THE CONSTITUTION AND BY-LAWS OF THE FIRE CHIEF'S ASSOCIATION OF KENT, DELAWARE

ARTICLE I, Name

Section I

The name of this organization shall be known as the Fire Chiefs Association of Kent County.

ARTICLE II, Purpose and Objectives

Section I

The purpose and objectives of this Association are declared to be the following:

a. To promote exhibition of proper and efficient methods and evolutions for fire fighting.

b. To guide the thought and practices in fire extinguishment and to critique fire alarms.

c. To promote and support legislation in the best interest of the emergency services.

d. To establish the fire service as a fire prevention organization as well as an extinguishing organization.

ARTICLE III, Membership

Section I

1. **ACTIVE MEMBERS** – Active or past Fire Chiefs, Deputy Chiefs, Assistant Chiefs, Ambulance Officers, Chief Engineers, Assistant Chief Engineers, Line Officers, Captain, Lieutenants; Fire Marshal and Deputy Fire Marshals; the Director and Senior Instructors of the Delaware State Fire School; State government officials of the Department of Agriculture, Office of Forestry; Federal government officials of the U.S. Military installation fire departments; industrial Fire Chiefs; the Chief Dispatcher and Fire Dispatchers from Kent Center; the Director, Deputy Director, and Section heads of the State's Division of Emergency Planning & Operations.

2. **ASSOCIATE MEMBERS** – Any member of a duly recognized fire department interested in fire prevention, training and fire fighting. Associate member shall not

have the privilege of holding any elected office and/or be appointed to the chairmanship of any committee.

3. **SUSTAINING MEMBERS** - Any person, company, or other interested party with an interest in fire prevention, training, fire suppression, or other fire fighting related activity that cannot qualify for membership may apply for membership in this category.

Section II

Application for member ship shall be submitted to and acted upon by the membership from the floor at any regular meeting of the Association, providing the applicant's dues have been paid upon application for membership.

Section III

Dues will be $5.00 per annum, for all membership categories payable at the June meeting. There shall be a letter delivered to each Chief and/or his designee, and all active organizations, in the month of April, listing active and associate members, stating the amount of dues due for each listed member.

Section IV

Any Associate or Sustaining member who becomes eligible for regular membership shall present proof of such eligibility at a regular meeting of the Association. Upon presenting such proof, the Associate or Sustaining member's request shall be voted upon the same as a new applicant. Upon proper payment of dues, the Associate or Sustaining member shall be accepted as a Regular member of the Association.

ARTICLE IV, Officers

Section I

The officers of this Association shall consist of a President, one First Vice President, one Second Vice President, a Secretary, a Treasurer, an Assistant Secretary/Treasurer, and a Board of Directors consisting of 3 who shall serve in following manner. The immediate Past President shall serve a term of three years.

Section II

There shall be a Board of Directors consisting of the President, First Vice President, Second Vice President, Secretary (who shall be the Secretary for the Board), Treasurer, and three members. Directors shall meet at such times and places as the President shall designate. Five (5) members shall constitute a quorum for transacting business. Any business shall be reported upon at the next regular meeting of the Association.

ARTICLE V, Duties of the Officers

Section I

PRESIDENT: It shall be the duty of the President to preside at all meetings of the Association and its Board of Directors; appoint all standing and special committees as the occasion may require; and perform all such other duties as may be incident to the office.

Section II

FIRST VICE PRESIDENT: In the absence or inability of the President, it shall be the duty of the First Vice President to perform all duties of that office, and when the President is presiding shall assist that officer in every way possible.

Section III

SECOND VICE PRESIDENT: In the absence of the President and the First Vice President, it shall be the duty of the Second Vice President to perform all duties of that office as the occasion may require.

Section IV

SECRETARY: It shall be the duty of the Secretary to keep a complete record of the proceedings of the Association and its Board of Directors. The Secretary shall receive and answer all communications pertaining to the business of the Association promptly.

Section V

TREASURER: The Treasurer shall have custody of the funds of the Association and all monies in his possession shall be deposited in a chartered bank approved by the Board of Directors. The Treasurer shall have authority to sign all checks and keep a true and complete record of all monies received and disbursed.

Section VI

ASSISTANT SECRETARY/TREASURER: It shall be the duty of the Assistant Secretary/Treasurer to maintain an accurate record of membership of the Association; to collect dues and issue membership cards. It shall also be the duty of this office to assist the Secretary and Treasurer in any way possible at their request.

Section VII

BOARD OF DIRECTORS: The Board of Directors shall have general charge of the Association in its affairs; direct its activities and expenditures. Vacancies in office shall be filled by the Board of Directors until the next monthly meeting, when the Association shall fill the vacancy for the unexpired term in the same manner in which Officers are elected. The Board of Directors shall decide the true meaning of the By-Laws, should a question be raised.

Section VIII

Should an elected officer miss three (3) consecutive meetings without an acceptable excuse, which shall be tendered in writing to the president (illness, death in the family, etc.), that officer shall be removed from office at the third meeting. A special election shall be held as the first order of business of that meeting to fill the vacancy, with nominations being accepted from the floor.

Section VIIII

Any elected officer unable to attend a regular meeting of the Association shall make every effort to notify the President of such inability to attend prior to the meeting date.

ARTICLE VI, Committees

Section I

Standing Committees of the Association shall be the following:

1. Auditing (three members, not currently Officers of the Association, who shall report results of their audit at the September meeting; and at other times as the need arises).

1. Constitution and By-Laws (five members).

1. Nominating (three members, not currently Officers of the Association).

Section II

Other committees shall be appointed as needed at the discretion of the President, to make reports to the Association at each regular meeting.

ARTICLE VII, Elections and Meetings

Section I

It shall be the duty of the Nominating Committee to report the names of those nominated at the August meeting of the Association. Nominations from the floor shall also be accepted. Nominations for Officers shall be reopened at the September meeting before the elections are

conducted at the October meeting, being accepted from both the Nominating Committee and from the floor.

Section II

The annual election of Officers shall be held in the October meeting of the Association. Newly elected Officers shall take office immediately after the elections have concluded.

Section III

The monthly meetings of the Association will begin at 7:00 P.M. These meetings shall be held as the guest of Companies as designated. If no invitation is made, the President shall designate a meeting place.

ARTICLE VIII, Amendments

Section I

Any proposed amendments shall be submitted in writing at a regular meeting of the Association, and shall be at once referred to the By-Laws Committee for examination. The Committee shall report back the amendments at the next regular meeting of the Association with their recommendations. Then the proposed amendments shall come up in its regular order being first on the list of unfinished business, and shall be adopted if it receives the vote of two-thirds of the regular members present.

ARTICLE IX, Rules of Order

Section I

The presiding Officer shall preserve order and decorum and shall take no part of debates while presiding. All questions of order shall be decided by the presiding Officer, subject to an appeal to the meeting and upon such appeal the vote shall be taken without debate. The presiding Officer may state the reason for the decision given and shall put the question as follows:
"Shall the decision of the chair be sustained?"

A two-thirds vote of the regular members present shall be necessary to reverse the decision of the chair.

Section II

Every member, when speaking or offering a motion, shall rise in place and respectfully address the presiding Officer; and when finished speaking shall at once be seated. When speaking a member shall address the question under debate and avoid all personal or indecorous language.

Section III

When two or more members rise to speak at the same time, the presiding Officer shall decide who is to have the floor.

Section IV

A member called to order shall immediately cease to speak and be seated until the point of order in question has been declared and decided; then the member shall be entitled to the floor again.

Section V

A motion to take the previous question shall always be in order except when a member is in possession of the floor, and must be put without debate, and if supported by a two-thirds vote of the regular members present, shall be declared carried and no further debate or amendments shall be in order until the main question shall have been decided.

Section VI

Voting on "Operational issues" brought before the Association shall be limited to the Chief or those Chief Officers as designated by the Fire Chief of that department at the January meeting.

a. Any company who does not have a current serving Chief Officer present at the meeting may not vote on "Operational Issues".

b. A voting quorum for any "operational Issue" before the Association shall be ten (10) Member companies.

c. The "Operational Issue" at hand must be brought up at the previous Association meeting to be voted on at that current meeting.

d. The Secretary must make an attempt to notify all current Fire Chiefs via phone, fax, page, or E-mail prior to the Association meeting about an operational issue vote.

Section VII

An “Operational Issue” involves those issues brought forth to the Association from the Fire Chief and/or those agencies or organizations that are called upon to interact with the fire companies during an Emergency. These could include but not limited to, dispatching procedures for the county, types of responses etc. (i.e. Kent Center, DSFS, DEMA, State and County Government Agencies)

Section VIII

On any matter of business before the Association that is not of an “Operational” nature, ALL ACTIVE members shall have the right to vote.

Section IX

A motion to adjourn shall always be in order except when a member is in possession of the floor or a vote is being taken, or it has been decided that a vote now be taken. A motion to adjourn is not debatable, but a motion to a given time is open to debate.

Section X

A consideration of any proposed amendments to the Constitution, By-Laws, or rules of order, of which notice has been given previous to the opening of the meeting, shall be the first business at the opening of the meeting in session.

Section XI

Any question coming before the Association for which no prevision has been made in the Constitution, By-Laws, or rules of order, the presiding Officer shall be guided by Roberts’ Rules of Order.

Section XII

The following shall be the order of business for the Association. The President shall have the right to add any order of business he feels necessary to conduct the business of the Association.

Order of business:

1. Roll calls
2. Adoption of minutes of previous meeting
3. Standing of Past Presidents
4. Standing of Guests
5. Appointment of members to fill vacancies on committees
6. Report of the Officers
    1. President
    2. First Vice President
    3. Second Vice President
    4. Secretary
    5. Treasurer
    6. Assistant Secretary/Treasurer
7. Reading of communication by the Secretary
8. Reports of Standing Committees
9. Reports of other committees if necessary
10. Operational Issues
11. Topics and current events, critique of recent fire alarms
12. Unfinished business
13. New business
14. Payment of bills
15. Election of Officers and Installation (October meeting)
16. Final adjournment

STANDING MOTIONS

The following shall be standing motions of this Association and shall require no vote to approve.

1. The president or his designee shall be allowed to attend the Congressional Fire Service Dinner in Washington, DC. The Association shall cover the cost of the dinner and one nights lodging.

2. The president or his designee shall be allowed to attend the Governor's Fire Prevention Awards Dinner. The association shall cover the cost of the president and one guest.

ARTICLE X, Archiving of All Records

Section 1

All records of the Association shall be stored at a secure location that has been predetermined by the Board of Directors. Records shall include the minutes of the Association, officer and Committee reports, correspondence records, Standard Operational Guidelines, membership listing, and Officer history.

Section 2

It shall be the responsibility of the Secretary and the Assistant Secretary/Treasurer to keep these records current, and report back to the Board of Directors on an annual basis.

Revisions or last Updated on the following:

ATTEST: Kevin L. Wilson Chairman
Updated 02/08/2001

ATTEST: Michael Morris
Updated 08/09/2006

ATTEST: Michael Morris
Updated 10/11/2006