. Reapplication of Former Members**

- Expulsion - Expelled members may offer an application for membership not less than twelve (12) months from the date of expulsion. Such members shall not seek office for a period of six (6) months from date of acceptance of such application.
- Resignations - A member who has resigned while no charges are pending against him/her shall be given credit for continuous service if an application for membership is received from such person within twelve (12) months from date of resignation and is accepted.

**ARTICLE #7 COMMITTEES**

It shall be the duty of the Foreman to appoint all committees. Each committee shall elect a chairman. Committee members shall serve a term ending at the next annual installation of officers unless a member resigns or is removed by the Foreman. Committees shall consist of the following, at a minimum:

**SECTION 1. Application Review Committee**

- Shall consist of at least three (3) active members to include the Fire Chief or Deputy Chief. The responsibility of this committee shall be to investigate the fitness and background of all those applying for any class of membership. This committee shall also be responsible for reviewing the membership status of all probationary members during the seventh month of probation, to discuss any issues and to make a recommendation on completion of the probationary period, termination of membership, or extension of the probationary period to the Department, which will make a final decision based on a majority vote. The Application Review Committee is responsible for checking at least two references on each applicant for membership. If the applicant was a member of another department, one of the references will be from the

old department

#### **SECTION 2. Ways and Means Committee**

- Shall consist of at least three (3) active members which will include the Treasurer of the Department. It shall be the duty of this committee to investigate and over see all fund raising activities as may be approved by the membership.

#### **SECTION 3. General Committee**

- Shall consist of five (5) members, active and associate. The committee shall serve the needs of the membership and/or its families, support the Foreman in elections, and oversee general activities of the Department.

#### **SECTION 4. Constitution Committee**

- Shall consist of at least three (3) active members who shall investigate, suggest and propose any changes, additions or deletions to the Constitution and By-laws of this Department. This committee may be inactive when there are no issues relative to the Constitution and By-laws.

### **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 third's (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 V 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.

#### **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 dismissal 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

- Unwarranted property damage
- Theft
- Conduct detrimental to the Department
- Being absent from three (3) consecutive scheduled meetings, regular or special, with out submitting a written excuse to the Secretary prior to such meeting
- Failure to properly perform the duties of a Member as set out in Article IX 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 unless an excuse in writing is submitted to the Secretary prior to the meeting
- To respond to all fire and emergency calls if possible
- To prevent any person who is not a Member of the Department from riding on or operating any vehicles owned by Crystal Park or any equipment of 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
- 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
- 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 for each item of equipment issued to him by the Department.
  - Within thirty (30) days after resignation, retirement, or dismissal of the Member of 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 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 1. Form**

- Any addition, deletion or change to this Constitution shall be offered in the form of an amendment.

**SECTION 2. Approval by the Majority**

- Amendments to this Constitution and By-Laws shall be made only after final approval by 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 (2) successive regular meetings of the Department. Any proposed amendments presented by an active member of the Department in writing shall be voted upon by the membership at its next regularly scheduled meeting.

**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.

<b>Majority Signatures (Following Majority Vote)</b>	<b>DATE ADOPTED:</b> <u>19 Dec 07</u>
	
	
	
	
	

