STONE CREEK VALLEY COMMUNITY VOLUNTEER FIRE COMPANY, INC.

BY-LAWS

SECTION 1.0 CONSTITUTION

This organization shall be known as the Stone Creek Valley Community Volunteer Fire Company, Inc.

SECTION 2.0 OBJECT

The object of this organization shall be to protect and safeguard the lives and property in Jackson and Miller Townships, Huntingdon County, PA and surrounding communities through the efforts of the following subordinate units of the Fire Company: firefighters, EMS/medical personnel, fire police, and auxiliary using public contributions, donations, and firemen's relief monies. In addition to primary emergency response activities, the goal of the Company is to create and maintain a positive organization. We also emphasize the importance of training, grants, safety, recruitment, retention, cultivating leadership from within and supporting the organization through fundraising activities.

If this organization ceases to exist, the building and all equipment will be turned over to the Jackson Township Supervisors for disposition. The only exception will be equipment purchased from firemen's relief monies, which belongs to the Firemen's Relief Association.

SECTION 3.0 MEETINGS, TIME, PLACE AND FACILITIES

Regular monthly meetings will be held on the first Tuesday of each month at 7:00 p.m. throughout the year. In case of emergency, the President may designate the meeting night as soon as possible after the first Tuesday.

The annual meeting will be held at the Fire Hall for election of officers and Trustees on the first Tuesday of December.

The President may call a special meeting any time and shall call a special meeting upon receiving a written request from five (5) active or social members, and all members will be given sufficient notice. All meetings will be conducted under "Roberts Rules of Order."

The Fire Hall meeting room and kitchen may be made available without charge to any non-profit organization or any other organizations approved by the Company. All groups that include minors (those under age 18) must have adult supervision.

No alterations or amendments shall be made to these bylaws until at least one month's public notice shall be given and then only by two-thirds vote of all members present. [According to Roberts Rules of Order, bylaws may be amended by 2/3 majority vote of those present, but changes to the bylaws do not take effect until the next official meeting.]

SECTION 4.0 MEMBERSHIPS AND VOTING

There are six types of membership: probationary, social, active, junior, life and honorary. Membership type will determine which members may operate emergency equipment, what calls they may go on, what training is required and what dues must be paid.

In general, an individual's membership status is determined by keeping annual training requirements current. The individual's record of attendance at company meetings determines voting eligibility in company elections.

If a member's PA Drivers License is no longer valid, it shall be reported within 72 hours to the President or the Fire Chief.

Starting July 1, 2016, all social and active members who have contact with children:

- A. who have resided in the Commonwealth continuously for at least the past 10 years will be required to obtain a Pennsylvania State Police criminal background check clearance (criminal history), as well as a Child Abuse History Clearance from the Department of Human Services, and a Disclosure Statement Application for Volunteers.
- B. who have resided in the Commonwealth for less than 10 years will be required to obtain a Pennsylvania State Police criminal background check clearance (criminal history), a Child Abuse History Clearance from the Department of Human Services, and an FBI criminal background check clearance from the Department of Human Services, which includes fingerprinting.

The volunteers and employees must produce originals of the clearances to the Fire Company and the Fire Company must make and retain a copy of these clearances. Once the clearances are obtained, they will need to be renewed (i.e., new, updated clearances will need to be obtained and given to the Fire Company) every 60 months. Any **new** volunteer or employee must have the clearances before beginning volunteer or paid service.

If the Fire Company or a member of the company has reasonable belief that an employee or volunteer was arrested or convicted for an offense that would constitute grounds for denying employment or volunteering with the Fire Company, or was named as a perpetrator in a founded or indicated report, or the employee or volunteer has provided notice as required under the law, the person responsible for employment decisions or administration of Fire Company matters shall immediately require the employee or volunteer to submit current information for a background investigation. The cost of the investigation shall be borne by the Fire Company.

If a volunteer or paid staff member is arrested for or convicted of an offense that would constitute grounds for denying participation, the volunteer or paid staff member must provide written notice no later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in the statewide database. A volunteer who willfully fails to disclose information as required above commits a misdemeanor of the third degree and shall be subject to discipline up to and including termination or denial of a volunteer or paid position.

The six types of membership are defined below:

4.1 New Membership – Probationary Members

- A. New Members must complete a membership application and attach all required documents.
- B. The Vice-President will contact the references and voting will be done by paper ballot. After acceptance by the Fire Company, a 60-day probationary period is required. New members are

- encouraged to obtain appropriate training during their probationary period. Voting privileges and keys will be granted only after attending six meetings.
- C. Any person 18 years or older may become a member (social or probationary member) by payment of five dollars (\$5.00) for the current year.
- D. If probationary members have company issued Turn Out Gear, it shall be stored at the station until their probationary period is ended.
- E. When New Member probationary requirements have been met, refer to 4.2 or 4.3 below, as appropriate.

4.2 Social Membership

- A. A Social Membership shall be issued to those persons desiring to support the work of the Fire Company emergency related activities. They are encouraged to participate in the company social functions, but would not be eligible to actively assist in emergency scene operations or operate emergency equipment.
- B. Shall qualify for full insurance coverage while participating in any company function.
- C. Shall qualify to hold the following offices within the Fire Company, if they attend a minimum of nine (9) regular company meetings per year and have participated in a minimum of 5 fundraising events that calendar year: Secretary, Treasurer, Chaplain, and Auxiliary Chairperson.
- D. A Social Member will be issued a membership card stating such status after payment of five dollars (\$5.00) for the current year.
- E. If a Social Member has attended nine (9) Company meetings in that calendar year and has participated in a minimum of 5 fundraising events that calendar year, he or she is eligible to vote in December officer elections, vote on company matters and receive a Fire Hall key.

4.3 Active Membership

An Active Member (Previously defined as a "Member in Good Standing"):

- A. Must be at least eighteen (18) years of age.
- B. Must live in the Fire Company First Due Area: Jackson and Miller Townships. Persons requesting membership living in close proximity to our fire area will be considered on a case-by-case basis as determined by the Board of Directors.
- C. Must have a minimum of sixteen (16) hours per year of approved training.
- D. To be considered an active firefighter member, one copy of all certificates must be turned over to the Fire Chief or to the Treasurer to be placed in the member's file showing level of training. All certificates are to be turned in by the December regular meeting of each year for the preceding year's training.
- E. If a member is unable to demonstrate in December that he or she has completed at least 16 hours of approved training in the preceding calendar year, that member's status will revert to

social membership the following January 1 until he or she has completed 16 hours of approved training. Members who have allowed their annual training requirements to lapse are not allowed to respond to any emergencies in any capacity until their requirements have been met.

- F. Active members will be given keys to the fire hall upon completion of their probationary status.
- G. Active members may vote on company matters. If an Active Member has attended nine (9) Company meetings in that calendar year, he or she is eligible to vote in December officer elections.
- H. Only active members will be issued Turn Out Gear (TOG). Active Juniors will also receive TOG see Section 4.4 E.
- I. A qualified active member will be issued a membership card stating such status after payment of five dollars (\$5.00) for the current year.
- J. Any active member who moves out of the area, and later moves back, or one who remains in the area but does not maintain active service in the fire company, may rejoin as an active member provided they have maintained training standards and have documentation approved by Fire Chief or EMS Captain. However, they will have voting privileges only after attending six meetings. After a two year period of absence, they must submit a new application.
- K. If training has not been maintained over a period greater than two years, the candidate's status will revert to social membership and will follow guidelines for new members.
- L. All active serving members shall secure training, attend monthly Fire Company meetings and support Fire Company functions. Participation in 5 fundraising events each calendar year is required.

4.4 Junior Membership

- A. Must comply with PL-286 No. 166-Child Labor Law.
- B. Must be fourteen (14) years through seventeen (17) years of age.
- C. Does not have voting or motion privileges.
- D. Will receive a free membership card.
- E. Active Junior Members will be issued Turn Out Gear and it shall be stored at the station unless exempted by the Fire Chief.
- F. Active Junior Members will be encouraged to attend training as approved by the Fire Chief.

4.5 Lifetime Membership

A. A Lifetime Membership is granted upon request of the membership to the President and a majority vote of the company. After majority vote by the company, a plaque will be presented along with the lifetime membership at the January meeting. Criteria for lifetime membership should include twenty years of continuous service, and active support of fire company functions.

- B. If a Lifetime Member is also an active member of the fire company, he or she does not have to pay annual dues, but still must meet all other requirements for active membership (training, meeting attendance, etc.)
- C. A Lifetime Membership may be revoked at any time at the discretion of the Board of Directors.

4.6 Honorary Membership

- A. An Honorary Membership may be granted upon request of the membership to the President and a majority vote of the company. Criteria for an honorary membership should include a history of fundraising or administrative support for this company. As a recognition of honor, a contributing member may be considered for an honorary lifetime membership without meeting any active service requirements. Since this is considered a high honor, it is not necessary to nominate someone every year if no qualified recipients are apparent.
- B. An Honorary Member does not pay annual dues, and has no voting privileges or training requirements.

4.7 Meeting Quorum

Five (5) or more members shall constitute a quorum to transact business. This group of five should include three (3) active or social members, plus two (2) officers. "Officers," for this purpose, may be either a line officer or a member of the Board of Directors.

4.8 Voting

- A. With the exception of Junior Members, all qualified members (Active, Social or Lifetime) may vote on any business before the company, including non-election business at the December meeting.
- B. Members not having the minimum required meetings or excused absences (9) will not be eligible to vote in officer elections at the December meeting. Acceptable excused absences include employment and illness. Other extenuating circumstances will be reviewed, discussed, and decided upon by the Board of Directors before the next company monthly meeting. Members are encouraged to avoid scheduling activities that conflict with the standing appointed time of the monthly Fire Company meeting.
- C. With the exception of changes to the bylaws or constitution, which require a 2/3 majority of voting members present, all questions are decided by a simple majority of voting members present.

SECTION 5.0 NOMINATION AND ELECTION OF OFFICERS

The following officers shall be elected: President, Vice-President, Secretary, Treasurer, Fire Chief, Deputy Chief, EMS Captain, Chaplain, Fire Police Captain, Auxiliary Chairperson and three (3) Trustees.

With the exception of the offices of Chaplain and Auxiliary Chairperson, no dual Fire Company office may be held by any one person.

To be nominated for any elected office, a member must have nine (9) qualifying company meetings in the current year.

5.1 Standards to Hold Office of Fire Chief (2 year position, elected in odd years)

- A. Must be an active member of this company for a minimum of five (5) consecutive years.
- B. Effective January 1, 2017, candidates for Fire Chief must have completed and passed the following Pennsylvania State Fire Academy training courses:
 - a. The complete Essentials program
 - b. Emergency Vehicle Driving class
 - c. Structural burn class
 - d. Pump 1
 - e. Rural Water Movement class
 - f. ICS/Incident Management class
 - g. NIMS 100 & NIMS 700
 - h. Hazardous Materials Operations level and current refresher
 - i. Engine Company Operations class
 - j. Vehicle Rescue
- C. Chief must have at least one year experience as deputy chief or fire line officer.

5.2 Standards to Hold Office of Deputy Chief - (2 year position, elected in even years)

- A. Must be an active member of this company for a minimum of four (4) consecutive years.
- B. Effective January 1, 2017, candidates for Deputy Fire Chief must have completed and passed the following Pennsylvania State Fire Academy training courses:
 - a The complete Essentials program
 - b. Emergency Vehicle Driving class
 - c. Structural burn class
 - d. Pump 1
 - e. Rural Water Movement class
 - f. ICS/Incident Management class
 - g. NIMS 100 & NIMS 700
 - h Hazardous Materials Operations level and current refresher

- i. Engine Company Operations class
- i. Vehicle Rescue
- C. If the Chief's office is declared vacant, the Deputy Chief will become acting Chief. At the next regular monthly meeting, the acting Fire Chief will be installed as Fire Chief to fulfill the remainder of the term of office, and a new Deputy Chief will be elected for the same period.

5.3 Standards to Hold Office of EMS Captain

- A. Must be an active EMS member of this company for a minimum of three (3) consecutive years.
- B. Effective January 1, 2017, Candidates for EMS Captain must have completed and passed the following Pennsylvania State Fire Academy and Pennsylvania Department of Health training courses.
 - a. EMT certification or higher
 - b. Emergency Vehicle Driving class
 - c. Incident Command training
 - d. NIMS 100 & NIMS 700
 - e. Hazardous Materials Operations level and current refresher
 - f. CPR/AED

5.4 Standards to Hold Office of Fire Police Captain

- A. Fire Police Captain must be an active Fire Police member of this company for a minimum of two (2) consecutive years.
- B. The Fire Police Captain must have completed and passed the following Pennsylvania State Fire Academy training courses:
 - a. Basic Fire Police training
 - b. ICS/Incident Command class
 - c NIMS 100 & NIMS 700
 - d. Hazardous Materials Operations level and current refresher

5.5 Nominations

Nominations for candidates for officers will be made at the regular monthly meeting in December, and then voted on at that meeting.

Nominations for lifetime or honorary memberships shall also be voted on at the December meeting to be presented at the Annual Banquet.

5.6 Elections

The election shall be by balloting and each member WHO IS ELIGIBLE TO VOTE shall be entitled to cast one vote for each office.

The offices shall be balloted upon separately and shall be chosen by a majority of all ballots cast. The duly elected officers shall be installed as a body at the January meeting.

All elected officers shall hold office for one year or until their successor has been duly elected and installed, with the exception of Fire Chief and Deputy Fire Chief, which are two-year terms.

Vacancies of offices shall be filled by election at a regular meeting except as noted above.

5.7 Special Circumstances

Special circumstances not addressed in Section 5.0 regarding qualifications for elected officer positions shall be reviewed by the Board of Directors. Should a sitting elected officer be in question, he or she shall excuse themselves from Special Circumstances Board of Directors meeting.

SECTION 6.0 DUTIES OF THE PRESIDENT

The President:

Shall preside and maintain order at all meetings, whether they be regular or special meetings.

Shall provide a written agenda for the special meetings.

Shall cast a deciding vote in the case of a tie.

May call a special meeting any time and shall call a special meeting upon receiving a written request from five (5) active or social members, and all members will be given sufficient notice.

Shall have the power to appoint all committees for any length of time not to exceed President's term of office.

May remove any member of a committee and replace that member, if President feels said person is not fulfilling his or her duty.

Shall permit a member to take the floor and express himself/herself, and to decide who speaks first in case two or more members arise at the same time.

Will have authority to recall or pick up keys from persons with expired memberships or persons not meeting membership qualifications.

In the event an elected officer fails to perform his or her duties, the President shall bring to the company's attention the need for replacement after reviewing reasons for such action. A decision will be made by vote of the members.

The President, or their designee, shall be the Public Information Officer (PIO) on administrative Fire Company business.

The president co-signs all checks with the treasurer.

The president shall be bonded.

SECTION 7.0 DUTIES OF THE VICE PRESIDENT

The Vice President:

Shall perform all duties of the President when the President is unavailable.

Introduces new memberships for approval by the body, and provides new members with membership packets which include a copy of the by-laws and list of company officers.

In the event neither the President nor the Vice President is present, the membership shall appoint a temporary chair for the meeting.

The Vice President shall be bonded.

SECTION 8.0 DUTIES OF THE SECRETARY

The Secretary:

Shall keep a record of all company proceedings.

Shall preserve documents, records, and papers for the company. The records of the Secretary shall be available for inspection within a reasonable notice by company members.

Shall present all correspondence to the company at its regular meeting.

Shall keep an accurate list of all active and social members and their status, including fundraiser participation. The secretary shall have these records available at each company meeting.

Shall issue membership cards and turn money over to the Treasurer.

Shall announce at the April meeting that unpaid members are delinquent and will be dropped from company rolls as of May 1. Delinquent/dropped members will be prohibited from performing duties such as responding to emergencies and voting at meetings. Such persons are also denied the protection offered by insurance carriers or workmen's compensation that legally covers active or social members.

The secretary shall be bonded.

SECTION 9.0 DUTIES OF THE TREASURER

The Treasurer:

Shall take charge of all company monies.

Shall collect all contributions, and report their source at the regular meeting.

Shall be responsible for disbursing funds in accordance with the financial policies of the fire company.

Shall keep an accurate account of all money received and disbursed; shall show sources and for what purpose money was expended.

Shall deposit all money received in the name of Stone Creek Valley Community Volunteer Fire Company, Inc.

Shall pay all bills in a timely fashion.

Will cause a bond to be secured in the Treasurer's behalf. This surety bond will cover the Treasurer, President, Vice-President and Secretary, who may sign all checks. The cost of this bond will be paid for by the company.

The treasurer will engage an outside firm to audit all books at the end of each year, and shall prepare paperwork for an annual audit to be given to auditors and then present the complete report to the fire company.

In the absence of the Treasurer, the Secretary shall sign checks as necessary.

In the absence of the President, the Vice President shall sign checks as necessary.

SECTION 10.0 DUTIES OF THE FIRE POLICE CAPTAIN

The Fire Police Captain:

Shall be in charge of Fire Police and/or Fire Police type activities.

Shall appoint Fire Police Lieutenant(s) for the duration of that Fire Police Captain's term of office.

Will ensure that all Fire Police shall have the minimum of basic fire police training (PA State Certified), Hazardous Materials Operations level and current refresher.

Shall work in conjunction with the Fire Chief to provide input into Operating Guidelines (O.G.'s)

Shall maintain order as directed by the President.

Shall be responsible for obtaining permission from the municipality for non-emergency Fire Police activities.

SECTION 11.0 DUTIES OF EMS CAPTAIN

The EMS Captain:

Shall be in charge of all EMS operations.

Shall appoint EMS Lieutenant(s) for the duration of that EMS Captain's term of office.

Shall see that all EMS personnel are aware of any training requirements as listed in Section 18.0 of the Stone Creek Valley Community Volunteer Fire Company, Inc. bylaws.

Shall insure all fire company members are in compliance with HIPAA regulations.

Shall work in conjunction with the Fire Chief to provide input into Operating Guidelines (O.G.'s)

Shall replenish emergency medical supplies as needed.

Shall be authorized to make emergency repairs to EMS equipment to the extent of \$500 without approval of membership. Any emergency repairs exceeding \$500 require approval of the company or Board of Directors.

SECTION 12.0 DUTIES OF FIRE CHIEF

The Fire Chief:

Shall have charge of all members of the company in time of fire fighting, fire drills, or any emergency regardless of type.

Shall have charge of all equipment entered in parades or any company function authorized by the membership.

Shall keep a record of all fire calls or emergencies and report same to the Jackson Township Supervisors and to any other agencies requiring such a report.

Shall have the authority to appoint, as deemed necessary, captain(s), lieutenant(s), engineer(s), safety officer(s), etc., to serve under the Fire Chief for the duration of that Chief's term of office.

Is authorized to make emergency repairs to the equipment to the extent of two thousand dollars (\$2,000) without approval of the membership. Any emergency repairs exceeding \$2,000 requires approval of the company or Board of Directors.

Shall recommend to the company all needed equipment and supplies.

Shall be responsible for keeping all equipment in a safe condition and ready to respond to all emergencies.

Shall notify the President and post a list of all qualified drivers of company equipment.

Shall verify that all qualified personnel have a valid Pennsylvania driver's license and collect a copy of all drivers' licenses. All drivers of emergency vehicles must be a minimum of 21 years of age.

Shall have all equipment repaired promptly.

Shall see that all equipment is checked and maintained on a monthly basis.

Shall check each driver's knowledge on the operation of all equipment on an annual basis.

Operating Guidelines (O.G.'s) will be drawn up and submitted by the Fire Chief to the company to be followed by all members during emergency operations.

The O.G.'s shall be reviewed by the company a minimum of once a year.

12.1 DUTIES OF THE DEPUTY CHIEF

In the absence of the Fire Chief, the Deputy Chief is in charge of the fire company in time of emergency, and will fulfill all duties of the Chief in the day-to-day operation of the company in his or her absence.

SECTION 13.0 DUTIES OF THE CHAPLAIN

The Chaplain:

Shall offer Invocation and conduct flag ceremony at each company meeting.

Shall assist in a service conducted by the Fire Company, such as a memorial service for a member or any spiritual ritual deemed advisable by the Company.

SECTION 14.0 DUTIES OF THE AUXILIARY CHAIRPERSON

The Auxiliary Chairperson:

Shall oversee the kitchen and supplies and coordinate all functions pertaining to the use of the kitchen.

Shall coordinate clean-up details of facilities prior to any rental event.

SECTION 15.0 DUTIES OF THE TRUSTEES

The Trustees:

Shall maintain a watch over the buildings and building-related equipment and recommend to the company any needed improvements.

Shall maintain a schedule of building use or assign the responsibility to another individual.

Shall have the authority to spend up to five hundred dollars (\$500) to effect any emergency repairs to building or furnishings, without further approval from the Board of Directors. Any emergency repairs exceeding \$500 require the approval of the company or Board of Directors.

Will be responsible for disbursing and keeping track of building keys. A duplicate list of persons holding keys should be placed on file with the Treasurer.

SECTION 16.0 BOARD OF DIRECTORS

The maximum number of Directors who are to manage the affairs of the company shall be: the three Trustees, and seven ranking elected officers, namely: President, Fire Chief, Secretary, Treasurer, EMS Captain, Fire Police Captain, and Auxiliary Chairperson. In the absence of the President, the Vice President may serve as part of the Board; in the absence of the Fire Chief, the Deputy Chief may serve as part of the Board; and in the absence of the EMS Captain, the EMS Lieutenant may serve as part of the Board.

They shall approve, by majority vote of the Board of Directors, all special emergency repairs and supplies exceeding the spending limits of the Fire Chief, EMS Captain, Fire Police Captain, Auxiliary Chairperson, and the Trustees.

SECTION 17.0 DUTIES OF MEMBERS

All members shall be familiar with company bylaws, operating procedures, emergency procedures and requirements for membership.

No member shall enter the company premises, whether to respond to a fire call, company meeting or social function, while that member is under the influence of alcohol or drugs. Members under the influence will be considered unfit for duty and will be immediately barred from any official fire company activity until such time as they are considered fit for duty.

A member shall not alter the building or remove any material, kitchen supplies, or emergency equipment from the building without proper authorization.

The use of profanity on the emergency grounds, to or from scenes, at the fire station or during any fire company function will not be tolerated for any reason. Excessive use of profanity is grounds for suspension.

All members shall respect the officers of the Company and anyone in charge of an emergency, regular meeting or other company function.

Members driving recklessly will be suspended upon second offense. This includes personal vehicles and emergency vehicles when responding to calls.

In case of fire or emergency, all members are expected to report to the fire hall or emergency, whichever is most expedient.

Any member injured while on duty shall immediately notify the Chief or Deputy Chief, EMS Captain or Fire Police Captain, who will notify the proper persons within 24 hours to initiate all reports covering such injuries in regards to insurance and/or workmen's compensation.

If an officer resigns, is dismissed, or is not re-elected to that position, all books and records belonging to the fire company must be returned in good order immediately to another officer of the fire company. If not returned, legal action will be taken.

The first member to be appointed to a committee will be chairperson of the committee.

All members attending the regular monthly meetings sign an attendance book. Members shall not sign other members names. If a member will be absent, the President must be notified in advance and will sign the attendance book if an approved absence.

No fire company personnel shall perform beyond their current level of certification.

SECTION 18.0 EMS PERSONNEL

The Special Unit may respond to all emergency calls.

Qualified EMS personnel, in addition to EMR or EMT must have Hazardous Materials Operations Level with current refresher.

No EMS or fire company personnel shall provide care beyond their level of training.

All members shall comply with HIPAA regulations.

To be considered an active EMS member, one copy of all certificates must be turned over to the EMS Captain or to the Treasurer to be placed in the member's file showing level of training. All certificates are to be turned in by the December regular meeting of each year for the preceding year's training.

SECTION 19.0 SUSPENSION OR DISMISSAL OF MEMBERSHIP

The membership of any person may be suspended or dismissed for any type of inappropriate conduct. Any consideration for such action is to be handled through the President, who requests a private hearing for the alleged violator before the Grievance Committee. If found guilty, the defendant has the right to appeal before the company at the next regular monthly meeting. The final verdict will then be decided by a majority vote of the company by means of a secret ballot. In the case of an appeal the suspension or dismissal is held off pending the result of the appeal.

In the event of a dismissal, the member will be notified in writing via Registered Mail of actions taken for dismissal or suspension. All Fire Company property held by that person shall be returned to an officer of the Fire Company within seven (7) days. If it is not returned, further legal action will be taken.

A person who has been dismissed from the company has the right at any point thereafter to request a reconsideration before the Board of Directors. If deemed appropriate, the Board of Directors will then bring the reconsideration before the company for a secret ballot. The company vote decides the final action.

Original 11/3/1970 Amended 9/4/1979 Amended 1/1/1988 Amended 11/6/1990 Amended 11/3/1992 Amended 2/2/1999 Amended 9/6/2005 Amended 11/1/2016