



**LOWER MIDDLESEX VOLUNTEER FIRE DEPARTMENT, INC.**

**CONSTITUTION AND BY-LAWS**

**AUGUST 2013**

**LOWER MIDDLESEX VOLUNTEER FIRE DEPARTMENT, INC.  
CONSTITUTION AND BY-LAWS**

We, the members of the Lower Middlesex Volunteer Fire Department, Inc., in the interest of providing better service to Lower Middlesex County, do hereby adopt this Constitution and By-Laws. All previous Constitutions and By-Laws are nullified by the adoption of this document signed and dated below.

<b>DATE:</b>	
<b>SECRETARY:</b>	

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ARTICLE I – NAME AND PURPOSE

SECTION A – NAME

I. The name of this organization will be the Lower Middlesex Volunteer Fire Department, Inc., hereafter referred to as LMVFD. The LMVFD is located in Deltaville, Virginia.

SECTION B – PURPOSE

I. The purpose of this organization is to promote fire prevention in Lower Middlesex County and to acquire and maintain the best possible facilities and equipment for fighting and extinguishing fires, and to enlist, train and instruct members in firefighting methods, safety and duties.

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ARTICLE II – MEMBERSHIP

SECTION A – QUALIFICATIONS

I. Individuals who desire to become a member and maintain their membership in the LMVFD will demonstrate that they have the will to be obedient to the officers and possess the intelligence and demeanor to conduct themselves safely and efficiently in emergency situations. They further confirm they have the time and the interest to become active members, thereby fulfilling the training obligations and the tasks that may be assigned to and required of them by the LMVFD.

II. Individuals ages 16 and over whom desire membership will submit an application signed by two sponsoring active members. The application will be presented at the first meeting attended. The application will be voted on by all LMVFD members after the applicant's attendance to three consecutive monthly business meetings. Voting will take place in the applicant's absence or by secret ballot.

SECTION B – ACTIVE MEMBERS

I. Individuals ages 18 and over who qualify as active members under the provisions of this Constitution and By-Laws which pertain to active membership as listed elsewhere in this document are eligible for membership in the LMVFD.

SECTION C – JUNIOR MEMBERS

I. Individuals ages 16 – 18 who qualify as active members under the provisions of this Constitution and By-Laws which pertain to active membership as listed elsewhere in this document are eligible for junior membership in the LMVFD.

II. The number of junior members is limited to eight. Applicants will be placed on a waiting list for future openings.

III. Junior members have active member privileges EXCEPT:

- A. Driving fire apparatus.
- B. Riding in fire apparatus during emergency calls.
- C. Voting.
- D. Building Privileges.

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E. Engaging in an emergency where junior member's health and safety will be jeopardized.

F. As restricted by Virginia Law.

IV. Junior members must report to the Pumper Engineer when responding to an emergency scene.

A. Engineers will be responsible for all junior activities.

B. The Pumper apparatus will be the command center for all junior members.

V. Junior members who reach the age of 18 and desire active membership in the department will be graduated to active membership at the next monthly business meeting.

SECTION D – LIFE MEMBERS

I. Life members will not fight fires, but may attend and speak at meetings, without the right to vote. Life members will have the same social privileges that are enjoyed by active members including access to the firehouse and social use of the facilities.

II. Active members who have reached the age of 50 and have served 10 years of active service in the LMVFD are eligible to become a life member.

A. The member must make the request in writing with the reason of age limitations.

B. A majority vote at the next business meeting will confirm life membership.

SECTION E – HONORARY MEMBERS

I. Honorary membership may be conveyed on any person who significantly contributes to the LMVFD, its goals and objectives. Honorary members have no rights or privileges of any character by reason thereof, except on invitation of the LMVFD.

II. Written requests for honorary membership will be accepted by the LMVFD when endorsed by two active members.

A. Honorary membership will be granted by majority vote of the members present at the next business meeting.

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**SECTION F – AUXILIARY MEMBERS**

I. The LMVFD recognizes and encourages the LMVFD Auxiliary to be governed by rules and regulations of the LMVFD Auxiliary.

II. The Presidents of both organizations will act as liaisons to communicate and coordinate activities between the LMVFD and the LMVFD Auxiliary.

III. All (new?) LMVFD Auxiliary fund raising events will be approved by the LMVFD Executive Committee at least 60 days in advance.

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ARTICLE III – OFFICERS

SECTION A – ELECTION OF OFFICERS

I. The Nominating Committee will consist of five active LMVFD members with three being appointed by the President and two being nominated from the floor and approved by a vote of the members at the September business meeting.

II. The Nominating Committee will present a slate of nominees for both Executive and Line Officers at the October business meeting. The slate of nominees will be posted on the bulletin board until the November business meeting.

III. The LMVFD will elect its officers at the regular November business meeting. Additional nominations may be made from the floor by members of the LMVFD prior to the vote.

IV. Nominees must receive a majority vote from the members to be elected.

V. Newly elected officers will take office on January 1.

SECTION B – EXECUTIVE OFFICERS

I. The following list of Executive Officers will be elected for a term of one year. These officers will be reviewed annually and replaced as necessary by the members of the LMVFD.

- A. President
- B. Vice President
- C. Secretary
- D. Treasurer
- E. Chaplain

SECTION C – LINE OFFICERS

I. The following list of Line Officers will be elected for a term of one year. These officers will be reviewed annually and replaced as necessary by the members of the LMVFD.

- A. Chief
- B. 1<sup>st</sup> Assistant Chief/Training Officer
- C. 2<sup>nd</sup> Assistant Chief

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D. Captain 1

E. Captain 2

F. Lieutenant (1?)

G. Lieutenant (2?)

H. 1<sup>st</sup> Engineer

I. 2<sup>nd</sup> Engineer

SECTION D – FIRE MARSHALLS

I. The following positions will serve as Fire Marshalls:

A. Chief

B. 1<sup>st</sup> Assistant Chief

C. 2<sup>nd</sup> Assistant Chief

D. Captain 1

E. Captain 2

SECTION E – EXECUTIVE COMMITTEE

I. The Executive Committee will consist of all EXECUTIVE OFFICERS and the CHIEF.

SECTION F – TRUSTEES

I. Trustees carry the fiduciary responsibility and liability to ensure the use of the LMVFD assets are in accordance with the provisions of the organization.

A. Trustees will receive copies of all LMVFD minutes in order to stay abreast of organizational activities.

II. LMVFD will maintain three legally appointed trustees who will serve in all capacities required by laws pertaining to the business transactions of the LMVFD.

**{12 normal responsibilities of a trustee...}**

**1. Set and maintain vision, mission and values**

**2. Develop strategy**

**3. Establish and monitor policies**



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4. Set up employment procedures
5. Ensure compliance with governing document
6. Ensure accountability
7. Ensure compliance with the law
8. Maintain proper fiscal oversight
9. Select, manage and support the chief executive
10. Respect the role of staff
11. Maintain effective board performance
12. Promote the organization

SECTION F – VACANCIES

- I. Temporary vacancies for Executive and Line Officers will be filled by the next in line.
- II. Permanent vacancies for all officers will be filled by popular vote by the LMVFD members after nominations have been made from the floor at a business meeting.

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ARTICLE IV – DUTIES AND RESPONSIBILITIES OF OFFICERS

SECTION A – EXECUTIVE OFFICERS

I. The PRESIDENT will preside at all business meetings of the LMVFD, call special meetings when necessary, appoint special committees when needed and represent the LMVFD at meetings whenever the interests of the LMVFD are concerned.

II. The VICE PRESIDENT will preside at business meetings in the absence of the President and is authorized to act in the capacity of the President while the president is absent.

III. The SECRETARY will keep the minutes of all business and Executive Committee meetings of the LMVFD and keep a record of the attendance of said meetings.

IV. The TREASURER will receive and deposit all gifts and income for the LMVFD and handle all disbursements as authorized by the Executive Committee or by the authorization of the LMVFD's members by majority vote in any business meeting.

A. The EXECUTIVE COMMITTEE will audit or oversee the auditing of the financial records for the LMVFD every two years and report findings to the LMVFD.

V. The CHAPLAIN will open all meetings with prayer and serve as advisor to the officers and members in order to preserve harmony and create understanding, particularly in areas of community and public relations. The Chaplain will also serve to comfort and console the members and their families in times of illness, tragedy and death. Furthermore, the Chaplain will serve to comfort and console people in crisis situations during LMVFD emergency operations.

SECTION B – LINE OFFICERS

I. The CHIEF will be in charge of all incidents at which the Chief is present. The Chief will have the authority and responsibility to repair and to have repaired any piece of firefighting apparatus and to purchase any necessary items or parts for the equipment or station which is necessary for proper maintenance and repair up to \$500.

A. Usual LMVFD expenditures will be voted on and ratified by a majority vote of the members present at a regular business meeting.

II. The 1<sup>ST</sup> ASSISTANT CHIEF/TRAINING OFFICER is second in line to assume the responsibilities of the Chief in the Chief's absence. The 1<sup>ST</sup> Assistant Chief/Training Officer is responsible for conducting all fire training classes. The 1<sup>ST</sup> Assistant Chief/Training Officer will be responsible for qualifying members on use of all firefighting equipment.

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III. The 2<sup>nd</sup> ASSISTANT CHIEF is first in line to assume the responsibilities of the Chief in the Chief's absence. In the event of a vacancy in the Chief position, the 2<sup>nd</sup> Assistant Chief will fill the position until filled by vote. The 2<sup>nd</sup> Assistant Chief will supervise the inspection and maintenance of all firefighting equipment. The 2<sup>nd</sup> Assistant Chief will meet regularly with the 1<sup>st</sup> Assistant Chief/Training Officer to ensure equipment is maintained properly. The 2<sup>nd</sup> Assistant Chief will also meet regularly with the Chief.

IV. The CAPTAIN 1 will assume the duties of the 2<sup>nd</sup> Assistant Chief in the 2<sup>nd</sup> Assistant Chief's absence.

V. The CAPTAIN 2 will assume the duties of the 1<sup>st</sup> Assistant Chief/Training Officer in the 1<sup>st</sup> Assistant Chief/Training Officer's absence.

VI. The LIEUTENANT (1?) will...

VII. The LIEUTENANT (2?) will...

VIII. The 1<sup>st</sup> ENGINEER and 2<sup>nd</sup> ENGINEER will inspect and maintain the firefighting apparatus and equipment under the direction of the 2<sup>nd</sup> Assistant Chief. The 1<sup>st</sup> and 2<sup>nd</sup> Engineers will meet on a regular basis with the Chief. The 1<sup>st</sup> and 2<sup>nd</sup> Engineers are responsible for the service and performance of all firefighting equipment. The 1<sup>st</sup> and 2<sup>nd</sup> Engineers will serve as safety officers at all emergency scenes.

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## ARTICLE V – CONDITIONS, DUTIES AND REQUIREMENTS OF MEMBERS

### SECTION A – STANDARDS OF CONDUCT

I. Indifference to the rules and functions of the LMVFD will not be tolerated and will be grounds for termination of membership.

### SECTION B – EQUIPMENT

I. Equipment issued to members is the exclusive property of the LMVFD and will be treated with utmost care while in member's possession. This equipment is only to be utilized by members in support of the LMVFD's duties/activities.

### SECTION C – ATTENDANCE

I. Active and junior members are expected to attend all regularly scheduled business meetings of the LMVFD or furnish satisfactory reasons for absence.

A. Absences will only be excused by contacting a member of the EXECUTIVE COMMITTEE prior to the regularly scheduled business meeting.

A. Members having been absent from three consecutive business meetings without just and reasonable cause will be notified in writing by the Secretary to appear before the LMVFD at the next regularly scheduled business meeting to justify absences or to show cause why the member's resignation should not be requested. Failure to comply with this notice will be treated as the member's resignation and the member's name will be stricken from the roll.

1. Resigning or terminated members will have 30 days to return all firefighting equipment. Failure to comply authorizes the Chief to take any action deemed necessary to obtain the equipment or fair market value reimbursement.

II. Active members are expected to attend all fires, fire drills, training and department functions when they are in the community or furnish satisfactory reasons for their absence.

A. Any member responding to an alarm in a privately-owned vehicle will do so with caution and observe all Virginia State Statutes.

III. Active and junior members must be able to use, conserve and maintain the equipment used by the LMVFD. The Chief and 1<sup>st</sup> Assistant Chief/Training Officer will ensure all members are proficient in this area.

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ARTICLE VII – AMENDMENTS

SECTION A – AMENDING THE CONSITUTION AND BY-LAWS

I. The LMVFD Constitution and By-Laws can be amended through the following procedure:

A. Proposed changes will be presented to the Executive Committee.

B. The Executive Committee will review the proposed changes and the rationale for the changes. After review, the proposed changes will be presented at the next regularly scheduled business meeting and the floor opened for discussion.

C. The proposed amendment will be posted on the bulletin board for at least 20 days prior to the next regularly scheduled business meeting.

D. A vote will be held to adopt the proposed changes at the next regularly scheduled business meeting. A two-thirds majority vote is required to adopt the changes.