

# **BYLAWS OF SPRING CREEK VOLUNTEER FIRE DEPARTMENT**

## **ARTICLE I TITLE**

The name of this organization shall be Spring Creek Volunteer Fire Department.

## **ARTICLE II INTENT**

The objective of the Spring Creek Volunteer Fire Department shall be the preservation and protection of life and property from, and during, such emergencies as may occur in Spring Creek area, as well as the Northeastern Area Fire Protection District, and to assist the Nevada Division of Forestry, and perform the duties customarily performed by a fire service. Spring Creek Volunteer Fire Department shall also undertake such other services to the community as the Executive Board or Membership shall deem appropriate.

## **ARTICLE III MEMBERSHIP**

### **MEMBERSHIP CLASSIFICATIONS**

1. The membership shall consist of active, probationary, and inactive/reserve/auxiliary members. All persons desiring to become members shall apply in writing; the Executive Board, in its discretion, may recommend acceptance of an application, acceptance of the applications with conditions, acceptance of the application for an alternate status, or rejection of an application. The Executive Board may rely upon comments, recommendations and advice from the Fire Chief or Assistant Fire Chief in making its recommendation. The Executive Board shall make its recommendation to the Membership during meetings.

2. Membership applications shall be voted on by voting members. Accepting an application for membership shall require the affirmative vote of \_ of the members present at the meeting.

3. Active membership of the Department shall not exceed twenty-five (25) regular active members and fifteen (15) probationary members. There shall be no limit to reserve/inactive/auxiliary membership. Total active membership shall not exceed forty-five (45) persons.

4. Any active or probationary member may request reduction of status to inactive status; an inactive member shall be required to maintain his or her Firefighter I classification status current, but shall be exempt from attending meetings, drill and from responding to emergency call-outs.

5. Reserve/Auxiliary Membership shall consist of three (3) types: 1) Exempt Membership; 2) Honorary Membership and 3) Auxiliary Membership.

A. Exempt Membership shall be awarded to any active member who, after ten (10) years of accumulated active service to S.C.V.F.D., requests Exempt Membership status from the Executive Board. After classification as an Exempt Member, such members shall be excused from active duty at fires and drills, and shall not be required to maintain current Firefighter I classification. He or she shall have the right to vote at Department elections and on questions, as well as the privilege to attend meetings and other similar Department functions. In the event an Exempt Member shall request reactivation, the Member must reinstate his or her Firefighter I classification, but does not necessarily have to repeat the entire training program.

B. Honorary Membership shall be awarded to a deserving recipient

whether such person is an exiting member or not, by a  $\frac{3}{4}$  vote of the Department members present at the meeting. An Honorary Member is granted the privilege of attending Fire Department meetings and similar functions, but will not be allowed to vote or hold office, and will not attend drill or fires. Honorary membership may be granted to any person even if that person does not meet all membership requirements.

C. Auxiliary Membership shall be granted to those persons who show a genuine interest in the welfare of the Department but who fail to fulfill requirements for active/probationary/inactive membership.

### **MEMBERSHIP REQUIREMENTS**

1. **ALL MEMBERS:**

Any persons desiring to become an active, probationary or auxiliary member of the Spring Creek Volunteer Fire Department shall:

- A. Be at least eighteen years of age.
- B. Be a valid U.S. Citizen.
- C. Have lived in the Spring Creek/Lamoille area for at least six (6) months.
- D. Submit an application.
- E. Be of high moral standing and repute.
- F. Be sponsored by an active member and nominated by the membership selection committee.

2. **ADDITIONAL REQUIREMENTS FOR ACTIVE MEMBERS:**

All active members must fulfill all requirements required for all members, and additionally shall meet or exceed the following additional requirements:

- A. Be physically and mentally fit. The physical fitness requirements are outlined in the NFPA Manual and in the State of Nevada Standard Operation Procedures. (Under certain conditions the State may require pack-test certification for employment on government fires) .
- B. Be voted in as an active member by a \_ majority of the active members present at a regular business meeting.
- C. Have achieved Firefighter I status.
- D. Be approved by the Fire Chief.
- E. Have served a probation period of not less than six (6) months, and complete the probationary requirements set forth herein.

**MEMBER SELECTION COMMITTEE:**

1. Selection of applicants as possible members shall be by a standing committee. This committee shall consist of the four (4) members of the Executive Board. All applicants will be submitted to the Fire Chief for review before being submitted to the Executive Board.

2. The Executive Board shall review all applications, interview the applicant; if the Executive Board deems such interview to be necessary, and shall conduct, or request that the Fire Chief conduct, such background check as may be necessary. The Executive Board shall make a recommendation to the members. Said recommendation may recommend acceptance of the application, acceptance of the application with conditions, acceptance of an application for an alternate status or rejection of the application.

3. The members shall vote on the recommendation of the Executive Board; an

affirmative vote of \_ of the members present at the meeting shall be required to admit the applicant as a probationary member.

4. Applicants selected as probationary members will serve a probationary period of not less than six (6) months, and shall complete the required Probationary Firefighter Training (ELF Program) and obtain Firefighter I certification training prior to being admitted to active status. At the end of the probationary period, and when the conditions to change status have been met, the Membership shall, at a regular meeting, vote to accept or reject the individual for full membership by secret ballot, and by \_ majority. If a probationary member is rejected, an active member may call for a second vote to extend the probationary period, for a period of not less than another three (3) months.

5. The Membership, or the Executive Board if extraordinary circumstances exist and the Executive Board determines an extension is appropriate, may allow an additional probationary period for a probationary member who submits a written request to the Executive Board.

6. Any Member may resign at any time by giving written notice to the Executive Board, and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any member may be removed at any time by the Executive Board with or without cause. Such removal shall be without prejudice to the contract rights, if any, of the person so removed.

7. A vacancy in any office may be filled for the unexpired portion of the term by the Executive Board.

**ARTICLE IV**  
**EXECUTIVE BOARD/BOARD OF DIRECTORS**

1. The Executive Board of the organization shall be comprised of: President, Vice President, Secretary and Treasurer.

2. The Board of Directors shall consist of nine (9) members, as follows:

(A) The four members of the Executive Board.

(B) The Fire Chief.

(C) The Assistant Fire Chief.

(D) Two Fire Captains.

(E) One EMS Captain.

#### **ARTICLE V** **OFFICER'S DUTIES**

The officers (President, Vice President, Secretary and Treasurer), shall be referred to herein as the Executive Board and shall manage the day to day activities of the Association. Each officer shall serve for a term of three (3) years.

#### **Duties of the President**

1. Preside and exercise a general supervision over the business and social affairs of Spring Creek Volunteer Fire Department.

2. Oversee any additional matters as deemed necessary by the Membership.

#### **Duties of the Vice President**

1. Assist the President in the performance of his/her duties.

2. Assume the duties of the President in the event of an absence of that Officer.

3. Oversee any additional matters as deemed necessary by the Membership.

#### **Duties of the Secretary**

1. Assist the President in his/her duties where appropriate.

2. Maintain an accurate record of the business meeting minutes and activities of the organization.
3. Other duties as may be assigned by the President.
4. Assume the duties of the President in the absence of the President and Vice President.

#### **Duties of the Treasurer**

1. Assist the President in his/her duties where appropriate.
2. Take charge of, and properly account for, all monies belonging to the Spring Creek Volunteer Fire Department. A written Treasurer's report will be submitted at each business meeting.
3. Pay bills as approved by the Membership, and obtain appropriate signatures on all checks and drafts.
4. Submit an annual financial report to the President to be presented at the Annual Business Meeting. The Fire Chief will appoint an annual auditing committee of three (3) persons. This committee will submit its report at the first business meeting after the annual meeting.
5. Other duties as may be assigned by the President.

\*\* NOTE: Executive Board positions may be held by active, reserve or auxiliary members. They are required to follow the same election process, and are held accountable to the same attendance requirements as the active membership.

#### **ARTICLE VI** **QUALIFICATIONS OF THE FIRE OPERATIONS OFFICERS**

1. Fire Operations Officers shall all be active members of S.C.V.F.D., and shall

consist of one Fire Chief, one Assistant Fire Chief, three Captains and three Lieutenants as shall be deemed appropriate.

2. A member can hold reserve/auxiliary status. These members shall not be involved in any operations, but can hold an Executive Board position.

3. The Fire Operations officers other than the Chief and Assistant Chief (*i.e.* Fire Captains, Fire Lieutenants, EMS Captain) shall be appointed, as needed, by the Fire Chief and the Executive Board. All fire operations officers, including the Fire Chief and Assistant Fire Chief, must meet qualifications for those positions as shall be included in GOP.

4. All Fire Operations Officers must be active members in good standing.

### **FIRE CHIEF**

1. The Fire Chief must have at least five (5) years of consecutive, active service to Spring Creek Volunteer Fire Department, or an equivalent amount of full-time, paid, professional fire service.

2. Must be certified in incident command.

3. Must be a Firefighter I certification in good standing.

4. Must be certified in Hazmat Operations.

5. Must hold and maintain, at a minimum, a Nevada First Responder card.

6. Must maintain proficiency with all apparatus (see the General Operating Guidelines for specific operating requirements).

The City of Elko Fire Chief is appointed as a disinterested person to review Fire Chief qualifications.

### **ASSISTANT FIRE CHIEF**

1. The Assistant Fire Chief must have at least four (4) years of consecutive,

active service to Spring Creek Volunteer Fire Department, or an equivalent amount of full-time, paid, professional fire service.

2. Must be certified in incident command.
3. Must be a Firefighter I certification in good standing.
4. Must be certified in Hazmat Operations.
5. Must hold and maintain, at a minimum, a Nevada First Responder card.
6. Must maintain proficiency with all apparatus (see the General Operating Procedures for specific operating requirements).

The City of Elko Fire Chief is appointed as a disinterested person to review Assistant Fire Chief qualifications.

### **CAPTAIN**

1. All Captains must have at least three (3) years of consecutive, active service to Spring Creek Volunteer Fire Department, or an equivalent amount of full-time, paid, professional fire service.

2. Must be certified in incident command.
3. Must be a State Firefighter I certification in good standing.
4. Must be certified in Hazmat Operations.
5. Must hold and maintain, at a minimum, a Nevada First Responder card (EMS Captain will be required to hold and maintain, at least, a Nevada EMT-B certification).

6. Must maintain proficiency with all apparatus (see the General Operating Guidelines for specific operating requirements).

The Fire Chief has final approval on all Captain's qualifications.

### **LIEUTENANTS**

1. All Lieutenants must have at least two (2) years of consecutive, active service to Spring Creek Volunteer Fire Department, or an equivalent amount of full-time, paid, professional fire service.
2. Must be certified in incident command.
3. Must be a State Firefighter I certification in good standing.
4. Must be certified in Hazmat Operations.
5. Must hold and maintain, at a minimum, a Nevada First Responder card (EMS Lieutenants will be required to hold and maintain a least a Nevada EMT - B Certification).
6. Must maintain proficiency with all apparatus (see the General Operating Guidelines for specific operating requirements).

The Fire Chief has final approval on all Lieutenant's qualifications.

\*\* NOTE: In the event that each of the qualifications can not be met by any nominated active member, an unqualified candidate can be installed on a one (1) year, temporary status. The provisional officer will have one year to meet the required qualifications. A new election must be held the following year regardless of the completion of the qualifications. The provisional officer may then be elected for a regular term. A provisional officer who does not meet the qualifications within the required time cannot serve another provisional term.

### **DUTIES OF THE FIRE CHIEF**

1. The Chief shall be the head of the department in all matters pertaining to fire suppression and fire training. The Fire Chief shall be appointed by, and serve at the pleasure of, the Executive Board. The Fire Chief must meet the job requirements set forth above.

2. The Chief shall be responsible to see that all laws, General Operating Guidelines, and safety guidelines are adhered to.

3. The Chief shall be responsible to oversee the training certification of the members, and to ensure that each member's certification and skills remain proficient and current.

4. The Chief will appoint any committees, as they are needed. Committees shall have no more than three (3) members, shall serve for no more than six (6) months, and be dissolved at any time by the Fire Chief.

5. The Fire Chief us hereby granted the power to dismiss any active or probationary member for failure to meet the conditions for continued membership, or members who fail to adhere to the chain of command, those who abuse the process with respect to complaints or incident reports, or those who are unable to harmoniously interact with more than 25% of the remaining membership.

6. The Fire Chief shall give the dismissed member notice of termination, effective immediately, with notice that the member must appeal the decision, in writing, within thirty (30) days, to the Board of Directors, by delivering a copy of the appeal document to a member of the Executive Board. The Board of Directors shall meet within thirty (30) days thereafter to consider the appeal. The decision of the Board of Directors shall be final.

#### **DUTIES OF ASSISTANT FIRE CHIEF**

1. The Assistant Fire Chief shall be appointed by and serve at the pleasure of the Executive Board. The Assistant Fire Chief must meet the job requirements established by the Executive Board, which shall be substantially the same as those for Fire Chief.

## **DUTIES OF THE FIRE OPERATIONS OFFICERS**

1. The Fire Operations Officers shall supervise active members while on the fire ground, and provide direction during drills as well as incidents.
2. Officers shall maintain proficiency of skills and foster respect among the members in order to be an effective commander.
3. Officers shall help coordinate and guide the training sessions.
4. Officers shall help ensure that the safety guidelines are adhered to.
5. All Operations Officers shall serve at the pleasure of the Fire Chief.

## **ARTICLE VII ELECTIONS**

1. The Executive Board shall be nominated, then elected by a \_ majority of all active members present at a meeting duly scheduled for the purpose of election of officers. There are no term limits, but elections shall be held every three (3) years.
2. The President, Vice President, Secretary and Treasurer shall be nominated by the Membership, two business meetings prior to the annual meeting, and then elected by the Membership.
3. All elected officers shall serve for three years. Elections shall be held during the Annual Business Meeting. The President shall announce, at the meeting of the month prior to nominations, the date for nominations and the date for election of officers.
4. Newly elected officers shall assume their office at the next regular business meeting following the election.
5. The election of officers (the Executive Board) shall follow the following:

### **NOMINATIONS:**

- Nominations of qualified candidates shall take place two (2) business meetings prior to the annual meeting.
- Nominations shall be made, and seconded, by those present at said meeting.
- Nominees must be present at said meeting to either accept or decline the nomination.

**ELECTIONS OF EXECUTIVE BOARD:**

- All active members at the meeting shall vote by secret ballot.
- Active members not present at the meeting may mail in or deliver ballots prior to, or within three (3) days after the meeting.
- Elections for President, Vice President, Secretary and Treasurer shall occur at the annual meeting. Elections shall occur once every three (3) years, except upon vacancies in office.

**ARTICLE VIII  
VOTING**

1. All votes by members shall be in the manner determined by the President.
2. All votes for election fo officers and with respect to discipline, shall be by secret ballot.
3. A Quorum of five (5) active members, plus \_ of the Board of Directors, shall be required for all voting action for regular business matters.
3. Proxy voting of active members in good standing shall be allowed.
4. Normal votes on business matters may be conducted by a show of hands, except when objected to by an active member present at the meeting. Any member

present at the meeting can ask for a roll call vote of the membership, or for voting by secret ballot. In the event of such request, the vote shall be cast in the manner requested.

5. Members currently under a probationary period may vote on regular Spring Creek Volunteer Fire Department business with the exception of acceptance of probationary members, disciplinary actions, and the election of officers.

6. Members under disciplinary sanctions may attend meetings, and may offer oral comment on matters under discussion, but shall not be entitled to vote.

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**ARTICLE IX**  
**DISCIPLINARY ACTIONS**

1. Any active member has the right to bring any problem or complaint to the President or Vice President. The steps required relating to any such complaint are as follows, in the following order:

(A) Informally bring the problem or complaint to the attention of the Fire Operations Officer in charge of the scene in question, or, if it is a problem or complaint that does not involve a scene, to the Fire Chief. If the problem or complaint is not resolved a formal, written statement shall be presented to the Fire Operations Officer in charge or the Fire Chief. The formal, written Complaint or problem shall specify in detail the nature of the problem or complaint and possible resolutions.

(B) Upon receipt of the formal, written complaint, the Fire Chief or Operations Officer shall pass the matter on to the Executive Board for review. The Executive Board shall interview the parties involved and

attempt resolution of the problem.

- (C) If the Executive Board is unable to resolve the matter, a hearing shall be scheduled, presided over by a subcommittee consisting of five (5) individuals appointed by the Fire Chief for that purpose, who may be Fire Operations Officers, any third party non-biased members, or outside fire people who may include Nevada Division of Forestry officials, or others with the necessary training as needed to resolve the problem or complaint. This sub-committee shall provide a final, equitable solution which shall be binding on all parties.

2. Any member of the organization who violates the General Operating Guidelines, and/or is absent from three (3) consecutive training sessions or meetings without valid excuse, may be moved to inactive/probationary status by those present at the next regular business meeting. If a member fails to notify the Fire Chief prior to missing a meeting, the absence will be considered un-excused. The General Operating Guidelines outline excusable absences, and the procedure to pre-approve absences.

3. An active member may be expelled from the department by a \_ majority vote of the active members present at the meeting at which the member's status is at issue. Any motion to expel a member must be made at the business meeting the month before his or her status is reviewed, except when termination has occurred, as authorized in the section describing the Fire Chief duties. After the close of the meeting, the Fire Chief must send written notice to the accused member, advising him or her of the date and time of the meeting, not less than ten (10) days before the meeting, notifying him or her that his or her status will be discussed at the next business meeting, and that his or her status could be

changed.

4. All active members shall be notified, by phone, of any special business meeting to discuss membership matters.

\*\* NOTE: Refer to the General Operating Guidelines for specific disciplinary infractions, as well

as acceptable excuses for missing a meeting.

## **ARTICLE X MEETINGS**

1. All regular business/EMS meetings shall start promptly at 19:00 hours on the first Monday of the month. These meetings shall take place at Spring Creek Fire Station One unless otherwise specified. The regular business meeting of the department will conclude when the scheduled business is completed. The President is responsible for adhering to the meeting schedule and maintaining order. If any business remains unresolved, due to time constraints, it shall be moved to the following meeting, or a special business meeting shall be scheduled. The EMS portion of the meeting shall begin promptly following the conclusion of the business agenda; the topics shall follow the approved schedule/training calendar.

2. All active members shall be notified, by telephone call, prior to the meeting of any special business to be discussed at that meeting.

3. Fire Training meetings shall be held on the first and third Tuesdays of each month starting at 19:00 hours. The Fire Chief or Assistant Fire Chief (or a designated, qualified, replacement) shall preside over all trainings. All training meetings shall be held at Spring Creek Fire Station One, and follow the approved training schedule/calendar.

4. Special meetings and/or training sessions may be called by the President,

Vice President, any Operations Officers or the Fire Chief, provided a five working day notification is given to the membership.

## **ARTICLE XI** **AWARDS**

The Executive Board is hereby designated as a permanent committee to authorize awards for the organization on merits of service, outstanding accomplishments, valor or other reasons, as they deem proper and fitting.

## **ARTICLE XII** **EQUIPMENT**

1. Major financial expenditures (over \$600.00) shall be approved by a \_ majority of the active members.

2. Each member, issued Department equipment, shall be responsible for its care and condition. All equipment remains the property of the Spring Creek Volunteer Fire Department. If equipment is lost or damaged due to neglect, abuse or carelessness, the member shall be held financially responsible for its repair or replacement.

3. Once a year all equipment issued to members shall be brought to the Chief for inspection/check on its condition. An inventory card shall be signed for the equipment, by the member receiving it and shall be placed in a file. If, for any reason, a member becomes inactive/probationary, or terminates membership, the member's equipment shall be returned to the Chief for possible reassignment. The Chief has the right to reassign any equipment issued to, and returned by, the member in question, as deemed necessary, for better operation of the organization/department.

4. In the event a member fails to return the equipment in good, serviceable condition, upon change of status and within twenty-four (24) hours after change in status,

the member shall be assessed the replacement cost for said equipment.

**ARTICLE XIII**  
**MONEY**

All monies shall be transacted through a two signature required checking account maintained by the Treasurer. Any member of the Executive Board is authorized to sign the checks, provided they have complied with banking requirements; the second signature required on each check shall be the Fire Chief or the Assistant Fire Chief. The Membership shall approve all expenditures in excess of SIX HUNDRED DOLLARS (\$600.00). The President may approve expenditures in the case of emergencies or as may be necessary to conduct the business of Spring Creek Volunteer Fire Department.

**ARTICLE XIV**  
**AMENDMENT TO THE BYLAWS**

1. Motions to amend the Bylaws shall be presented at a regular Business Meeting. All active members must be notified of the proposed changes, and the motion shall be voted on at the next regular meeting.

2. A vote to adopt or amend the Bylaws requires a \_ majority by the all-active members at the meeting.

**CERTIFICATE OF PRESIDENT**

THIS IS TO CERTIFY that I am the duly appointed, qualified and acting President of SPRING CREEK VOLUNTEER FIRE DEPARTMENT; that the foregoing Bylaws, constituting a true original copy were duly adopted as the Bylaws of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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PRESIDENT