

# BY-LAWS

OF

Pasquotank Providence Volunteer Fire Department Inc.

Last amended September 16, 2014

## ARTICLE I

Section A. This Department shall be known as the Pasquotank Providence Volunteer Fire Department, Inc. of Pasquotank County, North Carolina, working under and governed by Chapter 55A of the General Statutes of North Carolina and Amendments.

Section B. The objective of Pasquotank Providence Volunteer Fire Department, Inc. shall be the preservation and protection of life and property, from and during fires and emergencies occurring in Pasquotank Providence Fire District and surrounding areas.

Section C. Any citizen of good reputation residing in the service area of this Department, extending to the railroad tracks North and West to the beer company (Forest Park Road), shall be eligible to make application for membership.

## ARTICLE II

Section A. The organizational structure of the Pasquotank Providence Volunteer Fire Department, Inc. shall be:

Subsection 1. Administration and management section consisting of a President, a Vice-President, a Secretary, and a Treasurer.

Subsection 2. Operational section consisting of a Chief.

Section B. All officers named in Article II, Section A shall be elected for a term of two years by a majority vote of the members present and voting at a business meeting. Their term of office shall begin July 1 and end June 30 of the second year. No person may be qualified for election to any office until he/she has served one year as a member in good standing of this Department.

Section C. Nominations for officer are to be placed on the floor one business meeting prior to the election.

Section D. The following officers shall serve as the Board of Directors: President, Vice-President, Secretary, Treasurer, Chief and two additional members to be elected from the membership. Past President shall serve as advisor to board for one year, with the right to vote. These officers shall be responsible for.

Subsection 1. Overall planning and direction of the Department

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Subsection 2. Interpretation and enforcement of all policies and procedures as outlined by these By-Laws.

Subsection 3. Hearing complaints from members. The Board of Directors will act impartially on all complaints and take necessary action which shall include meeting in closed session.

Section E. The President shall appoint such committees as may be deemed necessary for proper transaction of business.

Section F. In case of death, resignation, or removal of an officer, an election will be held at the next regular business meeting to fill the unexpired term, if the term remaining is more than thirty days.

Section G. No person, other than a member of the Board of Directors, may qualify to represent this Department with the N.C. Department of Insurance.

## **ARTICLE III**

Section A. There shall be twelve regular business meetings of this Department held each year on the third Tuesday of each month at 8:00 P.M. Twelve (12) active members shall constitute a quorum for the transaction of all business.

Section B. Should a regular meeting fall on a holiday; the meeting will be held the Tuesday of the following week.

Section C. A special meeting may be called at any time by the Chief, President, majority of the Board of directors, or a majority of the members for the purpose of urgent business not deemed advisable to hold until the next regular business meeting. Members will be notified by the quickest means available of a special meeting.

## **ARTICLE IV**

Section A. All purposed alterations, amendments, or additions to the Article of Incorporation and By-Laws of the Department must be submitted in writing at a regular business meeting and lay over until the next regular business meeting for action. A two-thirds affirmative vote of members present and voting is required to adopt same.

Section B. All purposed alterations, amendments, or additions to the Article of Incorporation and By-Laws of the Department must be signed by the member or members submitting the proposal to receive consideration and presented to the President.

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## ARTICLE V

### DUTIES OF OFFICERS

#### Section A. President

- Subsection 1. The President shall uphold the Constitution of the United States, the Constitution of the State of North Carolina and to the best of his ability adhere to the By-Laws of the Department.
- Subsection 2. The President shall preside at all regular and special business meetings as provided by the By-Laws, preserve order, and decide all points of order that may arise.
- Subsection 3. The President shall within thirty days of a board decision remove a member from the active roll after the member has not met the requirements for membership after giving the member a chance to be heard before the Board of Directors.
- Subsection 4. The President shall appoint an Auditing Committee at the regular business meeting in July of each year for the purpose of auditing the financial records of the Department. The audit shall be presented at the regular business meeting in August.
- Subsection 5. The President shall have full authority, using judicious judgment, in the granting or extending of a leave of absence for any member of the department.
- Subsection 6. The President shall be responsible for maintaining a record of accountability of all property belonging to the department.
- Subsection 7. The President shall keep monthly and quarterly reports of activities beginning with the tenure of office.

#### Section B. VICE-PRESIDENT

- Subsection 1. The Vice-President shall perform the duties of the president, in his absence and any other duties assigned to him.

#### Section C. SECRETARY

- Subsection 1. The Secretary shall keep a record of all business proceedings of the department, call the roll at the meetings, record all absentees, keep the books, and preserve the records of the department. He shall enter into the minutes of each regular business meeting a

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record of all monies received and expended and the cash on hand. In the absence of both the President and Vice President, he/she shall call for nominations from the floor for an acting Chairperson to preside the meeting.

## Section D. TREASURER

- Subsection 1. The Treasurer shall collect all monies due the department, given receipts, and deposit them in the bank to the credit of the Pasquotank Providence Volunteer Fire Department, Inc. He shall keep a record of all monies received, expended, and the cash on hand; pay bills as authorized by the department or Board of Directors. At the regular business meeting he/she shall give a detailed report on the transactions of the office.
- Subsection 2. The Treasure shall be bonded in the amount of Fifty Thousand (50,000) Dollars.

## Section E. CHIEF

- Subsection 1. The Chief shall uphold the Constitution of the United States and the Constitution of the State of North Carolina.
- Subsection 2. The Chief Shall be the head of all units and shall be in command of them on any and all occasions, having full authority over the men/women and equipment. He/she shall see that the equipment in adequately housed and that the equipment, the housing, and the systems are maintained and that the apparatus is ready for service. When needed he/she shall notify the head of the Board of Directors, and order any repairs, and shall issue orders for the inspection of the equipment. He/she shall appoint such officers as called for him/her to appoint in these by-laws. He/she shall devise duties among the fire officers and firefighters, these to be respected by all members, and shall report all grievances to the Board of Directors for a solution.
- Subsection 3.
- Subsection 4. All members shall respect and obey the Chief.
- Subsection 5. The Chief shall preside at all drill meetings, or designate a suitable instructor to conduct the same.
- Subsection 6. The Chief has the responsibility to see that each subordinate officer does his duty.
- Subsection 7. The Chief shall be responsible for a permanent record of each call answered.
- Subsection 8. The Chief may appoint an Assistant Chief, two (2) Captains, four (4) Lieutenants, and a safety officer for fire and rescue service.

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Subsection 9. The Chief will call a monthly officers meeting.

## Section F. ASSISTANT CHIEF

Subsection 1. The Assistant Chief shall obey all orders from the Chief and take command in his absence.

## Section G. CAPTAINS/LIEUTENANTS

Subsection 1. Captains and Lieutenants shall serve the Chief and perform those duties assigned to them by the Chief, and accept responsibility and control.

# ARTICLE VI

## Membership

Section A. The active membership of the department shall consist of not less than twenty-two (22) nor more than fifty (50) members. As required by the laws of the State of North Carolina, the Ordinance of Pasquotank County and the rules, regulations and By-Laws of this department, all members must be eighteen(18) years of age or older to perform the actual duties of fire fighting or rescue operations. If the department has the maximum enrollment, all applications for membership shall be placed on a waiting list, and as vacancies occur, the applications shall be considered in the order in which they were filed.

## Subsection 1. Application Process

Sub-Subsection a) The application will be turned over to investigating committee as soon as possible. The committee will investigate prospective member and give results at the next board of directors meeting.

Sub-Subsection b) The prospective member shall attend the board of directors meeting for an interview before the application is sent to the membership for approval.

Sub-Subsection c) After the Board of Directors has interviewed prospective member, the application can be sent to the general membership for consideration. Applicants may be voted on by secret ballot, an affirmative vote of two-thirds of the active members present and voting at a regular business meeting shall be necessary for acceptance into the department.

Sub-Subsection d) If accepted, the applicant becomes a probationary member.

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Sub-Subsection e) No person may make application for membership more than once every twelve (12) months.

Subsection 2. An active member in good standing in the department shall meet the following:

Sub-Subsection a) Be no less than eighteen (18) years of age.

Sub-Subsection b) Participate in at least 25% of department fire related activities and not miss more than three (3) business meetings without acceptable excuse for a period of six (6) months.

Subsection 3. The Board of Directors shall by majority vote of the members present direct the President to continue or discontinue a person's membership in the department.

Subsection 4. In cases of emergency, the Chief shall have the power to suspend a member for due cause on-the-spot, provided that such action by the Chief is reviewed and approved by the Board of Directors at their next scheduled meeting.

Subsection 5. Training requirements for credit shall consist of the following:

Sub-Subsection a) Training approved by the Chief.

Sub-Subsection b) Regular business meeting give one (1) hour credit.

Sub-Subsection c) .

Subsection 6. Any member who fails to obtain the fifty (50) hours of training per year shall be dropped as an active firefighter and shall return all Pasquotank Providence Volunteer Fire Department, Inc. equipment.

Subsection 7. Any member who fails to return assigned equipment back to the department in a reasonable amount of time, or has taken equipment not assigned to them, can be subject to legal consequences.

Section B. The complimentary title Honorary Member may be bestowed on any person by a three-fourths affirmative vote of the members present and voting at any regular business meeting of the department. The name of the nominee shall be entered in the minutes and tabled until the next regular business meeting. Such persons shall be exempt from all duties, penalties and they shall have no voice or vote in the business of the department.

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Section C. A member shall have Lifetime Membership in this department after twenty (20) years of service.

Subsection 1. A member may be nominated for Lifetime Membership in the department after being considered by the Board of Directors and meeting either of the following requirements:

Subsection 2. Has been an active member in good standing for the past ten (10) years.

Subsection 3. Has become physically disabled while performing the duties associated with this department.

Sub-Subsection a) The nominees name shall be submitted at a regular business meeting, entered in the minutes and tabled until the next regular business meeting. A two-thirds majority vote of the members present and voting at any regular business meeting will be required to approve Lifetime Membership. Lifetime members shall enjoy the same station privileges as an active member and will be governed by the By-Laws of the department, except they will not have voting privileges or be required to perform the annual labor of firefighting and rescue operations.

Section D. No member shall have the authority to permit a non-member of the Pasquotank Providence Volunteer Fire Department, Inc. to ride in or on the equipment at any time without the approval of the Chief or an officer in charge.

Section E. The probationary period for **NEW** members shall be six (6) months.

Subsection 1. At the end of the probationary members six month, the Board of Directors and the Membership Committee shall convene in a special or regular Board of Directors meeting to evaluate the member's retention in the department and make their recommendation at the next regular business meeting.

Subsection 2. At the next regular business meeting after the members sixth month of probation, he/she shall be voted on by the general membership for retention in the department as a regular member. An affirmative vote of two-thirds of the membership present and voting shall be necessary for the retention as a regular member.

Subsection 3. No member, while on probation, shall vote in department decisions or be authorized to run red lights

Subsection 4. A firefighter on probation shall not be permitted to operate a vehicle in this fire department without the approval of the Chief or the OIC at the emergency scene.

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Section F. No member shall appear at a meeting of the department or on duty under the influence of alcohol or drugs. He shall not be guilty of conduct unbecoming a gentleman, or otherwise bring disgrace upon this department. Any member found guilty of violating this section may be dismissed by a two-thirds majority vote of the members present and voting at a regular or special business meeting.

## ARTICLE VII MEMBERS, JUNIOR FIREMEN

Section A. This department shall have Junior Firefighter known as Junior Firefighter of the Pasquotank Providence Volunteer Fire Department, Inc., Inc.

Section B. The age limit shall be from sixteen (16) to eighteen (18) years of age.

Section C. Two calendar months prior to the month of his eighteen birthday a Junior Firefighter may notify the President he/she would like regular membership in the senior department if he/she desires to continue his fire and rescue activities. Otherwise, his membership in this department will be terminated upon his reaching his eighteenth birthday.

Section D. A Junior Firefighter who petitions the Fire Department for membership in the senior department as outlined in Section C of this Article shall be voted on the business meeting before his/her eighteenth (18) birthday and added to the senior roster on the business meeting after his/her eighteenth (18) birthday. Provided he/she has served satisfactorily for a period of one year.

Section E. A Junior Firefighter must maintain a passing grade in school.

Section F. Junior Firefighter shall have no vote in Department affairs.

Section G. Junior Firefighter shall not be privileged to use a red warning light when responding to fire and rescue calls.

Section H. Junior Firefighter shall obey all traffic laws, rules and regulations.

Section I. A Junior Firefighter applicant must have the written permission of his parents or guardians as provided for on the application and who must also sign the letter of mutual understanding.

Section J. Junior Firefighter shall obey the lawful commands of the officer on duty.

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Section K. A Junior Firefighter shall report to the station when a fire alarm is toned out. A junior firefighter is not to go to the scene unless authorized by the Chief or OIC.

Section L. A Junior Firefighter shall obey and be governed by this Article and the By-Laws of the PASQUOTANK PROVIDENCE VOLUNTEER FIRE DEPARTMENT, INC. Where applicable.

Section M. A Junior Firefighter shall conduct himself/herself as a gentlemen/lady and endeavor to be a credit to himself/herself and the Department at all times.

**ARTICLE VIII** A Junior Firefighter shall Respond to the station, and remain there to assist with any station duties needed during or after the call. DUTIES OF MEMBERS

Section A. Every active member upon an alarm of fire or rescue call shall report immediately to the fire station or to the scene of the fire or rescue operation and hold himself/herself in readiness to perform any duty assigned to him by any fire ground officer and shall do as instructed.

Section B. On the alarm of a fire or rescue call, the driver shall take the apparatus to the scene by the nearest and best route and will be subject to the orders of the officer in charge. In the event no officer is present the driver shall be in charge.

Section C. When a fire is extinguished, every member of this Department shall assist in loading the hoses and other equipment in order that it may be returned to the fire station in good condition, unless he/she is excused by the officer in charge.

Section D. Drivers taking apparatus to a fire or rescue operation are responsible for its safe return to the fire station.

Section E. Each member present at a fire call shall accompany the equipment back to the fire station and there answers roll call, unless excused by the officer in charge.

Section F. Every member of this Department shall keep the fire station and equipment clean and serviceable.

Section G. The fire station shall be in charge of and under the control and management of the President.

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Section H. No member shall remove from the fire station anything belonging to the Department or pertaining to the fire station equipment for any purpose other than to extinguish fires or to use in rescue operations, without the permission of the Chief or the President.

Section I. No person shall consume alcoholic beverages on the premises of this Department.

Section J. Any member absent from the area for a period of six months or longer or any member who has moved his family from the area served by this Department will relinquish his membership except with approval by the membership.

Section K. If a member is injured at a fire or rescue operation, he/she shall, if possible, report immediately to the officer in charge.

Section L. No member shall create a liability against the Department unless authorized by the Board of Directors.

Section M. No member shall make unfavorable comments to any person not in the membership of the department about any activities or duties of the fire department. All derogatory comments shall be made to the Board of Directors. This shall not preclude answering questions asked by a duly sworn investigative officer.

Section N. Members shall not use any department uniforms for any purpose or on any occasion other than those in connection with the work of the Department.

Section O. A member may become eligible to use a red warning light after being voted in a full member following the six month probationary period. A member could at that time submit a written request to the Chief for the use of a red warning light. The decision would be based on an overall evaluation of the member's participation in station activities and his demonstration of responsibility. Should the request be denied a member could submit the request again after a six month period. This privilege can be revoked at any time by the Chief.

Section P. No member shall be authorized to operate any fire department equipment or apparatus without approval of the Chief. On a fire rescue scene the approval of the officer in charge shall be required.

Section Q. All persons becoming members of the Department shall be required to sign the By-Laws or a copy thereof in token of their acceptance of the rules governing the Department and their obligations to be found thereby.

Section R. All persons not conforming to these By-Laws may be required to appear before the Board of Directors and may result in disciplinary action.

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## ARTICLE IX

### Leaves of Absence

Section A. Any member may request a leave of absence. The request must be in writing and submitted to The President. The maximum period requested shall be (6) six months. Requests for consecutive leaves or leaves lasting longer than (6) six months shall be considered on a case-by-case basis by the President. Members returning from leave must do so on or before the date listed on the request or they will be automatically removed from the department roster.

Section B. All Department equipment that has been issued or otherwise assigned to that member taking a leave shall be turned into the equipment officer on or before the day the leave takes affect.

Section C. The equipment turned in shall be secured while the member is on leave. Upon returning from their leave the member shall receive all equipment turned in. Exceptions to this will be radios and pagers.

Section D. While on leave, members shall not have the privilege of responding to alarms or attending any department functions as a member of the Department.

Section E. Medical leaves are a special type of leave and shall be granted on a case-by-case basis. The length of a medical leave shall be determined by the situation presented and may be extended to any length of time as determined by the President. Attendance at business meetings and trainings shall be acceptable. Light Duty, in some cases, may also be acceptable

Section F. Members that have had to be hospitalized, or under doctors restrictions MUST provide a signed release form by the attending doctor before returning back to duty.

Section G. If a member can not meet the NC training requirements for firefighter's hours in the calendar year, he/she will lose that years credit from the Department of Insurance, NC State Fireman's Association roster, and The NC Firefighters pension fund.

## ARTICLE X

### Meetings

Section A. "Robert's Rules of Order" shall be the final authority on all matters of parliamentary procedure not specifically provided for in these By-Laws and shall be recognized as governing the activities of the meetings

## ARTICLE XI

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Section A. If any section of these By-Laws is in conflict with Federal, State or Local laws, that section and only that section shall not govern.

Section B. These By-Laws shall be reviewed and revised every three years or sooner, if deemed necessary, by vote of this Department, that revised By-Laws to take effect the next regular business meeting following ratification of same.

Adopted: January 20, 1981

Revised: September 16, 2014

## **BY-LAWS COMMITTEE**

William Lewis, President

Billy Collins, Treasurer

Chris Andre, Vice President

Samuel D. Mickey Jr, Chief

Bruce Harris, Board

Frankie Brower, Board

Namanuel White, Secretary