

# Nottingham Volunteer Fire Company Constitution & By-Laws

Adopted April 26<sup>th</sup>, 2004

## By-Laws Committee

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# CONSTITUTION

## ARTICLE I

### Name

SECTION 1. *Corporate Name.* The name of the corporation shall be Nottingham Volunteer Fire Company.

SECTION 2. *Reference.* The acronym “NVFC” refers to Nottingham Volunteer Fire Company of Hamilton Township, Mercer County, New Jersey.

## ARTICLE II

### Territory

The territory of NVFC shall be Fire District #7, Hamilton Township, Mercer County, New Jersey. The NVFC shall also respond outside of the territory where its assistance is needed through the Mercer County Mutual Aid Plan.

## ARTICLE III

### Objectives

The objectives of NVFC shall be the protection of life and property of its members and the members of the community and to receive contractual funding from the Board of Fire Commissioners of Hamilton Township Fire District #7 to carry out this objective, to promote fire prevention and public awareness and to promote goodwill and fellowship amongst its members.

## ARTICLE IV

### Meetings

The NVFC shall meet regularly no less than once a month and specially whenever a quorum of fifteen members in good standing or the president of NVFC deems it necessary.

## **ARTICLE V**

### **Duration of Membership**

Membership shall continue during the existence of NVFC unless terminated as herein provided in By-Law Article I, Section 3.1.4, Section 7.3, Section 10, Section 11.2, Section 11.2.2, Section 11.3, Section 11.3.2 and Section 12.2, and By-Law Article VII, Section 2.1 and Section 3.

## **ARTICLE VI**

### **Membership Classifications**

There shall be seven classifications of membership: Active, Associate, Exempt, Life, Junior, Honorary and Charter. The eligibilities and responsibilities of membership shall be defined in the by-laws.

## **ARTICLE VII**

### **Officers**

SECTION 1. *Executive Officers.* The Executive Officers of NVFC shall consist of President, Vice-President, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer and Sergeant-at-Arms. The eligibility, nomination, election, tenure and duties of the executive officers shall be defined in the by-laws.

SECTION 2. *Board of Trustees.* The Board of Trustees shall consist of six members. The eligibility, nomination, election, tenure and duties of the trustees shall be defined in the by-laws.

SECTION 3. *Line Officers.* The Line Officers of NVFC shall consist of Chief, First Deputy Chief, Second Deputy Chief, First Captain, Second Captain, First Lieutenant, Second Lieutenant and Safety Officer(s). The eligibility, nomination, election or appointment, tenure and duties of the line officers shall be defined in the by-laws.

## **ARTICLE VIII**

### **Acceptance of Objectives and Compliance with Constitution and By-Laws**

A member by agreeing to admission accepts the principles of NVFC as expressed in its objectives and agrees to comply with and be bound by the constitution and by-laws of NVFC, and on these conditions alone is entitled to the privileges of membership in NVFC. No member shall be absolved from the observance of the constitution and by-laws on the plea that the member has not received or read a copy of the document.

## **ARTICLE IX**

### **Amendments to the Constitution**

SECTION 1. *Submitting a Proposed Amendment.* A proposed amendment to the constitution shall be submitted in writing and signed by no less than fifteen members in good standing and submitted to the By-Laws Committee for examination and, if deemed necessary, review by legal counsel. The By-Laws Committee shall report at the regular meeting following receipt of a proposed amendment to the constitution that it has received a proposal, stating the nature of the proposal and that the proposal is in process.

SECTION 2. *Readings of the Proposed Amendment.* No more than sixty days from the date of receipt, the By-Laws Committee shall present the proposal at a regular meeting of NVFC, thus constituting the first reading of the proposal, after which discussion of the proposal will be open to the floor. The proposal shall be presented again at the next regular meeting of NVFC, constituting the second reading of the proposal, after which discussion of the proposal will be open to the floor. The proposal shall be presented once again at the next regular meeting of NVFC, constituting the third and final reading of the proposal, after which discussion of the proposal will be open to the floor.

SECTION 3. *Voting on the Proposed Amendment.* Following the third reading and a determination by the chair that all discussion on the proposal has concluded, the proposed amendment to the constitution shall be voted on by ballot. A secure area for voting shall be set up in the front of the meeting room, where each eligible member in good standing wishing to cast a ballot can vote in private. The proposed amendment shall be adopted if it receives a two-thirds affirmative vote of those members in good standing present, with a minimum of fifteen members in good standing being present and voting.

SECTION 4. *Notification of Members.* All members in good standing shall be notified no less than ten days prior to the scheduled date the vote is to take place on the proposed amendment. Notification shall be made by certified mail.

## **ARTICLE X**

### **By-Laws**

The NVFC shall have the power to establish and amend its by-laws and regulations as may be necessary for the proper government of the same, as long as such by-laws and regulations are not in contradiction to the constitution.

## **ARTICLE XI**

### **Arbitration**

Should a dispute arise between any member or members, or a former member or members, and NVFC or any officer or committee of NVFC relative to membership or to any alleged breach of the constitution or by-laws or the dismissal of any member from NVFC, or on any account whatsoever that cannot be satisfactorily settled under the procedures already provided for such purposes, the matters in difference shall be settled by arbitration. Each party involved shall choose an arbitrator and the arbitrators shall appoint an umpire. Only NVFC members in good standing shall be appointed as arbitrators or umpire. The decisions arrived at by the arbitrators or in the event of their disagreement, by the umpire, shall be final and binding on all parties.

## **ARTICLE XII**

### **Dissolution**

NVFC shall not be dissolved as long as fifteen members in good standing object thereto. In the event NVFC is dissolved, the proceedings of dissolution shall be in accordance with the applicable federal, state, county and local laws in effect at such time.

# **BY-LAWS**

## **ARTICLE I**

### **Membership**

SECTION 1. *Membership Application Procedures.* Applications for membership may be obtained by written or personal request to the vice-president of NVFC. The completed application forms respective to the classification of membership desired by the applicant shall be forwarded to the vice-president as specified in the application instructions. The vice-president shall cause each application to be marked with the date and time of receipt and assign an appropriate number to be affixed to the application that indicates its order of receipt relative to other applications.

SECTION 1.1. *Membership Application Packet.* Applications for membership shall include application forms for membership, the requirements and objectives of new members specific to the active, associate and junior membership classifications, excerpts from the by-laws concerning applicants and new members, physical examination forms [active and junior membership applicants], parental/guardian release form [junior membership applicants] and release forms enabling NVFC to conduct a background check on the applicant and to obtain the applicant's driving abstract.

SECTION 1.2. *Eligibility for Application to Membership.* Persons residing within one statute mile of the boundaries of Fire District #7, Hamilton Township, Mercer County, New Jersey shall be eligible to apply for membership in NVFC.

SECTION 1.3. *Admittance of Applicant for Membership.* Applicants who have met the qualifications for membership as determined by the Membership Committee shall be admitted to NVFC in the order of receipt of their applications. The decision of the Membership Committee to admit an applicant into NVFC shall be binding upon NVFC and no vote by the membership-at-large shall be conducted to affirm or reverse a decision of the Membership Committee to admit an applicant.

SECTION 1.4. *Rejection of Applicant for Membership.* Applicants who have been determined to be unqualified for membership by the Membership Committee shall be notified in writing by certified mail no more than ten days from the date the Membership Committee rejected the applicant.

SECTION 1.4.1. *Appeal by Rejected Applicant for Membership.* An applicant who has been rejected from admittance to NVFC shall have the right to appeal such a decision [re: Section 12 below]. A date for an appeal to be heard by a rejected applicant for membership shall automatically be presupposed for ten days from the date of notification to the rejected applicant and to be held at such times during this date as to allow ample opportunity for the rejected applicant to be heard. The date of notification shall be the date of the postmark.

SECTION 1.5. *Membership Limits.* There shall be limits to the number of members on the rolls pertaining to the three classifications of membership to which an applicant can be admitted. These limits shall be:

- Active – 75 members;
- Associate – 25 members; and
- Junior – 10 members.

SECTION 1.5.1. *Waiting Lists.* When the number of qualified applicants exceeds the current number of vacancies in the respective membership classifications to which the applicants applied, waiting lists shall be established for the applications in each classification to which this condition applies. Applicants will be admitted based on the assigned number of their applications [re: Section 1 above] as vacancies occur.

SECTION 2. *Members in Good Standing.* Active, associate, exempt and life members with at least one year of membership in NVFC who are not on any type of probation, loss of privileges status, leave of absence [except medical, re: Section 3.4.1, paragraph (a) below] or suspension shall be considered members in good standing.

SECTION 3. *Active Membership.* Persons having met the residency requirements of Section 1.2 above and reached their 18<sup>th</sup> birthday shall be eligible to apply for active membership in NVFC. Applicants for active membership must be able to meet the qualifications for active membership as detailed in the formal application. These qualifications relate narrowly and specifically to the physical and mental ability and the character suitability of the applicant to perform the vocational duties of a volunteer firefighter. No applicant shall be subject to discrimination or prejudice on the basis of race, color, creed, sex, age, religion, national origin, ancestry, marital status or physical or mental handicap that does not materially affect the ability of the applicant to perform the duties of a volunteer firefighter.

SECTION 3.1. *Probationary Status.* New active members shall be on a probationary status, commencing upon their admittance into NVFC and remaining on such status for a minimum of one year and a maximum of two years. During each year of this period, these members shall:

- Respond to at least 20% of station fire calls;
- Attend at least fifteen drills;
- Participate in at least four details, as defined in the NVFC Handbook; and
- Comply with the educational and training requirements for probationary active members as established by the line officers and published in the NVFC Handbook.

(a) New active members on probationary status that were admitted to NVFC prior to the adoption of these by-laws shall have their performance record prorated with the requirements above for the period of time beginning with the adoption of these by-laws and concluding on the anniversary of their admission date.

SECTION 3.1.1. *Review of Probationary Active Members.* The line officers and executive officers shall evaluate the performance of probationary active members during

the probationary period and recommend the disposition of such members to the Membership Committee for action.

SECTION 3.1.2. *Elevation to Active Status.* Probationary active members, upon reaching their one-year anniversary date, shall be elevated to active status based on the successful completion of the probationary requirements and a satisfactory review by officers [re: Section 3.1 and Section 3.1.1 above]. Probationary active members, during extension of their probationary status or at the conclusion thereof, having made a successful completion of the probationary requirements and earning a satisfactory review by officers [re: Section 3.1.3 below] shall be elevated to active status. Their requirements then revert to a calendar year, beginning in the year of their elevation to active status.

SECTION 3.1.3. *Extension of Probationary Status.* Probationary active members who have not successfully completed the probationary requirements and/or who have received an unsatisfactory review by officers [re: Section 3.1 and Section 3.1.1 above] by their one-year anniversary date may have their probationary status extended by no more than one year.

SECTION 3.1.4. *Dismissal from Probationary Status.* Probationary active members who have not successfully completed the probationary requirements and/or who have received an unsatisfactory review by officers [re: Section 3.1 and Section 3.1.1 above] may be dismissed prior to or upon reaching their one-year anniversary date and shall be dismissed prior to or upon conclusion of their extension of probationary status. Dismissal can be caused for failure by the member to complete requirements of a probationary active member as established in Section 3.1 above.

SECTION 3.1.4.1. *Appeal of Dismissal from Probationary Status.* A probationary active member who has been dismissed from membership in NVFC shall have the right to appeal such a decision [re: Section 12 below]. A date for an appeal to be heard by a dismissed probationary active member shall automatically be presupposed for ten days from the date of notification to the dismissed probationary active member and to be held at such times during this date as to allow ample opportunity for the dismissed probationary active member to be heard. The date of the postmark shall be considered the date of notification.

SECTION 3.2. *Active Status.* Active members shall be required each calendar year to:

- Respond to at least 10% of station fire calls;
- Attend at least ten drills; and
- Participate in at least four details, as defined in the NVFC Handbook.

SECTION 3.2.1. *Interim Requirements for Active Status.* For the period of time beginning with the adoption of these by-laws and ending December 31<sup>st</sup>, 2004, active members shall be required to:

- Respond to at least 10% of station fire calls;
- Attend at least six drills; and
- Participate in at least two details, as defined in the NVFC Handbook.

SECTION 3.3. *Relief from the Requirements.* An active member with legitimate difficulties in meeting the requirements detailed in Section 3.2 above because of but not limited to family, personal, professional or academic situations and wishes relief from the requirements shall make a request in the form of a letter, dated and addressed to the vice-president. It will be the decision of the Membership Committee whether or not to grant relief, based exclusively on the circumstances, and such matters shall be held in confidentiality. Relief from the requirements shall be for a period not exceeding 120 days and each subsequent additional request for relief from the requirements shall be for a period not exceeding 120 days. It shall be the responsibility of a member when cognizant of any situation that may encumber the member's responsibilities to NVFC to make such requests in an expedient manner and no request from relief shall be retroactive to time lapsed.

SECTION 3.4. *Leave of Absence.* An active member shall be eligible to request a leave of absence as a result of circumstances that are expected to cause the member to be unavailable for service for an extended period of time. Such circumstances may include but not be limited to military service, college or trade school, illness or injury, professional or work-related obligations or suffering a personal hardship. The member shall make such a request in the form of a letter, dated and addressed to the vice-president, outlining the circumstances surrounding the request and estimating the duration of the leave of absence, and in the case of a medical leave, provide proof of the disability or condition by way of a medical certificate. It will be the decision of the Membership Committee whether or not to grant a leave of absence, based exclusively on the circumstances, and such matters shall be held in confidentiality.

SECTION 3.4.1. *Conditions of Leave of Absence.* A member shall not be eligible to hold office, be a candidate for office or vote on candidates or on motions while on leave of absence. A member holding office when requesting a leave of absence must resign from the position.

(a) In the case of a medical leave, a member may continue to hold office, be a candidate for office and vote on candidates or on motions if the situation is such that the leave is expected to be short-term or temporary, to be reviewed by the Membership Committee each 90-day period.

SECTION 3.5. *Medical Disability.* An active member that is unable to perform operational duties due to the incurrence of a chronic medical or physical disability or condition shall be eligible to request transfer to the exempt membership classification. Proof of the disability or condition must be documented in a medical certificate. The request shall be in the form of a letter, dated and addressed to the vice-president and such request shall be subject to approval by the Membership Committee.

SECTION 4. *Associate Membership.* Persons having met the residency requirements of Section 1.2 above and reached their 40<sup>th</sup> birthday shall be eligible to apply for associate membership in NVFC. Also, persons having met the residency requirements of Section 1.2 above and reached their 18<sup>th</sup> birthday but cannot serve as active members due to a chronic physical condition shall be eligible to apply for associate membership in NVFC. Associate members shall be required to participate in at least four details each year, as defined in the NVFC Handbook.

SECTION 4.1. *Interim Requirements for Associate Membership.* For the period of time beginning with the adoption of these by-laws and ending December 31<sup>st</sup>, 2004, associate members shall be required to participate in two details.

SECTION 5. *Exempt Membership.* An active member shall be eligible to request transfer to the exempt membership classification upon the completion of seven years accumulative service as an active member, excluding periods on disciplinary probation or leave of absence, or with less than seven years accumulative service as an active member, upon certification of a medical disability [re: Section 3.5 above]. The request shall be in the form of a letter, dated and addressed to the vice-president and shall be subject to approval by the Membership Committee. Exempt members shall be free from all obligations to NVFC.

SECTION 5.1. *Exempt Member Reinstating to Active Membership.* An exempt member may request reinstatement to active membership as long as the member meets the eligibility requirements for active membership under Section 1.2 and Section 3 above. The request shall be in the form of a letter, dated and addressed to the vice-president and shall be subject to approval by the Membership Committee. The reorientation process into active membership by an exempt member shall be under the guidance of the line officers.

SECTION 5.2. *Special Conditions for Exempt Membership.* Upon adoption of these by-laws, all persons that were associate members under the previous version of the by-laws are eligible for exempt membership under these by-laws and will automatically be transferred to the exempt classification.

SECTION 6. *Life Membership.* Upon the completion of 25 years of accumulative service as an active member, 25 years combined active and credited exempt membership, 25 years combined junior and active membership or 25 years combined junior, active and credited exempt membership, excluding periods on disciplinary probation or leave of absence, an active member shall automatically be granted life membership in NVFC.

(a) For each year while holding membership in the exempt classification that an exempt member attends seven regular meetings and participates in four details as defined in the NVFC Handbook, he/she will receive a year's credit towards life membership, defined as "credited exempt membership".

(b) Life members, having fulfilled their service to NVFC and the community, shall be free from all obligations.

SECTION 7. *Junior Membership.* Persons having met the residency requirements of Section 1.2 above and reached their 16<sup>th</sup> birthday but not their 18<sup>th</sup> birthday shall be eligible to apply for junior membership in NVFC. A junior membership applicant shall be admitted to NVFC only with the submission of the parental/guardian release form [re: Section 1.1 above] and a meeting between the applicant's parents/guardians and NVFC Junior Advisory Board. Provisions for NVFC Junior Advisory Board shall be outlined in the NVFC Handbook.

SECTION 7.1. *Requirements for Junior Members.* Junior members shall be required each calendar year to:

- Attend at least ten drills; and
- Participate in at least four details, as defined in the NVFC Handbook.

SECTION 7.1.1. *Interim Requirements for Junior Members.* For the period of time beginning with the adoption of these by-laws and ending December 31<sup>st</sup>, 2004, junior members will be required to:

- Attend at least six drills; and
- Participate in at least two details, as defined in the NVFC Handbook.

SECTION 7.2. *Conditions of Junior Membership.* All aspects of junior membership as administered by NVFC and participated in by junior members shall be subject to the regulations of any appropriate governing body, including fire district, municipality, county, state and federal levels.

SECTION 7.3. *Cessation of Junior Membership.* Junior membership shall automatically cease upon the junior member's admittance to active membership or sixty days past the junior member's 18<sup>th</sup> birthday, whichever comes first. A junior member wishing to move up to active membership shall make application to active membership as detailed in Section 1 above.

SECTION 8. *Honorary Membership.* Persons having performed some distinguished service for NVFC or for the community may be elected to honorary membership by two-thirds majority vote of members in good standing present at a regular meeting. Honorary members shall have no privileges except those of attending meetings and social functions.

SECTION 9. *Charter Membership.* All members who joined NVFC between the date of its organization [March 24, 1925] and the date the mortgage was burned on the brick firehouse erected in 1929 [May 30, 1937] shall be considered charter members.

SECTION 10. *Resignation from Membership.* A member resigning from membership shall do so in the form of a letter, dated and addressed to the vice-president, accompanied by all equipment and property issued to the member by NVFC and the Board of Fire Commissioners of Hamilton Township District #7. Resignations shall not be considered official if delivered in any other manner and are subject to approval by the Membership Committee. If the resignation is not accepted, the equipment and property shall be re-issued to the member and the member's status prior to resigning will be maintained. The vice-president shall cause a letter to be sent by certified mail to the resigned member advising of the acceptance or rejection of the resignation, within ten days of the acceptance or rejection of the member's resignation.

SECTION 10.1. *Reapplication for Membership by a Resigned Member.* A resigned member shall not be eligible to reapply for membership in NVFC for a period of six months following the date of acceptance of the member's resignation.

SECTION 11. *Annual Performance Review.* The Membership Committee [re: By-Law Article V, Section 2] shall conduct a review each January of the performance of the active and associate members during the previous year – the review to be completed by February 1<sup>st</sup>. The Membership Committee shall take the prescribed disciplinary actions established in this section for those members who fail to meet the minimum annual requirements under Section 3.2 and Section 4 above.

SECTION 11.1. *Members Not Meeting Requirements.* Members who have failed to meet the minimum requirements of their respective classification shall be subject to disciplinary action as established in Section 11.2 and Section 11.3 below.

SECTION 11.1.1. *Notification of Members.* No more than ten days from completion of the membership performance review, the vice-president shall cause a certified letter to be sent to all members who have failed to meet the minimum requirements of membership respective to their classification, specifying the requirements that were not met, the penalty imposed and information regarding the appeals process.

SECTION 11.1.2. *Presupposed Appeal Hearing.* A date for appeals to be heard as a result of the annual performance review shall automatically be presupposed for ten days from the date of notification to the members affected and to be held at such times during this date as to allow ample opportunity for the members to be heard, and such information shall be included in the letter [re: Section 11.1.1 above]. The date of notification shall be the date of the postmark.

SECTION 11.2. *Active Member Not Meeting Requirements.* An active member who fails to meet the minimum requirements for active members under Section 3.2 above shall automatically be subject to disciplinary action as specified. The first offense will initiate a five-year period during which the member's failure to meet the minimum requirements in this period will result in escalating penalties against the member for each subsequent offense, ending with dismissal.

1. *First Offense - Six-Month Probationary Status.* The first time an active member fails to meet the minimum annual requirements for active members under Section 3.2 above will result in a six-month probationary period. During this six-month period, the member shall be subject to all restrictions of probationary status, including voting and holding office, along with restrictions on social privileges [defined in the NVFC Handbook] and will be required to:

- Respond to at least 20% of station fire calls;
- Attend at least seven drills; and
- Participate in at least two details, as defined in the NVFC Handbook.

2. *Second Offense - One-Year Probationary Status.* The second time in a five-year period an active member fails to meet the minimum annual requirements for active members under Section 3.2 above will result in a one-year probationary period. During this one-year period, the member shall be subject to all restrictions of probationary status,

including voting and holding office, along with restrictions on social privileges [defined in the NVFC Handbook] and will be required to:

- Respond to at least 20% of station fire calls;
- Attend at least fifteen drills; and
- Participate in at least four details, as defined in the NVFC Handbook.

3. *Third Offense - Dismissal.* The third time in a five-year period an active member fails to meet the minimum annual requirements for active members under Section 3.2 above will result in dismissal of the member.

SECTION 11.2.1. *Reinstatement to Active Status.* An active member on disciplinary probationary status who completes all of the requirements of the respective period being served as detailed in Section 11.2 above shall automatically be reinstated to active status upon conclusion of the period.

SECTION 11.2.2. *Dismissal from Disciplinary Probationary Status.* An active member on disciplinary probationary status who fails to complete all of the requirements of the respective period being served as detailed in Section 11.2 above shall automatically be dismissed upon conclusion of the period.

SECTION 11.3. *Associate Member Not Meeting Requirements.* An associate member who fails to meet the minimum requirements for associate members under Section 4 above shall automatically be subject to disciplinary action as specified. The first offense will initiate a five-year period during which the member's failure to meet the minimum requirements in this period will result in escalating penalties against the member for each subsequent offense, ending with dismissal.

1. *First Offense – Six-Month Loss of Privileges.* The first time an associate member fails to meet the minimum annual requirements for associate members under Section 4 above will result in a loss of voting, office-holding and social privileges [defined in the NVFC Handbook] for six months. During this six-month period, the member will be required to participate in at least three details, as defined in the NVFC Handbook.

2. *Second Offense – One-Year Loss of Privileges.* The second time in a five-year period an associate member fails to meet the minimum annual requirements for associate members under Section 4 above will result in a loss of voting, office-holding and social privileges [defined in the NVFC Handbook] for one year. During this one-year period, the member will be required to participate in at least six details, as defined in the NVFC Handbook.

3. *Third Offense - Dismissal.* The third time in a five-year period an associate member fails to meet the minimum annual requirements for associate members under Section 4 above will result in dismissal of the member.

SECTION 11.3.1. *Reinstatement of Privileges.* An associate member whose privileges were revoked who completes all of the requirements of the respective period

being served as detailed in Section 11.3 above shall automatically have the privileges reinstated upon conclusion of the period.

SECTION 11.3.2. *Dismissal from Associate Membership.* An associate member whose privileges were revoked who fails to complete all of the requirements of the respective period being served as detailed in Section 11.3 above shall automatically be dismissed upon conclusion of the period.

SECTION 12. *Appeal of Rejection, Dismissal, Disciplinary Probation or Loss of Privileges.* An applicant rejected for membership as specified in Section 1.4 above or an active or associate member dismissed from membership, placed on disciplinary probation or incurring loss of privileges as a result of failure to comply with the minimum requirements of membership established in Section 3.1, Section 3.2 or Section 4 above, or failure to comply with the minimum requirements of disciplinary probation as established in Section 11.2 above, or failure to comply with the minimum requirements of loss of privileges as established in Section 11.3 above shall have the right to appeal such action.

SECTION 12.1. *Intent of Appeal.* An applicant or member with the intent of appealing rejection, dismissal, disciplinary probation or loss of privileges shall appear at the appeal hearing [re: Section 1.4.1, Section 3.1.4.1 or Section 11.1.2 above] or if the applicant or member cannot be present at the appeal hearing, the applicant or member shall notify the vice-president in writing prior to the scheduled date and time of the appeal hearing.

SECTION 12.2. *Appearance at Appeal Hearing.* At the presupposed appeal hearing or on another date mutually agreed upon by the applicant or member and the vice-president, the applicant or member appealing a finding to which the end result may be rejection, dismissal, disciplinary probation or loss of privileges shall be able to present evidence and arguments to support a conclusion that contradicts the findings of the Membership Committee. If the evidence and arguments presented by the applicant or member result in a reversal of the Membership Committee's initial findings, then the process of rejection, dismissal, disciplinary probation or loss of privileges shall be abandoned and, in the case of rejection, the applicant shall continue the admittance process if so desired and, in the cases of dismissal, disciplinary probation or loss of privilege, the member shall remain in the member's present status. Should the evidence and arguments presented by the applicant or member not result in a reversal of the Membership Committee's initial findings, then the process of rejection, dismissal, disciplinary probation or loss of privileges shall stand and the appeal process shall be concluded. The member reserves the right to challenge the findings through arbitration [re: Constitution Article XI].

SECTION 12.3. *Waiver of Right to Appeal.* An applicant rejected for membership or a member proposed for dismissal, disciplinary probation or loss of privileges whom fails to respond in the manner prescribed in Section 12.1 above shall waive the right to appeal the action and as such, an implied acceptance of the consequences by the member shall be inferred.

SECTION 12.4. *Reapplication for Membership by a Rejected Applicant or Dismissed Member.* An applicant rejected from NVFC under Section 1.4 above or a member dismissed from NVFC under Section 3.1.4, Section 11.2 or Section 11.3 above shall not be eligible to reapply for membership in NVFC for a period of six months following the date of the applicant's rejection or the member's dismissal.

## ARTICLE II

### Officers

SECTION 1. *Executive Officers.* The Executive Officers of NVFC shall be President, Vice-President, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer and Sergeant-at-Arms.

SECTION 1.1. *Qualifications for Executive Officers.* The following qualifications for executive officers shall be met, as well as any provisions set forth in By-Law Article IV:

*All Officers:*

- Must be an active, associate, exempt or life member in good standing;
- Must attend at least seven regular meetings and, if an active or associate member, participate in at least four details in the twelve month period prior to being nominated; and
- Must attend at least seven regular meetings and, if an active or associate member, participate in at least four details each year of a term in order to continue serving any subsequent year of a term, and each year while in office to be eligible for re-election.

*President:*

- Must have at least five years membership in NVFC; and
- Must have at least two years as an executive officer or trustee in NVFC.

*Vice-President:*

- Must have at least five years membership in NVFC; and
- Must have at least two years as an executive officer or trustee in NVFC.

*Secretary, Treasurer, Assistant Secretary, Assistant Treasurer, Sergeant-at-Arms:*

- Must have at least two years membership in NVFC.

SECTION 1.2. *Powers and Duties of the President.* The President shall be the chief executive officer of NVFC and shall have general charge and control of its business affairs and administrative functions, and shall have the general powers and duties of supervision and management usually vested in the office of president of an organization. The President:

- Shall preside at all regular and special meetings of NVFC;
- Shall appoint all regular or standing committees;

- Shall appoint special or ad-hoc committees except when a ballot is requested by the membership-at-large;
- Shall be an ex-officio member of all committees;
- Shall sign all listings of bills prepared by the treasurer and sanctioned by the membership-at-large and co-sign all checks;
- Shall, in conjunction with the chief, represent NVFC in and before every body and place where the interests of NVFC are concerned;
- Shall ensure that the constitution, by-laws and regulations of NVFC are faithfully executed;
- Shall sign and execute all authorized bonds, contracts and other obligations in the name of NVFC, along with the secretary;
- May call special meetings of NVFC, in accordance with the provisions of By-Law Article III, Section 2; and
- Shall cast no vote on motions or candidates unless the results of the ballot be equally divided, in which case shall cast the deciding vote.

SECTION 1.3. *Powers and Duties of the Vice-President.* The Vice-President shall:

- Fulfill the powers and duties of the president in the absence or incapacitation of the president;
- Serve as chairman of the Membership Committee;
- Perform other duties as requested by the membership-at-large; and
- Automatically move up to President for the balance of the unexpired term if a vacancy occurs in the office of President

SECTION 1.4. *Duties of the Secretary.* The Secretary shall perform the duties generally incident to the office of secretary of an organization, and shall:

- Be in attendance at all regular and special meetings of NVFC with the minutes of the last regular meeting, the minutes of any special meetings that may have occurred since the last regular meeting, the current membership roster and all correspondence;
- Record the proceedings of all regular and special meetings of NVFC and keep such proceedings in a book provided for that purpose;
- Notify all members of any special meeting called by the president of NVFC or a quorum of fifteen members eligible to vote [re: By-Law Article III, Section 2];
- Notify all members in good standing by certified mail no less than ten days before a regular meeting which there will be a vote on a proposed amendment to the constitution [re: Constitution Article IX, Section 4];
- Notify all members in good standing by regular mail no less than ten days before a regular meeting which there will be a vote on a proposed amendment to the by-laws [re: By-Law Article X, Section 4];
- Sign and execute all authorized bonds, contracts and other obligations in the name of NVFC, along with the president;
- Maintain a current membership roster;

- Have custody of the seal of NVFC and affix it to all documents requiring it, when authorized by the president or the membership-at-large, and attest the same; and
- Execute all interoffice and external correspondence relating to the business and administration of NVFC.

SECTION 1.5. *Duties of the Treasurer.* The Treasurer shall perform the duties generally incident to the office of treasurer of an organization, and shall:

- Give NVFC a bond, the expense thereof to be borne by NVFC, in a sum, and with one or more sureties, satisfactory to the membership-at-large, for the faithful execution of the duties of the office and for the restoration to NVFC in case of the treasurer's death, resignation, incapacitation, retirement or removal from office all documents, monies and other properties of NVFC in possession or under control of the treasurer at the time;
- Receive copy of detail deposit sheet made by the assistant treasurer for entry into the accounting records;
- Have custody of all monies of NVFC;
- Disburse the monies of NVFC as sanctioned by the membership-at-large, prepare listings of bills for payment and prepare checks, affixing his/her signature on the check and forward listings of bills, supporting documentation and signed checks to the president for approval and second signature;
- Maintain the formal accounting records for NVFC and provide access to same upon request of the president, the Board of Trustees, the Finance Committee and the membership-at-large; and
- Present a report at each regular meeting including the listings of all bills being presented or paid and of the financial condition of NVFC.

SECTION 1.6. *Duties of the Assistant Secretary.* The Assistant Secretary, formerly titled Corresponding Secretary, shall:

- Assist the secretary in the duties of the office of secretary;
- Maintain attendance records of regular and special meetings, and participation records of details, and make available at each regular meeting these records over the past twelve months;
- Maintain current record of members eligible to vote;
- Serve as chairman of the Nominating Committee; and
- Fulfill the duties of the secretary in the absence or incapacitation of the secretary.

SECTION 1.7. *Duties of the Assistant Treasurer.* The Assistant Treasurer, formerly titled Financial Secretary, shall:

- Give NVFC a bond, the expense thereof to be borne by NVFC, in a sum, and with one or more sureties, satisfactory to the membership-at-large, for the faithful execution of the duties of the office and for the restoration to NVFC in case of the assistant treasurer's death, resignation, incapacitation, retirement or removal from office all documents, monies

and other properties of NVFC in possession or under control of the assistant treasurer at the time;

- Receive all funds due to NVFC from all sources of revenue, providing a three-part receipt for said funds, with the original copy issued to the individual providing the funds, the second copy issued to the treasurer and the third copy being retained by the assistant treasurer;
- Deposit all monies accrued by NVFC in the name of and to the credit of NVFC in such depository or depositories as designated by the membership-at-large;
- Provide detailed records of all deposits made to the treasurer;
- Keep a full and accurate account of deposits in records belonging to NVFC;
- Present a report at each regular meeting of all monies received and deposited since the last regular meeting; and
- Fulfill the duties of the treasurer in the absence or incapacitation of the treasurer.

SECTION 1.8. *Duties of the Sergeant-at-Arms.* The Sergeant-at-Arms shall:

- Assist in the preservation of order during all meetings of NVFC;
- Remove any person or persons disrupting the proceedings upon orders of the chair;
- Secure the meeting room during meetings and prevent entry of any person or persons not authorized to attend the proceedings; and
- Observe balloting and ensure only members eligible to vote are casting ballots.

SECTION 1.9. *Election and Tenure of Executive Officers.* The Executive Officers shall be elected according to the provisions of By-Law Article IV and serve two-year terms beginning 12:00 am January 1<sup>st</sup> of an even-numbered year.

SECTION 2. *Board of Trustees.* The Board of Trustees shall manage the buildings, grounds and properties of NVFC.

SECTION 2.1. *Qualifications for Trustees.* The following qualifications for trustees shall be met, as well as any provisions set forth in By-Law Article IV:

- Must be an active, associate, exempt or life member in good standing;
- Must attend at least seven regular meetings and, if an active or associate member, participate in at least four details in the twelve month period prior to being nominated;
- Must attend at least seven regular meetings and, if an active or associate member, participate in at least four details each year of a term in order to continue serving any subsequent year of a term, and each year while in office to be eligible for re-election; and
- Must have at least two years membership in NVFC.

SECTION 2.1.1. *Interim Requirement for Trustees.* For the purposes of the elections to be conducted for trustee terms beginning January 1<sup>st</sup>, 2005 only, the interim requirements shall be as follows:

- Must be an active, associate, exempt or life member in good standing;
- Must attend at least four regular meetings and, if an active or associate member, participate in at least two details in the six-month period prior to being nominated;
- Must attend at least seven regular meetings and, if an active or associate member, participate in at least four details each year of a term in order to continue serving any subsequent year of a term, and each year while in office to be eligible for re-election; and
- Must have at least two years membership in NVFC.

SECTION 2.2. *Duties of the Board of Trustees.* The Board of Trustees shall:

- Meet within ten days of their election and select a chairperson, a vice-chairperson and a secretary from their number and report same to NVFC at the next regular meeting;
- Arrange for the proper care of all components, including the development and administration of preventative maintenance schedules, executing such programs upon approval of the membership-at-large;
- Recommend upgrades beyond scheduled maintenance, executing such upgrades upon approval of the membership-at-large;
- Be empowered to make emergency repairs when needed;
- Hold the bond of the treasurer and assistant treasurer;
- Hold papers and documents relating to the buildings, grounds and properties, including but not limited to deeds, mortgages, receipts, contracts and the like;
- Present a report at each regular meeting of all projects underway or completed since the last regular meeting; and
- Present a report at the first regular meeting in February of all transactions occurring the last calendar year, including status, outcome, costs and any other pertinent information.

SECTION 2.3. *Number, Election and Tenure of Trustees.* The number of trustees shall be six. Trustees shall be elected according to the provisions of By-Law Article IV and each shall serve a term of three years, beginning at 12:00 am January 1<sup>st</sup> following their election. The terms shall be staggered so that two trustees will be elected annually.

SECTION 2.3.1. *Temporary Provision for Additional Trustee.* Upon adoption of these by-laws, one trustee shall be elected to a position that will expire on December 31<sup>st</sup>, 2005, coinciding with the trustee position that expires alone in the previous version of the by-laws. This position will become a full three-year term beginning January 1<sup>st</sup>, 2006.

SECTION 2.3.1.1. *Interim Requirement for Additional Trustee.* For the purposes of the election to be conducted for the additional trustee whose term expires December 31<sup>st</sup>, 2005 only, the interim requirements shall be as follows:

- Must be an active, associate, exempt or life member in good standing;
- Must attend at least four regular meetings and, if an active or associate member, participate in at least two details in the period of time beginning with the adoption of these by-laws and ending December 31<sup>st</sup>, 2004, and at least seven regular meetings and, if an active or associate member, participate in at least four details the subsequent year in office to be eligible for re-election; and
- Must have at least two years membership in NVFC.

SECTION 3. *Line Officers.* The line officers of NVFC shall be Chief, First Deputy Chief, Second Deputy Chief, First Captain, Second Captain, First Lieutenant, Second Lieutenant and Safety Officer(s).

SECTION 3.1. *Qualifications for Line Officers.* The educational and training requirements for line officers shall be established by the Board of Chiefs and published in the NVFC Handbook. Along with these requirements, as well as any provisions set forth in By-Law Article IV, the following qualifications must be met:

*All Line Officers:*

- Must be a current active or life member in good standing, having met the residency requirements according to By-Law Article I, Section 1.2;
- Must attend at least 20% of station fire calls, twelve drills and seven regular meetings and, if an active member, participate in at least four details in the twelve month period prior to being nominated; and
- Must attend at least 20% of station fire calls, twelve drills and seven regular meetings and, if an active member, participate in at least four details each year of a term in order to continue serving any subsequent year of a term, and each year while in office to be eligible for re-election or advancement.

*Chief:*

- Must be at least 26 years of age;
- Must have at least eight years experience as a firefighter;
- Must have at least six years experience as a firefighter in NVFC;
- Must have at least five years experience as a line officer in NVFC, with at least one year as a deputy chief, or have previously served or is currently serving as chief; and
- Must be a qualified driver-operator of all station apparatus.

*First Deputy Chief:*

- Must be at least 26 years of age;
- Must have at least eight years experience as a firefighter;
- Must have at least six years experience as a firefighter in NVFC;
- Must have at least five years experience as a line officer in NVFC, with at least one year as a deputy chief or have previously served or is currently serving as a deputy chief; and
- Must be a qualified driver-operator of all station apparatus.

*Second Deputy Chief:*

- Must be at least 25 years of age;
- Must have at least seven years experience as a firefighter;
- Must have at least five years experience as a firefighter in NVFC;
- Must have at least four years experience as a line officer in NVFC or have previously served or is currently serving as a deputy chief; and
- Must be a qualified driver-operator of all station apparatus.

*Captains:*

- Must be at least 23 years of age;
- Must have at least five years experience as a firefighter;
- Must have at least three years experience as a firefighter in NVFC;
- Must have at least two years experience as a line officer in NVFC or have previously served or is currently serving as a captain; and
- Must be a qualified driver-operator of all station apparatus.

*Lieutenants:*

- Must be at least 21 years of age;
- Must have at least three years experience as a firefighter;
- Must have at least one year experience as a firefighter in NVFC; and
- Must be a qualified driver-operator of all station apparatus.

*Safety Officer(s):*

- Must be at least 23 years of age;
- Must have at least five years experience as a firefighter;
- Must have at least three years experience as a firefighter in NVFC; and
- Must be a qualified driver-operator of all station apparatus.

SECTION 3.1.1. *Interim Requirement for Line Officers.* For the purposes of the elections to be conducted for line officer terms beginning January 1<sup>st</sup>, 2005 only, the interim requirements shall be as follows:

- Must be a current active or life member in good standing, having met the residency requirements according to By-Law Article I, Section 1.2;
- Must attend at least 20% of station fire calls, six drills and four regular meetings and, if an active member, participate in at least two details in the six-month period prior to being nominated;
- Must attend at least 20% of station fire calls, twelve drills and seven regular meetings and, if an active member, participate in at least four details each year of a term in order to continue serving any subsequent year of a term, and each year while in office to be eligible for re-election or advancement;
- If not a qualified driver-operator of all station apparatus, be enrolled in a station driver-training program; and
- Meet the age and other experience levels as detailed in Section 3.1 above.

SECTION 3.2. *Board of Chiefs.* The chief, first deputy chief and second deputy chief shall constitute the Board of Chiefs. The Board of Chiefs shall establish the procedures, regulations and guidelines of NVFC in relation to its functions as an emergency services agency and superintend the operations of NVFC at all responses. The Board of Chiefs shall appoint the safety officer(s) in accordance with the provisions established in the NVFC Handbook.

SECTION 3.3. *Succession of Order.* In the absence of any line officer at a response or activity, the next line officer in succession shall assume the duties of the preceding line officer. The succession of order shall be chief, first deputy chief, second deputy chief, first captain, second captain, first lieutenant and second lieutenant.

SECTION 3.4. *Powers and Duties of the Chief.* The Chief shall be the chief operations officer of NVFC and shall have general charge and control of the apparatus, equipment and personnel under the Board of Fire Commissioners of Fire District #7, Hamilton Township, Mercer County, New Jersey. The Chief shall:

- Maintain order in all areas of the fire station rented by the Board of Fire Commissioners of Fire District #7, Hamilton Township, Mercer County, New Jersey;
- In conjunction with the president, represent NVFC in and before every body and place where the interests of NVFC are concerned; and
- Ensure that the constitution, by-laws and regulations of NVFC are faithfully executed.

SECTION 3.5. *Duties of the First Deputy Chief.* The First Deputy Chief shall be responsible for such duties as assigned by the Chief of NVFC. If a vacancy occurs in the office of Chief, the First Deputy Chief shall automatically move up to the position of Chief for the balance of the unexpired term.

SECTION 3.6. *Duties of the Second Deputy Chief.* The Second Deputy Chief shall be responsible for such duties as assigned by the Chief of NVFC.

SECTION 3.7. *Duties of the Captains.* The Captains shall be responsible for such duties as assigned by the Chief of NVFC.

SECTION 3.8. *Duties of the Lieutenants.* The Lieutenants shall be responsible for such duties as assigned by the Chief of NVFC.

SECTION 3.9. *Duties of the Safety Officer(s).* The Safety Officer(s) shall oversee personnel accountability systems, scene safety at all responses, development and implementation of safety procedures and any other such duties as assigned by the Chief of NVFC.

SECTION 3.10. *Election and Tenure of Chief, Deputy Chiefs, Captains and Lieutenants.* The Chief, First Deputy Chief, Second Deputy Chief, First Captain, Second Captain, First Lieutenant and Second Lieutenant shall be elected according to the

provisions of By-Law Article IV and serve two-year terms beginning 12:00 am January 1<sup>st</sup> of an odd-numbered year.

SECTION 3.10.1. *Temporary Provision for Line Officers.* Upon adoption of these by-laws, all line officers currently serving shall remain in their positions until the expiration of the terms of office on December 31<sup>st</sup>, 2004. The new positions shall become effective January 1<sup>st</sup>, 2005.

SECTION 4. *Fire Police Division.* The Fire Police Division shall be responsible for traffic and crowd control at all responses and fulfill all duties of fire police officers as prescribed by New Jersey laws. Members wishing to serve in this division must comply with the educational and training requirements as prescribed by New Jersey laws and outlined in the NVFC Handbook and shall be appointed to this unit in accordance with the procedures outlined in the NVFC Handbook.

SECTION 4.1. *Duties of the Fire Police Captain.* The Fire Police Captain shall oversee the operations and personnel of the Fire Police Division at all responses and insure all members of the division are sworn in accordance with New Jersey laws.

SECTION 4.2. *Duties of the Fire Police Lieutenant.* The Fire Police Lieutenant shall assume the duties of the Fire Police Captain in the absence or incapacitation of the Fire Police Captain.

SECTION 4.3. *Election and Tenure of the Fire Police Captain and Fire Police Lieutenant.* The Fire Police Captain and Fire Police Lieutenant shall be elected by the members of the Fire Police Division in November of an even-numbered year and serve two-year terms beginning January 1<sup>st</sup> of an odd-numbered year.

SECTION 5. *Removal for Cause.* An executive officer, trustee or line officer can be removed from office for dereliction of duty if the result of an investigation of charges warrants the necessity of such action. Such charges shall be in writing, stating the event or events precipitating the filing of charges and submitted to the vice-president.

SECTION 5.1. *Investigation by the Membership Committee.* No more than 72 hours following receipt of written charges, the vice-president shall convene a meeting of the Membership Committee, which shall create a case file on the charges, investigate the charges and determine an appropriate course of action. The Membership Committee may remove the officer from the office, suspend the officer from the office for a period of time or take no action at all. The Membership Committee shall resolve the case as expeditiously as possible. At the regular meeting after reaching a disposition of the case, the Membership Committee shall make a report to NVFC of all matters regarding the case, except in cases in which the matter may be sensitive to any persons involved, in which situations the Membership Committee will not be required to make a report. All correspondence with the accused officer for the duration of the case in regards to the case up to and including the final disposition shall be by certified mail.

SECTION 5.2. *Appeal of Removal for Cause.* An officer removed from office or suspended from office for a period of time as a result of findings by the Membership

Committee shall reserve the right to appeal such action by notifying the vice-president in writing sent by certified mail dated no more than ten days following receipt of notice of such action. If the evidence and arguments presented by the officer result in a reversal of the Membership Committee's initial findings, then the process of removal or suspension from office shall be abandoned and the officer shall return to the office held if the officer had to relinquish same as a result of the case. Should the evidence and arguments presented by the officer not result in a reversal of the Membership Committee's initial findings, then the process of removal or suspension from office shall stand and the appeal process shall be concluded. The officer reserves the right to challenge the findings through arbitration [re: Constitution Article XI].

## **ARTICLE III**

### **Meetings**

SECTION 1. *Regular Meetings.* The regular meetings of NVFC shall be held on the second and fourth Mondays of January, February, March, April, May, September, October and November and the second Mondays only of June, July, August and December.

- Meetings shall begin at 8:00 pm.
- Before a meeting is called to order, it shall be determined if a quorum as defined in Section 3 below is present; if there is not a quorum, the meeting shall be called to order and the procedures outlined in Section 3.1 below shall be followed.
- If a regular meeting falls on a congressional holiday, then it shall automatically be held on the next succeeding day not a congressional holiday.

SECTION 1.1. *Order of Business of Regular Meetings.* The order of business of regular meetings shall be as follows:

- 1) Call to Order
- 2) Salute to the Flag
- 3) Moment of Silence
- 4) Reading of the Minutes of the Last Special Meeting [if applicable]
- 5) Reading of the Minutes of the Last Regular Meeting
- 6) Report of the Assistant Treasurer
- 7) Report of the Treasurer
- 8) Report of the Board of Chiefs
- 9) Report of the Board of Fire Commissioners, District #7
- 10) Report of the Trustees
- 11) Report of the Membership Committee
- 12) Reports of Committees
- 13) Deferred Business
- 14) New Business – Letters and Bills
- 15) Nominations and Elections
- 16) Good of the Company

## 17) Adjournment

SECTION 2. *Special Meetings.* A special meeting of NVFC may be called by the president of NVFC, or by at least fifteen members in good standing by submitting a letter in writing to the president, stating the nature of the special business and the date and time of the meeting and signed by the members requesting the meeting. At least 72 hours must transpire between the time the meeting is requested and the time it is actually held.

- Before a special meeting is called to order, it shall be determined if a quorum as defined in Section 3 below is present; if there is not a quorum, the meeting shall be called to order and the procedures outlined in Section 3.1 below shall be followed.
- The special business for which the meeting has been called shall be the only business conducted at the meeting.

SECTION 2.1. *Order of Business of Special Meetings.* The order of business of special meetings shall be as follows:

- 1) Call to Order
- 2) Salute to the Flag
- 3) Moment of Silence
- 4) Special Business
- 5) Adjournment

SECTION 2.2. *Notification to Members of a Special Meeting.* Members shall be notified at least 24 hours prior to the start of any special meeting that such a meeting is to be held and the purpose of it. Members shall have the option of pre-selecting their preferred choice of notification with the secretary, such as telephone, cellular phone, electronic mail, voice mail or any other means in which notification can be made expeditiously.

SECTION 3. *Quorum.* Fifteen members in good standing [re: By-Law Article I, Section 2] shall constitute a quorum.

SECTION 3.1. *Absence of a Quorum.* In the absence of a quorum, the only action that can be taken is to adjourn, fix the time to which to adjourn, recess or take measures to obtain a quorum. With the exception of these procedures, any business transacted shall be null and void but the absence of a quorum shall not detract from the fact that NVFC's rules requiring the meeting to be held were complied with and the meeting was convened even though it had to adjourn immediately.

SECTION 3.2. *Election of Chairman Pro Tem.* If both the president and vice-president are absent, the secretary [or in the secretary's absence some other member in good standing] shall call the meeting to order and the membership-at-large shall elect a chairman pro tem to preside over the meeting. Such office shall be terminated upon the entrance of the president or vice-president or by the election of another chairman pro tem.

SECTION 4. *Conduct.* The following orders of conduct shall be adhered to while any regular or special meeting is in session:

- The presiding officer shall never be referred to by name but as “Mr. Chairman” or “Madam Chairman”;
- The presiding officer shall refer to him/herself only in the third person, by calling him/herself “the chair” – as in, “the chair rules that ...”;
- Before a member can make a motion or speak in debate, the member must obtain the floor; that is, the member must be recognized by the chair as having the exclusive right to be heard at that time. To obtain the floor, a member shall raise his/her hand facing the chair and when the chair recognizes him/her – normally by announcing the member by name – the member shall rise and make a motion or speak in debate;
- All members shall be permitted to participate in discussion on the floor but only members in good standing shall make motions and vote on motions; and
- A roll call sign-in sheet shall be provided at each regular and special meeting to record the attendance of members to determine voting eligibility and the presence of a quorum.

## ARTICLE IV

### Nominations, Elections and Balloting

SECTION 1. *Regular Election.* Elections occurring at the expiration of a term of office shall be considered a regular election and be held on the fourth Monday of November of the year the term expires. The terms of Executive Officers shall end immediately before midnight December 31<sup>st</sup> of an odd-numbered year, the terms of elected Line Officers shall end immediately before midnight December 31<sup>st</sup> of an even-numbered year and two Trustee terms shall end immediately before midnight December 31<sup>st</sup> every year.

(a) If nominations and elections do not take place at the designated times, the officers presently in office shall hold over until such time the nominations and elections take place, which is to be the earliest date possible.

SECTION 2. *Special Election.* An election occurring because of a vacancy during an unexpired term of office shall be considered a special election. If a vacancy occurs at a regular meeting [such as in the case of a resignation], the vacancy shall be filled at the next regular meeting. If a vacancy occurs between regular meetings [such as in the case of a death], the vacancy shall be officially noted at the regular meeting subsequent to the occurrence and the vacancy shall be filled at the next regular meeting.

(a) A vacancy occurring in the office of president shall automatically be filled by the vice-president for the balance of the unexpired term, with the office of vice-president being filled by election.

(b) A vacancy occurring in the office of chief shall automatically be filled by the first deputy chief for the balance of the unexpired term. Vacancies in the offices of first deputy chief, second deputy chief, first captain, second captain and first lieutenant shall

automatically be filled by the first subsequent line officer in succession that meets the qualifications for the preceding rank [re: By-Law Article II, Section 3.1]. The lowest position or positions left vacant shall be filled by election.

(c) Vacancies occurring in all other elective offices shall be filled by election.

SECTION 3. *Candidacy.* Members wishing to be a candidate for elective office at a regular election shall submit a letter of intent to the Nominating Committee during the month of September. Members wishing to be a candidate for a vacated elective office shall submit a letter of intent to the Nominating Committee during the period between the regular meeting when the vacancy occurred or was made official and the following regular meeting. The Nominating Committee shall determine the eligibility of such members in conjunction with By-Law Article II, Section 1.1, Section 2.1, Section 2.1.1, Section 2.3.1.1, Section 3.1 and Section 3.1.1.

(a) Members may be candidates for more than one office within the executive branch or the line branch but the candidate shall take the highest [first] office to which he/she is elected and forfeit election to any subsequent office in the line of succession.

SECTION 3.1. *Nominations by Committee.* For a regular election, the Nominating Committee shall present its report at the second regular meeting in October, giving a list of eligible candidates for each term of office expiring at the end of the year. For a special election, the Nominating Committee shall present its report at the regular meeting following the regular meeting at which the vacancy occurred or was made official, giving a list of eligible candidates for the unexpired term of office. When the Nominating Committee is called upon for its report, its chairman shall rise and present the report for each office to be filled, naming the nominees in the order in which the offices are listed in By-Law Article II.

SECTION 3.2. *Nominations from the Floor.* Subsequent to the report of the Nominating Committee, nominations will then be made from the floor. Each office will be opened singularly and the chair shall call for nominations in the order in which the offices are listed in By-Law Article II. When the chair has called for nominations from the floor, a member wishing to make a nomination shall rise and make the nomination. No second shall be required to nominate a member though a second, if made, shall be in order.

(a) The member nominated must accept the nomination verbally or, if not present at the meeting, in writing for the member to be a candidate for the office. If the member does not accept the nomination, or instead offers a declination, the member shall not be a candidate for the office.

(b) The chair shall then ask for any further nominations. The chair repeats each nomination until all nominations for the office have been made. When it appears that no one else wishes to make a nomination, the chair shall ask again if there are any further nominations, and if there is no response, the chair shall declare the nominations for that office are closed, without waiting for a motion to that effect. The chair shall then move to the next office in the order in which the offices are listed in By-Law Article II.

(c) The same person can be nominated for more than one office.

(d) When more than one person is to be elected to an office [such as the Board of Trustees], no one may nominate more than one person for the office until every member

wishing to nominate has had an opportunity to do so. In no event may any one member nominate more persons than there are places to fill.

(e) For a regular election, nominations from the floor will be open again at the first regular meeting in November, following the procedure outlined above in this section.

(f) Once nominations are closed, they shall remain closed unless reopened by a two-thirds majority vote of members in good standing present.

SECTION 4. *Judge and Tellers.* Upon the close of nominations, the president shall appoint a judge and at least two tellers, and post the names of the judge and tellers in the front of the meeting room, which will remain until the elections have been held. The judge and tellers shall be members in good standing [re: By-Law Article I, Section 2] and not be candidates nor have a direct personal involvement in the election. The judge and tellers shall:

(a) For a regular election:

- Develop and publish a Voter Eligibility List, in accordance with Section 5 below; and
- Produce the ballots of the election in accordance with Section 6 below.

(b) For regular and special elections:

- Distribute, collect and count all ballots;
- Oversee the balloting procedure, with aid from the sergeant-at-arms; and
- Generally insure the election is being conducted fairly and orderly.

SECTION 5. *Voter Eligibility List.* For regular elections, a list of members who have met the eligibility requirements for voting as stipulated in Section 5.1, Section 5.1.1, Section 5.1.2, Section 5.1.3 and Section 5.1.4 below shall be produced by the judge and tellers five days following the close of nominations. A copy of the list shall be posted alongside the sample ballot in the front of the meeting room.

(a) When taking their ballot, members shall sign the Voter Eligibility List in the place provided next to their printed name. In the case of an absentee ballot, the judge or teller receiving the ballot will mark the date and time of receipt and his/her initials in the place next to the member's printed name.

(b) Members challenging their eligibility status must do so to the judge of the election no later than 24 hours before the start of the meeting the election is scheduled to take place. The judge will make a determination as to whether or not said member shall be eligible to vote and the judge's decision in this regard will be considered final.

SECTION 5.1. *Members Eligible to Vote.* Active, associate, exempt and life members in good standing and not on any type of probation, loss of privileges status, leave of absence [except medical, re: By-Law Article I, Section 3.4.1, paragraph (a)] or suspension who have met the additional requirements for voting listed below shall be eligible to vote on candidates for elective office.

SECTION 5.1.1. *Requirements to Vote for Executive Officers and Board of Trustees.* Members meeting the eligibility requirements specified in Section 5.1 above who have attended seven regular meetings in the previous twelve month period from the date nominations were closed shall be eligible to vote for candidates for executive office and trustee.

SECTION 5.1.2. *Interim Requirements to Vote for Executive Officers and Board of Trustees.* For the purposes of the elections to be conducted for trustee terms beginning January 1<sup>st</sup>, 2005 only, members meeting the eligibility requirements specified in Section 5.1 above who have attended four regular meetings in the period of time beginning with the adoption of these by-laws and ending the date the second round of nominations was closed shall be eligible to vote for candidates for trustee.

(a) For the purposes of the election of the additional trustee whose term expires December 31<sup>st</sup>, 2005, members meeting the eligibility requirements specified in Section 5.1 above shall be eligible to vote for candidates for the additional trustee.

SECTION 5.1.3. *Requirements to Vote for Line Officers.* Members meeting the eligibility requirements specified in Section 5.1 above who have attended 10% of station fire calls, ten drills and seven regular meetings in the previous twelve month period from the date nominations were closed shall be eligible to vote for candidates for line office.

SECTION 5.1.4. *Interim Requirements to Vote for Line Officers.* For the purposes of the elections to be conducted for line officer terms beginning January 1<sup>st</sup>, 2005 only, members meeting the eligibility requirements specified in Section 5.1 above who have attended 10% of station fire calls, six drills and four regular meetings in the period of time beginning with the adoption of these by-laws to the date the second round of nominations was closed shall be eligible to vote for candidates for line office.

SECTION 6. *Form of the Ballots.* For regular elections, formal ballots shall be prepared in advance. Ballots shall be printed legibly on white paper with black printing. They can be in any format, but said format must be clear, easy to follow and consistent throughout the ballot. The ballots shall list the offices which terms expire in the order they are listed in By-Law Article II, followed by the names of the candidates in alphabetical order by the candidates' last name, reading left to right or top to bottom. A box or line for indicating a vote shall be to the left of [or in front of] each candidate's name. The ballots shall include instructions, such as vote to be cast by an "X" or, in the case which a member is running for more than one elective office, by a number indicating first choice, second choice, etc., folding of the ballot upon completion of voting, and any other instructions deemed necessary. For a special election, ballots may simply be a blank page to which the members may legibly apply the name of the candidate of their choice.

(a) When a candidate is running for more than one office, the candidate shall take the highest [first] office he/she is elected to and will not be counted for subsequent positions in the succession of order to which he/she was a candidate for. In such an occasion, the ballot shall provide the voting member the opportunity to indicate a priority order for voting, so that if a candidate is elected to a higher office, then a vote for another candidate will count without having to conduct another round of elections. The voting member will have the option of placing a "1" for first choice, a "2" for second choice, etc. instead of an "X". The lowest numbered candidate not previously elected to a higher office will be credited with the vote for that office.

(b) For regular elections, ballots shall be produced no more than five days following the close of nominations.

(c) Immediately following production, a sample ballot shall be posted in the front of the meeting room.

SECTION 6.1. *Voting by Ballot.* A secure area for voting shall be set up in the front of the meeting room, where each eligible member in good standing wishing to cast a ballot can vote in private. The voting member shall sign the Voter Eligibility List when voting in a regular election, take a ballot from a teller of the election and proceed to the voting area.

(a) The voting member shall mark the ballot in the following manner:

- Place an “X” in the box or on the line in front of the desired candidate; or
- In the case where a candidate is running for more than one office, place a “1” for first choice, a “2” for second choice, etc. instead of an “X”.

(b) The ballot shall then be folded in accordance with the instructions and deposited into the designated receptacle.

SECTION 6.1.1. *Voting by Absentee Ballot.* Absentee ballots shall be made available for regular elections from five days after the close of nominations until before the start of the meeting in which the election is to take place to those eligible members in good standing who expect to be absent the scheduled date of elections. Absentee ballots shall consist of one official ballot and one NVFC envelope, and shall be obtained from the judge or a teller of the election, who will print the name of the member requesting an absentee ballot on the front of the envelope.

(a) The voting member shall mark the ballot in the same manner as specified in Section 6.1, paragraph (a) above.

(b) The ballot shall then be folded in accordance with the instructions and placed in the provided envelope. The envelope shall be sealed and the member shall affix his/her signature across the seal of the envelope. Absentee ballots must be returned to the judge or a teller of the election before the start of the meeting in which the election is to take place in order for the absentee ballots to be counted.

(c) When the judge or a teller of the election receives an absentee ballot, then the judge or teller enters the date and time of receipt in the place on the Voter Eligibility List where the member would sign. The judge or teller shall then affix his/her initials to the entry, thus making the member’s ballot official.

(d) Once a member has submitted an absentee ballot, it serves as that member’s official ballot and the ballot cannot be withdrawn or changed.

SECTION 6.2. *Counting of the Ballots.* When it is apparent that all eligible members who wish to vote have cast their ballots, the chair shall announce that balloting is completed. The names of the candidates will be placed on the board in the front of the meeting room and the ballots will be opened one at a time and read aloud, while the secretary enters the tallies. Counting shall be performed in the order the positions are listed in By-Law Article II. The counting of the ballots shall be conducted in this manner:

- Each ballot will be opened once;
- Each office will be counted one at a time, due to the stipulation that if a multiple-position candidate be elected to office, said candidate becomes ineligible for election to any subsequent offices in the line of succession and the lowest numbered candidate on each ballot not previously elected will receive the vote for the position; and

- A candidate is elected when he/she receives the highest number of votes over any of the other candidates. If the ballots are equally divided, the chair shall cast the deciding vote.

SECTION 7. *Conclusion of the Election.* When the results have been recorded and a declaration of winners is made, the election shall be concluded. A motion to close the election will not be required but will be in order, if made. The judge and tellers shall immediately make a report, noting the number of members voting, the number of ballots cast by members at the meeting, the number of absentee ballots cast, any ballots discarded and the reasons thereof, the number of votes each candidate received and any other information considered necessary, attach the Voter Eligibility List and all ballots and turn over to the secretary. The secretary will keep the records on file for a period of one year from the date of the election.

## **ARTICLE V**

### **Committees**

SECTION 1. *Appointment of Committees.* The President shall appoint all regular and standing committees annually and shall appoint all special or ad-hoc committees except when a ballot is requested by the membership-at-large. Only members in good standing shall be chairman of any committee and committees shall generally consist of at least three members.

SECTION 2. *Composition of the Membership Committee.* The Membership Committee shall consist of ten members in good standing, with the following composition:

- Vice-President of NVFC, who shall serve as Chairman;
- One other executive officer;
- Two line officers; and
- Six members-at-large who do not hold any office.

SECTION 2.1. *Duties of the Membership Committee.* The Membership Committee shall be charged with the following responsibilities:

- To interview each applicant for membership, determine the eligibility of each applicant and admit or place on a waiting list those applicants eligible to join and reject those not eligible to join;
- To act upon evaluation by line officers and executive officers of probationary active members, based on a fiscal period by the date of admittance of the probationary active member;
- To review requests for relief from the requirements [re: By-Law Article I, Section 3.3] by active members and make determinations, based solely on circumstances, whether or not to grant relief;
- To review requests for leaves of absence [re: By-Law Article I, Section 3.4] by active members and make determinations, based solely on circumstances, whether or not to grant leaves;

- To determine eligibility of active members requesting transfer to exempt membership [re: By-Law Article I, Section 5] and granting said request if the members are eligible;
- To receive resignations [re: By-Law Article I, Section 10] from membership by members, determine if the resignation is in order and in compliance with By-Law Article I, Section 10, accept or reject the resignation and advise the member of such decision;
- To conduct an Annual Performance Review [re: By-Law Article I, Section 11] during the month of January of the performance of all active members [excepting probationary active members] and associate members during the previous calendar year, concluding the review no later than February 1<sup>st</sup>, following the procedures outlined in By-Law Article I, Section 11 in regards to this review;
- To review the performance of active members placed on six-month or one-year disciplinary probation status at the conclusion of such period, taking the action specified in By-Law Article I, Section 11.2.1 or Section 11.2.2, based on the members' performance;
- To review the performance of associate members placed on six-month or one-year loss of privilege status at the conclusion of such period, taking the action specified in By-Law Article I, Section 11.3.1 or Section 11.3.2, based on the members' performance;
- To hear appeals from applicants rejected and members dismissed, placed on disciplinary probation or incurring loss of privileges in accordance with procedures outlined in By-Law Article I, Section 12;
- To receive, investigate and rule on written charges by a member or members against a member or members, in accordance with the procedures outlined in By-Law Article VII, Sections 2 and 2.1;
- To hear appeals from members suspended, dismissed or otherwise disciplined as a result of charges in accordance with the procedures outlined in By-Law Article VII, Section 3;
- To receive, investigate and rule on charges against an officer for dereliction of duty, in accordance with the procedures outlined in By-Law Article II, Sections 5 and 5.1; and
- To hear appeals from officers removed or suspended from office in accordance with the procedures outlined in By-Law Article II, Section 5.2.

SECTION 3. *Duties of the By-Laws Committee.* The By-Laws Committee shall consist of at least five members in good standing. The chairman of the By-Laws Committee shall serve as Parliamentarian of NVFC. The By-Laws Committee shall:

- Review all proposed amendments to any articles of the constitution or by-laws of NVFC to ensure the procedures for submitting proposals are in complicity with Constitution Article IX, Section 1 and/or By-Law Article X, Section 1, and that such amendments, if and when adopted, are not in contradiction to or cause conflict in existing articles, and to consult with the authors of the proposals to insure proper language and intent;
- Be empowered to submit any and all proposed amendments to legal counsel for review;

- Within 60 days of receipt of a proposed amendment, present same at a regular meeting of NVFC in accordance with the provisions of Constitution Article IX, Section 2 and By-Law Article X, Section 2; and
- Possess no authority to withhold any proposed amendments from being submitted to the floor once all proper procedures have been followed but it may present an opinion on the implications or repercussions any amendments may have if and when adopted.

SECTION 4. *Duties of the Finance Committee.* The Finance Committee shall consist of five members in good standing, excepting the treasurer and assistant treasurer, who shall not serve on this committee. The Finance Committee shall:

- Monitor all cash inflows and outflows of NVFC's treasury;
- Formulate and standardize uniform procedures and documentation for reporting income and disbursements;
- Perform a quarterly review of such procedures and documentation;
- Receive directly, and unopened, all bank account statements and independently reconcile the accounts to the records of NVFC;
- Contract at least annually an audit of the finances of NVFC by an independent accountancy firm;
- Recommend bank accounts to be in force and which institutions to utilize for such accounts;
- Prepare an annual budget for the fiscal period of January 1<sup>st</sup> to December 31<sup>st</sup> and present to the membership-at-large of the December meeting prior to the start of the fiscal period;
- Develop and implement long-term budget and financial planning;
- Make recommendations to secure borrowed monies; and
- Perform other related duties as may be requested or ordered by the president.

SECTION 5. *Composition of the Nominating Committee.* The Nominating Committee shall consist of five members in good standing, with the following composition:

- Assistant Secretary of NVFC, who shall serve as Chairman;
- One line officer;
- One trustee; and
- Two members-at-large who do not hold any office.

SECTION 5.1. *Duties of the Nominating Committee.* The Nominating Committee shall be charged with the following responsibilities:

- Determine the eligibility of members seeking elective office at the conclusion of the term of office or when a vacancy occurs;
- Develop and generate a full slate of qualified candidates for elective office; and
- Encourage qualified candidates in the event no one voluntarily runs for a position.

## ARTICLE VI

### Management of Funds

SECTION 1. *Bank Accounts.* NVFC shall maintain at least an operating account, a capital reserve account and an investment account for the proper conduct of its financial matters. Deposits shall be made into the operating account for disbursement or for transfer to the capital reserve account and/or the investment account. All disbursements will require at least two signatures, with the president and the treasurer being the designated signers. The Finance Committee shall be charged with determining the accounts to be in force and which institutions shall be utilized, subject to approval by the membership-at-large.

SECTION 2. *Borrowing of Monies.* It may be necessary from time to time for NVFC to borrow funds, incur mortgages or otherwise secure monies above its current balances. Such determinations shall be made and recommended by the Finance Committee. All such contracts shall be co-signed by the president and secretary of NVFC. A two-thirds majority vote of members eligible to vote present at a meeting will be required to secure any financing.

## ARTICLE VII

### Standards of Conduct, Offenses and Discipline

SECTION 1. *Standards of Conduct.* All members of NVFC are expected to conduct themselves in a manner as to convey a positive image of NVFC, particularly when on NVFC property, at an official NVFC function or activity and when wearing identifiable NVFC clothing. Whenever a member fails to follow appropriate standards of conduct, action shall be taken to correct a current situation and to prevent further occurrences.

(a) The following are general guidelines regarding discipline of members. The procedures outlined may be followed at the discretion of NVFC depending on the circumstances and do not limit NVFC to discipline a member and do not limit the rights of a member to challenge disciplinary action against him/her.

SECTION 1.1. *Minor Offenses.* Minor offenses and the degree of discipline thereof depend in part upon the circumstances, such as the seriousness of the offense and the conditions under which the offense occurred. The procedures for the handling of minor offenses shall be as follows:

- First Step – A written warning by the supervising officer given to the offending member, with a copy forwarded to the Membership Committee for placement in the offending member’s personnel file.
- Second Step – A written reprimand by the supervising officer given to the offending member for violation of any NVFC policy for which he/she has already received a warning, and a corrective interview by the Membership Committee conducted, with a copy of the reprimand placed in the

offending member's file and a written record of the interview being given to the offending member and a copy of same placed in the offending member's file.

- Third Step – The next offense may result in suspension, dismissal or other disciplinary action at the discretion of the Membership Committee.

SECTION 1.2. *Major Offenses.* Major offenses shall be those that cause or may cause injury, harm or disrepute to NVFC or any of its members. Written charges [re: Section 2 below] must be filed in order for a member or officer to be alleged to have committed a major offense. Such offenses may hold proper cause for immediate suspension, dismissal or other disciplinary action depending on the circumstances and conditions and the nature of the offense, and shall include but not be limited to the following:

- Possession of illegal drugs on the premises of NVFC or in district vehicles;
- Carrying an illegal weapon on the premises of NVFC or in district vehicles;
- Committing any act of sexual harassment;
- Dishonesty or misrepresenting anything to NVFC or its officers;
- Failure or refusal to carry out orders or instructions from a superior;
- Falsification of information requested on NVFC records or documents;
- Obtaining membership on the basis of false or misleading statements;
- Disorderly or immoral conduct [defined in the NVFC Handbook] on the premises of NVFC or in district vehicles;
- Reckless or negligent behavior [defined in the NVFC Handbook] that causes or may potentially cause harm or damage to NVFC property, district vehicles and equipment, the property of others or other persons;
- Unauthorized use of, removal of, theft of/from or intentional damage to NVFC property, district vehicles, a member or third party;
- Threatened or actual physical violence;
- Extreme profanity or abusive language;
- Violation of an established safety regulation; and
- Arrest of, filing of a criminal complaint against or return of an indictment against a member, or the conviction of a member of a criminal offense.

SECTION 2. *Filing of Charges.* Charges against a member or members or an officer or officers by a member or members or an officer or officers shall be in writing, stating the nature of the offense, the date, time and location of the offense and any other information pertinent to the complaint and submitted to the vice-president no more than five days following witness to the alleged offense.

SECTION 2.1. *Actions of the Membership Committee.* No more than 72 hours following receipt of written charges, the vice-president shall convene a meeting of the Membership Committee, which shall create a case file on the allegation(s), investigate the allegation(s) and determine an appropriate course of action regarding the allegation(s) including but not limited to interviewing the complainant, the accused and other persons pertinent to the case and the necessity to involve other appropriate agencies. The

Membership Committee may suspend, dismiss or take other disciplinary action against a charged member or take no action at all. The Membership Committee shall resolve the case as expeditiously as possible. At the regular meeting after reaching a disposition of the case, the Membership Committee shall make a report to NVFC of all matters regarding the case except in cases in which the matter may be sensitive to any persons involved, in which situations the Membership Committee will not be required to make a report. All correspondence with the accused member(s) for the duration of the case in regards to the case up to and including the final disposition shall be by certified mail.

SECTION 3. *Appeal of Disciplinary Action.* A member suspended or dismissed from NVFC or disciplined in any matter as a result of findings by the Membership Committee shall reserve the right to appeal such action by notifying the vice-president in writing sent by certified mail dated no more than ten days following receipt of notice of such action. If the evidence and arguments presented by the member result in a reversal of the Membership Committee's initial findings, then the process of suspension, dismissal or disciplinary action shall be abandoned and the member shall return to the status he/she held at the time the process began, including membership status and offices held if the member had to relinquish an office as a result of the case. Should the evidence and arguments presented by the member not result in a reversal of the Membership Committee's initial findings, then the process of suspension, dismissal or disciplinary action shall stand and the appeal process shall be concluded. The member reserves the right to challenge the findings through arbitration [re: Constitution Article XI].

## **ARTICLE VIII**

### **Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern NVFC in all cases to which they are applicable and in which they are not inconsistent with the Constitution and By-Laws of NVFC and any special rules of order NVFC may adopt.

## **ARTICLE IX**

### **Miscellaneous Provisions**

SECTION 1. *Death of a Member.* Upon the death of any member, the deceased member's name shall be placed on the Memorial Plaque and the firehouse shall be draped in black bunting for a period of ten days. Services shall be conducted if the family wishes. Members attending services shall be in full dress uniform if participating in the services with, and as a representative of, NVFC.

SECTION 2. *NVFC Handbook.* A handbook shall be published with the purposes of further defining the by-laws as contained herein and providing direction in areas of dispute, to establish specific training regulations for probationary active members, active members and fire line officers, and to establish rules of conduct and

behavior around the station, at NVFC functions and while acting as a representative of NVFC. The NVFC Handbook shall be maintained by the executive officers, trustees and line officers and a minimum of thirty days notice of any changes within the NVFC Handbook shall be given to affected members before such changes are to take effect.

SECTION 2.1. *Interim Responsibility of NVFC Handbook.* Upon adoption of these by-laws through December 31<sup>st</sup>, 2004, the By-Laws Committee will maintain responsibility for the continuing development and implementation of the NVFC Handbook. Changes, additions and deletions will be submitted to the membership-at-large for approval during this period. The executive officers, trustees and line officers shall assume responsibility for the NVFC Handbook effective January 1<sup>st</sup>, 2005, as established in Section 2 above.

## **ARTICLE X**

### **Amendments to the By-Laws**

SECTION 1. *Submitting a Proposed Amendment.* A proposed amendment to the by-laws shall be submitted in writing and signed by no less than five members in good standing and submitted to the By-Laws Committee for examination and, if deemed necessary, review by legal counsel. The By-Laws Committee shall report at the regular meeting following receipt of a proposed amendment to the by-laws that it has received a proposal, stating the nature of the proposal and that the proposal is in process.

SECTION 2. *Readings of the Proposed Amendment.* No more than sixty days from the date of receipt, the By-Laws Committee shall present the proposal at a regular meeting of NVFC, thus constituting the first reading of the proposal, after which discussion of the proposal will be open to the floor. The proposal shall be presented again at the next regular meeting of NVFC, constituting the second reading of the proposal, after which discussion of the proposal will be open to the floor. The proposal shall be presented once again at the next regular meeting of NVFC, constituting the third and final reading of the proposal, after which discussion of the proposal will be open to the floor.

SECTION 3. *Voting on the Proposed Amendment.* Following the third reading and a determination by the chair that all discussion on the proposal has concluded, the proposed amendment to the by-laws shall be voted on by ballot. A secure area for voting shall be set up in the front of the meeting room, where each eligible member in good standing wishing to cast a ballot can vote in private. The proposed amendment shall be adopted if it receives a two-thirds affirmative vote of those members in good standing present, with a minimum of fifteen members in good standing being present and voting.

SECTION 4. *Notification of Members.* All members in good standing shall be notified no less than ten days prior to the scheduled date the vote is to take place on the proposed amendment. Notification shall be made by regular mail.