

# East Limestone Volunteer Fire Department, INC.



## CHARTER AND BYLAWS Approved October 12, 2020

**Last Amended November 14, 2022**

President:  Vice President:  Secretary: 

# PROMULGATION

The East Limestone Volunteer Fire Department Bylaws were voted on and approved by the membership at the NOV 2022 monthly membership meeting.

This document replaces all previous bylaws and/or changes.

<p>X</p> <hr/> <p>John Roberts President</p>	<p>DocuSigned by: <i>John Roberts</i> E211C5A79E124C8</p>	<p>X</p> <hr/> <p>Hunter Newby Vice President</p>	<p>DocuSigned by: <i>Hunter Newby</i> 04250E41600D402...</p>
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<p>X</p> <hr/> <p>Tony Kirk Fire Chief</p>	<p>DocuSigned by: <i>Tony Kirk</i> 95401B000035476...</p>	<p>X</p> <hr/> <p>Nick Campbell Assistant Chief</p>	<p>DocuSigned by: <i>Nick Campbell</i> 10D04D5791204DA...</p>
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<p>X</p> <hr/> <p>James Martin Treasurer</p>	<p>DocuSigned by: <i>James Martin</i> F943C06C5A4D4B4</p>
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
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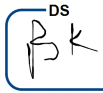
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### Revision Table

Revision	Date	Revised By
Revised vote required to accept a perspective member into membership.	4/12/2021	J.Roberts
Revised Section III Article II from revolving to calendar 12 month from October 1 to September 30.	1/10/2022	J.Roberts
Revised Section IV Article I to match Section III Article II.	3/14/2022	J.Roberts
Added Section IX Article XVI to allow for electronic meetings.	11/14/2022	J.Roberts

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# Charter

## Section I: Name

The name of the herein described organization shall be East Limestone Volunteer Fire Department Inc. described herein as ELVFD. The official address of the ELVFD shall be 15801 East Limestone Rd Athens, AL 35613

## Section II: Objective

The objective of the ELVFD shall be to prevent, prepare for, and respond to all emergencies situations and provide emergency medical service in the ELVFD's primary response area in order to save life, protect property, and protect the environment. In addition, assist any agency of the county, state and/or federal government when called upon to do so.

## Section III: Membership

### Article I: Prospective Members

Prospective members of the ELVFD shall consist of able-bodied persons, eighteen (18) years of age or older, as may be approved by the active membership. The prospective members shall live within ELVFD's primary response area. Prospective members shall be subject to a background check prior to acceptance into membership. Prospective members must not have ever been convicted of a violent felony. All other background check discrepancies shall be reviewed by the executive committee. All prospective members shall serve a probationary period of 90 days, which may be reduced to 60 by a unanimous vote of all active members present during any scheduled or special called ELVFD meeting. During this probationary period, prospective members shall attend all meetings, training sessions and fundraisers. If absence is required by a prospective member, he/she shall notify an officer of the ELVFD prior to the absence and the officer notified shall report to the executive committee on the reason for the prospective member's absence. Absence unexcused or excused may continue probationary period after the 90 days at the discretion of the executive committee. After completion of the probationary period the active members present at any ELVFD meeting may vote to accept the prospective member as an active member of the ELVFD by a 2/3 vote.

### Article II: Active Members

Active members shall maintain all requirements of prospective membership as outlined in Section III Article I. Once active membership is obtained the member must attend six (6) business meetings, six (6) training sessions and/or fundraisers, and (6) work session meetings per 12-month calendar period beginning 1 October and ending 30 September. Attendance to a public service event may be supplemented for attendance to 1/2 a required work session attendance, meaning 2 public service event attendances will equal 1 work

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session attendance. Failure to attend at least six (6) business meetings and six (6) training session and/or fundraisers, and (6) work session meetings per revolving 12 month calendar period beginning 1 October and ending 30 September by a member shall result in the loss of active membership and the member shall be placed on probationary membership until the member attends six (6) business meetings and six (6) training sessions and/or fundraisers and (6) work session meetings within the last 12 month calendar period beginning 1 October and ending 30 September. Waiver of the minimum attendance requirements may be allowed with documented proof of a job schedule interference if approved by a 2/3 vote of the executive committee. In the event active members present extenuating circumstances preventing them from meeting the attendance requirements listed in this section a waiver granting active membership status may be granted by the Executive Committee by 2/3 vote. Active members may request a leave of absence for a period not to exceed 12 months for any reason. This leave of absence must be granted by the Executive Committee by majority vote. During this leave of absence, the member will retain their membership to the ELVFD but be placed in probationary status. The member may request to return from a leave of absence at any time. Such request would be made of the Executive Committee and be approved by a majority vote.

**Article III: Probationary Membership**

Probationary membership status shall consist of members who have been accepted into membership but have not maintained the requirements for active membership as outlined in Section III Article II. These members shall retain all equipment issued to them and have the ability to respond to emergency calls when available. Members placed on probationary status shall not have the ability to hold elected office or vote on any department business to include but not limited to elections, motions, or any other business brought to the department for vote. Probationary membership status may be held for up to 12 months from the date of probationary status delegation. After 12 months the membership status shall be reviewed by the executive committee.

**Article IV: Honorary Members**

The honorary members of the ELVFD shall consist of any active member who due to illness, injury and/or who after three (3) consecutive years of service retires or moves away from the community. Other persons not active members of the ELVFD who through their generosity contributes substantial financial amounts, equipment or performs notable special service in behalf of the ELVFD may, through recommendations of the executive committee and a majority vote of active members present, become an honorary member.

President:  Vice President:  Secretary: 

**Article V: Voting Rights**

Only active members in good standing, who have paid any Dues (as described in Section III, Article VI herein) of the ELVFD, shall have voting rights. Each member is allowed only one vote. Members must be present to vote no absentee or proxy votes will be allowed. Probationary and Honorary members do not have voting rights.

**Article VI: Suspension/Termination**

Any member of the ELVFD may be suspended or discharged from the ELVFD by the executive committee at any time they deem such action is necessary for the good of the ELVFD. Suspension or discharge of an active member by the executive committee may be done so by a 2/3 vote of the executive committee membership. Notification of suspension and or termination shall be made by the President in writing to the member. Members suspended or discharged may submit a written request to the executive committee for a hearing on the reasons for suspension or discharge. The executive committee may then grant a hearing.

**Article VII: Dues**

All active members shall pay dues to the ELVFD in the amount of One Dollar (\$1.00). Dues will be paid on the date of the January business meeting each year. Prospective members shall pay dues in the amount of One Dollar (\$1.00) upon being accepted as an active member and thereafter as described above.

**Section IV: Officers**

**Article I: Elected Officers**

The elected officers shall consist of the President, Vice President, Treasurer, Secretary, Chief and Assistant Chief. In order to hold an elected officer position the member must have met the requirements of an active member as outlined in Section III Article II. Any elected officer may be removed from office by a 2/3 vote of all active members. The number of elected officers may be increased or decreased as the need arises. The increase or decrease of elected officers is subject to a 2/3 vote of the all active membership. Immediate family members may not hold Executive Committee positions at the same time.

**Article II: Terms of office**

All elected officers shall be elected for a term of two (2) years. No member shall hold more than one (1) elected position at a time. Terms shall be staggered such that only three (3) Executive officers shall be elected in any one year. The Fire Chief, Vice President, and Secretary shall be elected in odd numbered years and the President, Assistant Chief, and Treasurer shall be elected in even numbered years in the month of December.

President:  Vice President:  Secretary: 



**Article III: Appointed Operational Officers**

The Chief and Assistant Chief shall have the power to appoint operational officers as they determine necessary. The appointed operational officers must maintain active membership status to be appointed and maintain appointment extenuation circumstances may be reviewed by the Chief and Assistant Chief. The Chief and Assistant Chief have the authority to expand the appointed officer structure as the needs of the department dictate. The Chief and Assistant Chief will be required to establish the command structure identifying each officer. The Chief and Assistant Chief will appoint at a minimum Captains to assist in the execution of fire ground operations. The Chief and Assistant Chief shall determine the number and ranking of the Captains in which they appoint. All appointed officers shall be announced at the first meeting following their appointment.

**Article IV: Appointed Administrative Officers**

The president may appoint active members to administrative officer positions as deemed necessary for the execution of the business of the ELVFD. The President may also appoint an active members as the ELVFD Chaplain. If the President determines no active members are qualified to serve as Chaplain the President may appoint an honorary member as Chaplain. Appointed administrative officers shall have no fire ground authority unless otherwise grant in this document.

**Article V: Executive Committee**

The executive committee shall consist of the President, Vice President, Treasurer, Chief and Assistant Chief. Two-thirds (2/3) of the committee must be present to vote and/or consider any issue. The President of the ELVFD shall serve as the Chairman of this committee. Meetings of the executive committee shall be called by the Chairman as necessary to conduct the business of the committee. These meetings will be conducted in accordance with Roberts Rules of Order where these bylaws do not specifically note a procedure. The executive committee shall be bonded by an amount no less than \$50,000. The executive committee will meet no less than one time per quarter. This meeting shall be called by the President any member of the executive committee may request a meeting of the executive committee to the president. The executive committee shall review all background checks returned with questionable information and determine prospective membership status prior to prospective member being presented to the membership for approval into the ELVFD.

President:  Vice President:  Secretary: 

**Section V: Elections**

**Article I: Annual Elections**

The elections of the officers shall be held no sooner than the second Monday of December of each year with a majority vote of all active members present. Newly elected officers shall take office no sooner than the second Monday of January the following year.

**Article II: Special Elections**

A special election may be called at the first meeting, but must be called by the second meeting by the President of the ELVFD following the death, resignation, or removal of an elected officer. Until a special election is held the vacant position may be filled with an active member appointed by the President of the ELVFD.

**Section VI: Duties of Officers**

**Article I: Determination of Duties**

Duties of the elected officers shall be outlined in this charter. Duties of all elected officers will be created by the Executive Committee and approved by a 2/3 vote of all membership.

**Article II: Duties of the President**

The President shall be the official Representative and Spokesperson for the ELVFD and shall serve as the Chairman of the executive committee. The President shall preside over all meetings of the executive committee and the ELVFD. The President shall ensure that all meetings and business of the ELVFD is conducted in a professional manor and in accordance with this document and all local, state, and federal laws and regulations governing this institution. The President shall appoint committee(s) not provided for in this charter and/or bylaws. The President shall sign all official papers executed on behalf of the ELVFD unless otherwise required by law or governing authority. The President shall ensure a set of policies and regulations are developed and instituted to govern the ELVFD. The President shall insure all ELVFD assets to include members are properly insured against loss. The president shall review all insurance policies at least annually. The President shall perform other duties as required of the position of President.

**Article III: Duties of Vice President**

The Vice President shall assist the President in executing the Office of the President of the ELVFD and in the absence of inability of the President to perform all duties of the Office of the President, the Vice President shall be directed by the executive committee to assume the duties of the President Performs other duties as directed by the President. The Vice President shall have the authority to in the event it is required audit the financials of the

President:  Vice President:  Secretary: 

treasure being such this official has no direct spending authority unless granted by the President.

**Article IV: Duties of the Treasurer**

The Treasurer shall keep accurate records of all department funds and expenditures. A financial statement of expenses, receipts and bank balances should be provided monthly but shall be provided every sixty (60) days to the ELVFD. The treasurer shall be required to create and maintain a budget for the ELVFD. This budget shall account for all income and expenses occurred by the ELVFD. The treasurer shall ensure all bills of the ELVFD are paid in accordance with terms set forth. The treasurer or treasurer designee shall have the sole responsibility of making all monetary deposits into any and all ELVFD accounts. Performs other duties as directed by the President.

**Article V: Duties of the Secretary**

The secretary shall keep accurate records of all department and executive committee meetings and shall provide an oral report at each meeting of the minutes of the previous meeting. The secretary is responsible for the retention of all official documents executed on behalf of the ELVFD. The secretary will be required to maintain attendance records for all departmental functions. The secretary will be required to maintain a list of all active members eligible to vote in the in the event a review of eligibility is required. Performs other duties as directed by the President.

**Article VI: Duties of the Chief**

The Chief of the ELVFD shall be responsible for the personnel, morale and general efficiency of the department operations. The Chief shall determine the number and kinds of Fire Companies of which the ELVFD is to be composed and shall determine the response of these companies to alarms. At least once per month the Chief shall conduct suitable drills and/or instructions in the operation and handling of equipment, first aid and rescue, salvage, building construction, fire prevention, water supply and other subjects generally essential to good firefighting, safety of personnel and protection of life and property from fire. The Fire Chief shall be required to establish the minimum qualifications for allowing members to operate interior on structure fires. The Fire Chief shall be required to create and maintain a set of SOP/SOG's that govern and outline the execution of the operational responsibilities given the Fire Chief in this document. This set of SOP/SOG's will be written with the input from the assistant Fire Chief and appointed operational officers. The Fire Chief will be required to review the approved SOP/SOG's and make applicable changes at least once a calendar year. All changes to the SOP/SOG's must be reviewed by the assistant Fire Chief and the appointed fire ground officers. The Chief or his/her designee shall assist the proper authorities in the detection of arson by investigating or causing the investigation

President:           <sup>DS</sup> JR           Vice President:           <sup>DS</sup> AN           Secretary:           <sup>DS</sup> PK

of the origin, cause, and the circumstances of all fires. The Chief shall report the following information to the ELVFD, (1) the condition of the apparatus and equipment (2) the number of fires during the preceding month, to include location, cause, date, time (3) the number of other calls made during the preceding month and (4) any changes in membership. The Chief shall make an annual report to the community within one month of the fiscal year end.

**Article VII: Duties of the Assistant Chief**

The Assistant Chief shall assist the Chief In executing the duties of his/her Office and in the absence of inability of the Chief to perform all duties of the Office. The Assistant Chief shall be directed by the executive committee to assume the duties of the Chief. The Assistant Chief shall also be responsible for securing and distributing equipment to ELVFD active members which are essential to their performance as firefighters. The Assistant Chief under the direction of the Chief, shall supervise all training session(s), drill(s) and perform administrative duties assigned to him/her. The assistant Chief has the authority to designate or appoint a training officer with the approval of the Chief to assist in the development and execution of departmental training.

**Article VIII: Elected Officer Financial Authority**

Each elected executive committee member except the Vice President shall have the authority to expense no more the \$500 in a calendar month without the approval of the membership. If the officer exercises this spending authority a report of expenses must be made to the membership at the next business meeting containing amount of the expense and reason for the expense. The officer is also required to report this information to the treasurer as soon as possible following the expense. The Fire Chief has the authority to expense up to \$1500 during a prolonged emergency operation for the direct execution of operations related to that emergency. The executive committee has the authority to approve and execute the expense of funds up to \$10,000 with a 2/3 vote. The executive committee may also approve required expenses related to repair or replacement of essential equipment by 2/3 vote.

**Section VII: Meetings**

All regularly scheduled and special called meetings of the ELVFD shall be called by the President or Vice President. These meeting types, location, times and dates may be further established in the By Laws of the charter. All meeting shall be conducted in accordance with these bylaws and Roberts Rules of Order.

President:  Vice President:  Secretary: 

### Section VIII: Amendments

All revisions and or amendments to this charter shall be submitted in writing to the active members present at an ELVFD Business Meeting. The active members present and those not present shall be made aware of the proposed revision and/or amendment by the ELVFD Secretary and shall vote on these proposed revision and/or amendment at the next ELVFD Business Meeting. A two thirds (2/3) vote of all active members present shall be required to approve any proposed revision and/or amendment to this charter. Revisions to this charter and/or By Laws shall have an approval sheet attached that shall follow the last page of charter/by laws indication the revision number, the date of the revision (approval by membership) and it shall be signed and dated by the President, Vice President, and the Secretary of the ELVFD. Revisions shall also be documented on the revision table at the beginning of this document. Each page of the charter and by laws shall contain the revision number the date of the revision (approval of membership) and the initials of the President, Vice President and the Secretary of the ELVFD.

### Section IX: By Laws

A set of By-Laws shall be established by the active members of the ELVFD for governing of meetings and other ELVFD affairs not covered previously in this chapter. These Bylaws shall become a part of and/or an attachment to this charter.

#### Article I: Monthly Business Meetings

The monthly business meeting should be held on the second Monday of each month at 7:00 PM at the ELVFD unless otherwise directed by the President. All members of the ELVFD and/or community having business for the ELVFD shall be present at the above date, time and location and request to be heard. The Chief's and Treasurers report should be presented at this meeting. In order to conduct any business a quorum must be established as follows: (1) The meeting must be chaired by the President or in their absence the Vice President (2) There must be at least 3 of the 5 executive committee members present (3) There must be at least 7 active members present not including the executive committee members.

#### Article II: Monthly Work Session Meeting

The monthly work session meeting will be held the third Monday night of each month starting no later the 7:00 pm. This work session will be held in order for the membership to check and service all emergency response equipment and station equipment. Attendance to this meeting is a requirement of membership.

President:  Vice President:  Secretary: 

**Article III: Monthly Training Meeting**

The monthly training meetings should be held on the fourth Saturday of each month at 9:00 AM at the ELVFD unless otherwise directed by the President/designated training officer. All members of the ELVFD should attend these meetings. If there is ELVFD business that needs to be conducted at this meeting, the President may call a special business meeting, as long as a quorum is present as stated in Section X, Article I of the By Laws.

**Article IV: Special Called Meetings**

The President or the Vice President shall have the authority to call a special meeting when they deem it necessary. In addition, with the approval of the Chief or Assistant Chief, the EMT Officer may call a special meeting for the ELVFD's EMT's as he/she deems necessary. These meetings should be held at the ELVFD but may be held at other locations. As stated in Section X, Article I of the By Laws a quorum must be present to conduct any business of the ELVFD.

**Article V: Meeting Attendance**

All members should attend all meetings, training sessions, fund raisers and other scheduled activities of the ELVFD. All active members must attend at least eighteen (18) meetings, training sessions, work session, and/or fund raisers (as stated and defined in Section III — Membership Article I —Active Members to retain active membership status.

**Article VI: Presenting Business at Meetings**




All members and/or others attending meetings of the ELVFD having business to present to ELVFD will address the President and wait until they are recognized before proceeding.

**Article VII: Equipment**

Only active members, who have had the proper training as determined by the Chief or their designee, will operate ELVFD equipment to include all Fire Apparatus. All members shall sign for and be responsible for all gear issued to them. All active members shall take the necessary steps to become more proficient with the equipment at their command. All members shall be responsible for keeping unauthorized person(s) off all ELVFD equipment. Any member who willfully or intentionally abuses and/or destroys the property of the ELVFD will be disciplined. Any member who resigns from the ELVFD shall, within ten (10) days, return all equipment issued to them by the ELVFD, to the Chief, Assistant Chief, or Executive Committee member within ten (10) days of the request.

**Article VIII: Responding to Alarms**

All members should respond to all fire and other emergency calls if possible, unless otherwise directed by the senior fire ground officer responding. When responding to

President: \_\_\_\_\_<sup>DS</sup>  Vice President: \_\_\_\_\_<sup>DS</sup>  Secretary: \_\_\_\_\_<sup>DS</sup> 

alarms/calls all traffic laws will be followed while providing services to the ELVFD, whether in ELVFD vehicle's or personally owned vehicles. At no time shall any member neglectfully endanger their life or the life of others while responding to an alarm/call.

**Article IX: Use of Alcohol, Controlled Substances and/or Illegal Drugs**

Absolutely no member shall attend any function of the ELVFD while under the influence of alcohol, controlled substances and/or illegal drugs.

**Article X: Member Duties**

All members will perform their assigned fire ground, training and station duties unless otherwise directed by the Chief or Assistant Chief. These duties include, but are not limited to the following: (1) all members will stay on the scene of an alarm/call until all equipment is reloaded, (2) All members will return to the station after an alarm/call unless otherwise directed by the senior officer/firefighter on the scene. (3) The senior fire ground officer/firefighter shall be responsible for ensuring that all equipment is returned to service and stored in its proper location after an alarm/call and (4) all active members shall be required to complete a standard first aid and CPR course. Members will be required to complete any other duties as assigned.

**Article XI: Voting Procedures**

Voting procedures shall follow Roberts Rules of Order unless specifically outlined in this section. Members must be present to cast a vote absentee ballots and proxy voting will not be allowed. Voting proceedings will administered by the President unless the voting proceedings are to elect the office of president or are in conflict with decisions against the President. In this case the voting procedure will be administered by the Vice President. A ballot vote will be required for all unanimous or 2/3 voting situations outlined in this document. The President will assign a Teller to assist the secretary in the tally of the vote. The secretary will read the vote to the membership. In the event the vote is for the office of secretary the Vice President will fulfill the duties of the sectary as outlined in this article. The secretary will be required to record the vote. All voting proceedings requiring a simple majority vote can be administered in accordance with any voting process allowed for in Robert’s Rules of Order.

**Article XII: Elected Officer Decision Contest/Overrule Procedure**

This section outlines the procedure for the executive committee to overturn a decision made by one elected officer using the explicate authority granted that officer in this document. In order for a decision to be overruled a written change must be submitted to the executive committee by an active member. In order for a submitted written change to overrule the officers decision a 2/3 vote of the executive committee is required.

President:           <sup>DS</sup> JR           Vice President:           <sup>DS</sup> HN           Secretary:           <sup>DS</sup> PK

**Article XII: Captain's Responsibilities**

Captains shall be responsible for equipment and personnel in their assigned unit. They shall ensure that all equipment assigned to them is kept clean, in serviceable condition and returned to service following use. The Captains shall be responsible for performing all other duties assigned to them by the Chief and/or Assistant Chief.

**Article XIII: Fire Ground Operational Officers (FGO)**

The Fire Ground Officers of the ELVFD consist of the Chief, Assistant Chief, Captains, and any other appointed operational officers as outlined in this document. If none of the aforementioned FGOs are present or responding to the scene, the Senior Firefighter on the scene shall be considered a FGO.

**Article XIV: Obeying Orders of the Fire Ground Operational Officers**

Members shall obey the lawful orders given to them on the fire ground by the fire ground officers. Any member disobeying a lawful order, given by a FGO, may be disciplined by the executive committee.

**Article XV: Parliamentary Authority**

The rules contained in the current addition of Robert's Rules of Order Newly Revised shall govern the ELVFD in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the ELVFD may adopt.

**Article XVI: Electronic Meeting**

This article shall allow all meetings of the ELVFD, ELVFD Executive Committee, and any other meetings outlined or allowed for in any section of these bylaws to be held electronically. Meetings held electronically will be held through a conferencing platform that is approved by the Executive Committee. Meetings may be held in whole or in part via the approved conferencing platform. Attendance to any meeting by any member of the ELVFD via the approved conferencing platform shall constitute physical attendance and afford all privileges to that member as if they were physically present. The approved platform must have functionality to allow for ballot voting when required under other sections of these bylaws. When voting electronically by any means all members must show their face or likeness for their vote to be registered. Voting procedures outlined in other sections of these bylaws will be followed.

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