

By-laws of Blue Ridge Volunteer Fire Department

The purpose of these by-laws is to outline the organization of the Blue Ridge Volunteer Fire Department (BRVFD) and its conduct of business.

Article I Department

Section I. Name

The name of this department shall be Blue Ridge Volunteer Fire Department.

Section II. Objective

The objective of the department shall be to provide emergency medical care, and the protection of lives and property endangered by fires and other disasters, and to promote the teaching and practice of fire prevention and protection.

- A. Our mission is to provide skilled, volunteer fire and first response emergency services to the citizens of Blue Ridge and the surrounding communities of our district in order that we may save lives and property.
- B. The BRVFD is an incorporated, non-profit entity as stated in the Articles of Incorporation pursuant to Article 3.02 of the Texas Non-Profit Corporation Act.

Section III. Principle Office

The principle office of the BRVFD shall be 203 W. FM 545, Blue Ridge, Texas 75424.

Article II Fiscal Year

The fiscal year for the BRVFD shall be Oct 1 through Sept 30.

Article III Elected and Appointed Offices

Section I. Elected Offices

The elected offices of the BRVFD shall be Chief and Assistant Chief.

Section II. Appointed Offices

The appointed offices of the BRVFD shall be Operations Captain, Training Captain, Fire Lieutenant, EMS Lieutenant, Maintenance Lieutenant, Secretary, Public Information Officer and Junior Firefighter Advisor(s).

Section III. Fire Ground Officers (Herein referred to as "Officers")

The Officers shall be Chief, Assistant Chief, Operations Captain, Training Captain, Fire Lieutenant, EMS Lieutenant, and Maintenance Lieutenant.

Section IV. Officer Qualifications

All Officers must be qualified driver/operators of all Department apparatus, including having a current Class-B exempt Texas driver's license. Each Officer must also have live fire experience as a BRVFD Member and hold a minimum certification of Basic Volunteer through the State Firemen's and Fire Marshal's Association (SFFMA). Additional qualifications for each Officer shall be as follows:

Chief – The Chief shall be at least 25 years old with a minimum of two years experience as an Officer of the BRVFD. In addition, the Chief shall hold a current Texas Department of State Health Services (TDSHS) certification of Emergency Medical Technician – Basic (EMT-B), or higher.

Assistant Chief – The Assistant Chief shall be at least 23 years old and have served a minimum of one year as an Officer of the BRVFD. The Assistant Chief shall also hold a current minimum certification of Emergency Care Attendant (ECA), through TDSHS.

Captains – The Captains shall have served at least one year as an Officer of the BRVFD and have reached the minimum age of 21. The Captains must have held a current TDSHS certification of ECA or higher, for at least one year.

Lieutenants – The Lieutenants must be at least 21 years of age and a non-probationary Member with the Blue Ridge Volunteer Fire Department. The Lieutenants must also hold a current TDSHS certification of ECA, or higher.

Section V. Terms of Office

The terms set for each office shall be as follows:

The Chief and Assistant Chief shall serve alternating two (2) year terms upon being voted into office. All others appointed to office shall serve one-year terms upon taking office.

Section VI. Chain of Command

The Chain of Command of the BRVFD will be, in descending order, Chief, Assistant Chief, Captain(s), and Lieutenant(s).

Article IV Members

Section I. Qualifications

Any resident of, or person employed in, Blue Ridge or within a reasonable distance of the Blue Ridge Fire District, of good character, who has attained the age of eighteen (18) may be eligible for membership in the Department. Prospective Members shall also possess a valid Texas driver's license and not be a Member of another on-call volunteer fire department.

Section II. Membership Process

- A. All Prospective Members shall submit an application for Membership.
- B. Within thirty (30) days of receipt of application a review and inquiries will be made to determine whether the candidate meets the fundamental qualifications for Membership. The determination shall be made by a minimum of three Department Officers.
- C. The applicant must attend a total of three consecutive business meetings before being eligible to be voted in as a Member by the Officers. Upon receiving a majority vote, of Officers, the applicant shall be accepted as a Probationary Member.
- D. Members 18 years of age and still enrolled in school must provide a class schedule and shall not carry a department pager and/or radio during school hours.
- E. Blue Ridge Volunteer Fire Department is a Drug Free Workplace. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Department. Members who violate this policy will be subject to disciplinary action up to and including termination. If a member receives a conviction for a violation of a criminal drug statute, he/she must notify the Chief in writing no later than five calendar days after such conviction.
- F. Each Member must comply with the department's medical physical process in compliance with NFPA 1582.

Section III. Categories of Membership

- A. Junior Firefighter
A Junior Firefighter is to be a Member between the ages of 14 and 18 who has not graduated from High School.

B. Probationary Membership

1. Probationary New Member - Member with less than three (3) months of service to the Department
2. Disciplinary Probationary Member - Member deemed as such due to disciplinary action.

C. Active Membership

At the conclusion of three (3) months of Probationary Membership, the Chief or his/her designated representative will review the qualifications of the Probationary Member for Active Membership Candidacy and present the Probationary Member before the Department. The candidate shall be asked to leave the room while there is a discussion, and a vote, by secret ballot, to determine Active Membership status.

D. In-active Membership

1. Any Member who is absent from three consecutive regular meetings of the Department, without prior Officer approval, shall be moved to an in-active status. In addition, any member who is absent from three consecutive training meetings, three consecutive maintenance meetings, three consecutive business meetings, or does not complete 10 hours/month training requirement, without prior Officer approval, shall be moved to inactive status.
2. Any Member moved to In-active status for missing three consecutive regular meetings can be re-instated after attending two consecutive regular meetings. Any Member moved to In-active status for missing three consecutive training meetings, three consecutive maintenance meetings, or three consecutive business meetings, can be reinstated by attending three consecutive regular meetings.
3. Inactive members shall not be allowed to vote in departmental elections or on departmental business or obtain any departmental rewards and may be required to return any department issued equipment at the digression of the officers.
4. After a consecutive period of ninety (90) days of absence, for any reason, from Departmental meetings shall be placed on In-active Membership status. A request may be sent, at the discretion of the Officers, to the In-active Member to return any Departmental equipment that he/she may have in his/her possession and may be subject to termination.

E. Termination of Membership

Termination of Members shall be conducted according to Article VII, Section II, Subsection A, "Step Three."

1. Any Member who is on disciplinary probationary status for a period greater than twelve (12) consecutive months shall be subject to termination.

2. Any Member placed on disciplinary probation, more than two (2) times, for disciplinary reasons shall be subject to termination.
3. Any Member who is in-active for a consecutive period of ninety (90) days may be subject to termination.
4. Any Member who commits a major offense as defined by Article VII, Section II, Subsection B “Major Offenses.”

Section IV. Expectations of Members

All Members are expected to participate in all BRVFD activities, meetings, and calls. In addition, all Members are expected to adhere to all BRVFD guidelines and protocols.

**Article V
Quorum**

A quorum shall be defined as Five (5) active members.

**Article VI
Meetings**

Section I. Regular Meetings

Attendance will be taken at all Regular Meetings. Regular Meetings will be as follows:

- A. Meetings shall be held on the second, third, and fourth Monday of each month with additional training meetings to be held as necessary to meet training requirements.
- B. Maintenance Meeting shall be held on the third Sunday of each month.

Section II. Special Meetings

The Chief, Assistant Chief, or a majority of Active Members can request a special meeting. All Members must be notified of the meetings within a reasonable amount of time before the start of the meeting. The purpose of the meeting shall be announced when called. The meeting shall be confined to the purpose for which it was called. Proxy votes for special meetings will be accepted, by the Officer in charge of the meeting, and counted towards the quorum requirement.

Section III. Officer Meetings

The Chief or a majority of the Officers shall call Officer Meetings as needed. The Secretary will keep minutes at Officer meetings but will, however, not be entitled to a vote on issues discussed at such meetings.

Section IV. Conduct of Meetings

Meetings of Members shall be presided over by the Chief, or, if he/she is not present, by the Assistant Chief, or in his/her absence, the Operations Captain, Training Captain, Fire Lieutenant, EMS Lieutenant, Maintenance Lieutenant in that order. The Secretary will act as Secretary at meetings; in the absence of the Secretary, the person presiding over the meeting shall appoint a person to act as Secretary at the meeting. In the absence of all Officers the meeting shall be postponed.

Section V. Order of Business Meetings

The Order of all regular Fire Department Business meetings shall be as follows: The Chief or his/her designee shall bring the meeting to order. After the minutes have been approved by a majority of members present, old business will be addressed. Following old business, shall be Officer and Committee reports. Officer reports shall follow the chain of command, starting with the Chief. New business shall follow Officer and Committee reports. The last order of business shall be personnel issues, including, but not limited to, membership issues and elections. If there are any emergency issues to be discussed they will be discussed just prior to adjournment.

**Article VII
Standards of Conduct and Discipline**

Section I. Conduct

All Members of the BRVFD are expected to conduct themselves at all times in such a manner as will convey a positive image of the Department and will in no way impact or reflect adversely on the BRVFD.

Section II. Discipline

Whenever a Member fails to follow an appropriate standard of conduct measures must be taken to correct this situation and to prevent further occurrences. Any Member should report an observed offense to BRVFD Officer. Minor offenses depend in part upon the circumstances of the offense and the circumstances under which the offense occurred. In addition, certain major offenses warrant immediate probation or termination. The following is a statement of general guidelines concerning Member discipline. The procedures outlined may be followed at the discretion of the Department Officers depending on the circumstances and in no way limits the right of the Department to terminate a Member for cause or no cause.

- A. Minor Offenses: The procedure for the handling of minor offenses shall be as follows:

- Step One – A written warning, with or without verbal counseling, will be given to Member by two or more Officers, one of which being the supervising Officer at the time of the infraction. The written warning will be placed in the Member’s personnel file.

- Step Two – A written reprimand will be given to a Member for each subsequent minor offense in violation of any Department policy or practice for which he or she has already received a warning. A corrective interview will also be given and the written record of the interview and reprimand will be placed in the Member’s personnel file.

Step Three – Following receipt of a written reprimand and corrective interview, the next offense may result in probation or termination at the discretion of the Department. The Member, in person, must make all defenses to the Department at its regular business meeting. If found to be in violation of policy, after presenting his/her defense, by a two-thirds vote, by secret ballot, he/she shall be placed on probationary status or terminated from the Department.

- B. Major Offenses: Proper Cause for immediate probation or termination may include, but not be limited to the following major infractions:
1. Unlawful manufacturing, distribution, dispensing, or possession of a controlled substance.
 2. Carrying any weapon on Department premises, or in Department vehicles, with the exception of a current commissioned peace officer.
 3. Chronic or habitual absenteeism or lateness.
 4. Committing any act of Sexual Harassment.
 5. Dishonesty or misrepresenting anything to or about the Department.
 6. Failure or refusal to carry out orders or instructions.
 7. Reckless or negligent behavior that may result or results in damage to Department property, the property of others, or other persons.
 8. Disorderly, or immoral conduct while representing the Department.
 9. Threatened or actual physical violence or profane or abusive language.
 10. Unauthorized use of Department vehicles.
 11. Harassment of other Members including, but not limited to, verbal and physical conduct or unwelcome advances with regard to or on the basis of sex, race, color, national origin or ancestry, age, religion, creed, marital status or status as a Vietnam Era or disabled Veteran or handicapped person.
 12. An arrest or conviction of a Member for an alleged wrongful activity.
 13. Failure of a Member to report any traffic citations, investigations, arrests, or convictions to the Officers of the BRVFD.
 14. Failure of a Member to provide documentation and complete the necessary forms to comply with the Immigration Reform and Control Act of 1986.
 15. Any Member who reports for duty in a state of intoxication as defined by Texas state laws regarding intoxication.
 16. Any Member observed with an intoxicating substance while carrying out his/her duty for the Blue Ridge Fire Department, including representing himself/herself as a Blue Ridge Fire Department Member.
 17. Any Member who fails to report another Member for violation of any of the above.

Article VIII Resignations

Section I. Resignation of Members

Any member, whose name has been dropped from the rolls, shall promptly deliver any property belonging to the Department, which he/she may have in his/her possession to an Official of the Department. In addition, he/she shall no longer represent himself/herself as a Member of the BRVFD.

Section II. Resignation from elected offices

Should an elective office become vacant, the Officers, of the Department, shall appoint, by open vote, a Member to fill the position until the regularly scheduled elections. In the event of a tie, the Chief's vote, or the Assistant Chief's vote will be the tie breaker.

Section III. Resignation from appointed offices

Should an appointed office become vacant, the Chief and Assistant Chief shall appoint a Member to fill the position.

Section IV. Leaves of Absence

- A. Members who wish to take a leave of absence from the Fire Department are required to turn in all Fire Department equipment in their possession. This equipment may be reissued if there is a need. After a period greater than ninety days Members on leaves of absence may be dropped from the rolls. Members on leaves of absence shall not participate in Fire Department activities or represent themselves, in any way, as a Member of the Blue Ridge Volunteer Fire Department.

- B. Officials who wish to take a leave of absence from the Fire Department shall comply with the same rules as Members on leaves of absence. In addition, the Official(s) shall be required to resign from Office.

Article IX Elections and Appointments

Each year, nominations for Chief or Assistant Chief will be held on the fourth Monday of November with voting to follow on the second Monday of December. Elections shall be held by secret ballot and counted by no less than three non-biased persons. The Chief and Assistant Chief to serve the coming year will then deliberate during the following week to determine which Members to appoint to the other office positions. The newly appointed officials will be announced on the third Monday of December, at which time they will start their one-year term (see Article III, Section V "Terms of Office").

Section I. Candidate Eligibility

Only Active Members shall be eligible to run for office. In addition, Candidates shall also meet requirements set forth herein by Article III "Elected and Appointed Offices."

Section II. Eligibility to Vote in an Election

All Active Members shall be eligible to vote in elections.

Section III. Nominations

Nominations shall be made by any Active Member of the Department and do not require a second. Nominations may be conducted by secret ballot.

Article X
Voting

At all meetings of Members, every active Member entitled to vote thereat shall have one (1) vote. Members not entitled to vote include all In-Active and Probationary New Members. The Chief shall vote only in the case of a tie or when voting is conducted by secret ballot. A quorum, as defined by Article V, is required for voting.

Section I. Voting in of Members

Refer to Article IV, Section II, Subsection C and Section III, Subsection B

Section II. Probation and/or Termination of Members

Refer to Article VII, Section II, Subsection A “Step Three”

Section III. Elections

Refer to Article IX. A proxy vote will be accepted for elections.

Section IV. Department Business

All business voted on by the Department requires a motion and a second, by an Active Member before a vote can be held of the Active Members present at the meeting. Members can vote upon most business by signifying their vote by show of hands. However, some matters may require a vote by ballot. In these cases the presiding Officer, or majority of Members, may request a vote by ballot.

Article XI
Conflict of Interest

Members shall not participate in any activity, including voting, that may cause there to be any questions regarding their intent of personal profit or advantage.

Article XII
Bank Accounts

Section I. Credits and Debits

Chiefs of the Department shall have the authority to deposit any Department funds in such banks or trust companies as designated by the Department. Chiefs shall be authorized by the Department to withdraw any and/or all of the funds of the Department upon checks, drafts, or other instruments or orders for the payment of money drawn against the account of the Department. Both Chiefs on behalf of the Department shall sign all debits. When needed, in the absence of one of the Chiefs, the Department shall also authorize a designee, to co-sign any and all debits.

Section II. Loans

Chiefs shall be designated by Department to affect loans, advances, or other forms of credit at any time for the Department as designated by the Department. Both Chiefs must sign for loans.

Section III. Reimbursements

A. Reimbursements to Members

In order for a Member to be reimbursed for purchases made for the Department, the Member must receive prior approval by the Department and submit the original receipt for the purchase to the Department.

B. Reimbursements from Members

From time to time Members may purchase items through the Department that require the Member to reimburse the Department for the purchase. In such cases reimbursements shall be made within 30 days of receipt of purchase.

**Article XIII
Amendments**

Section I. Amendments of By-Laws

The Department shall have the power and authority to amend, alter, or repeal these By-Laws or any provision thereof, and may from time to time make additional By-Laws. Before the Department finally approves any such action, the proposed amendments, alterations, or repeals shall be presented to the entire Membership at the next Business Meeting. One week prior to said business meeting, the proposed by-laws will be provided to each Member for review. A full discussion of said Amendments, alterations, or repeals shall be had at said Business Meeting and there shall be a vote, of the Active Members, to adopt or reject the proposed By-Laws. In some cases, it may become necessary for Members to have more time to review the proposed By-Laws. In such cases, the Members shall have a period of approximately thirty (30) days in which to review the proposed By-Laws. At the Business Meeting following the thirty (30) day period, an extended discussion and vote shall be held on the adoption or rejection of the proposed By-Laws. If the Department votes to adopt said By-Law changes, the Secretary shall make the changes

Section II. Evaluation of By-Laws

These By-Laws contained here within shall be subject to evaluation every two years, corresponding with the election of Chief, and amended as needed. A committee will be assigned for this purpose.