



Constitution and By-Laws
Of the
HUDSON VOLUNTEER FIRE DEPARTMENT

Passed and approved: October 3, 2011

Signed: President *Robert Smith*
Robert Smith

Secretary *Caleb Ramsey*
Caleb Ramsey

Constitution and By-Laws

Of the

HUDSON VOLUNTEER FIRE DEPARTMENT, INC.

WHEREAS certain laws and regulations are necessary for the good order and well being of all Associations in order to define duty, to establish discipline, the maintenance of harmony for the full promotion of the object for which we are associated together, we do ordain and adopt the following Constitution and By-Laws for our regulation and government, and do hereby pledge Ourselves to cheerfully submit to the legally expressed will of the majority, and to support our Officers in the discharge of their duties.

Article I

Section 1: The name of this Department shall be the Hudson Volunteer Fire Department, Inc.

Section 2: The object of the Department shall be the saving of lives and the protection of property endangered by fires and other disasters and to promote the teaching and practice of fire prevention and protections.

Section 3: The following Holidays will be observed if they fall on a regular meeting night: Christmas Eve, Christmas Day, Halloween, Independence Day, Labor Day, Memorial Day, New Year's Eve, New Year's Day and Veteran's Day. If one of these Holidays falls on the day of a regular business meeting, that business meeting will be held the following meeting night. Monday's after an approved Department Holiday falling on a Sunday will be observed.

Section 4: Robert's Rules of Order shall be the Parliamentary Authority for Hudson Volunteer Fire Department, Inc.

Section 5: A quorum shall consist of the President or Vice President and Seven (7) voting members.

Section 6: This Department shall have a Board of Directors, which will consist of all seven (7) elected Officers. This board shall have the authority to spend money for emergencies or repairs when one Officer from the Executive and one Officer from the Firefighting branch deem it necessary to do so. This Board shall also have any other authorities as may be included in this Department's guidelines. An assistant Secretary and or an assistant Treasurer appointed by the President shall have full authority to participate in Board meetings when the elected Secretary or elected Treasurer is absent

Article II

Section 1: The Officers of this Department shall consist of a President, Vice-President, Secretary and Treasurer forming the Executive Administration; a Chief, Assistant Chief and Fire Marshal, which will form the Firefighting Administration. The Chiefs shall appoint a Safety Officer.

Section 2:

- A. An annual election of Officers will be held during the first business meeting in December. Anyone in the Hudson Fire Department must be a member for a minimum of six months before he or she can be nominated, appointed or elected to any office. In order to form a more perfect unification of the likes and dislikes of the voting members of the Hudson Fire Department, the election proceedings shall be conducted as follows:
- B. The Secretary of the Hudson Fire Department shall provide a secure drop box in an accessible location within the Fire Department for early nominations of elected Officers to be placed. Nominations will be opened during the regular November business meeting, and will cease at the beginning of the regular business meeting in December. The person making the nomination should provide the first and last name of the nominee, and the position for which they are nominating them for. A nomination can be made by another member of the Department, or by the member themselves.
- C: After nominations have ceased, the Secretary shall provide the President, in written format, the list of nominees and the position they were nominated for at which time the list will be read by the President to the Department in order by position. The President will then entertain a request for anyone wanting to withdraw his or her name from the nominee list and the persons may do so at that time. Incumbents do not require a nomination. All incumbents will automatically be entered in as a nominee unless the incumbent withdraws his/her name.
- D. Officer elections will be conducted in order as follows: Chief, Assistant Chief, President, Vice President, Secretary, Treasurer and Fire Marshal. Before each vote, of each Officer, The President shall once more open the floor for verbal nominations. If there are no more nominations then a motion for "nominations to cease" shall be made. After nominations have ceased then a ballot shall be handed out to each eligible voting member. The member must write in his or her candidate of choice for the position being voted on, and then all ballots will be collected and counted. If there are no opposing nominees for a position being voted on then a motion to vote by acclamation can be made.

- E. Counting of the ballots will be conducted at the end of each vote, for each position, by the current Fire Department Officers, with at least two of the six Officers present.

- F: Those nominees receiving a vote of more than fifty percent (50%) for their perspective Position will be declared the winner, and the announcement will be made by the President at the conclusion of each individual Officer voting process.

- G: In the event of a tie, or if no candidate receives 50% of the vote, the two nominees with The highest percentage of votes will be reentered on a separate ballot, and another vote will be taken. In the event of a tie, on the second vote, the nominees will be asked to draw numbers from a hat, for a tie breaker, in the event that there is a second tie. The nominees names will be reentered on a separate ballot and a third vote will be made. If at that time the vote results in a tie, the nominee with the lowest number drawn will win the position that he/she was nominated for.

- H. On completion of the voting process all nominee slips and voting ballots will be placed in a folder and kept on file for approximately 5 years. After five years, the newest file will be placed in the file cabinet, and the oldest will be destroyed. All files are public record, and can be accessed at any time, by any member, by contacting one of the Officers of the Hudson Fire Department.

Article III

Section 1: It shall be the duty of the President to preside at all meetings of the Department; He/she shall sign all minutes, resolutions, orders and summons of the Department, as well as these By-Laws and Amendments thereto. He/she shall appoint all Committees and Officers not otherwise provided for. He/she shall hold, as trustee for the community of Hudson, Texas, title to all property belonging to, used by, or in possession of the Department and shall execute all conveyances of such property as such trustee with approval of 3/4ths of all members present at regular business meetings. He/she shall do such other and further things as the Department may direct. He/she shall have the authority to fine any member in the amount not to exceed one dollar (\$1.00) for misbehavior or misconduct during any meeting of the Department.

Section 2: The Vice President shall act and have all authority of the President, in his/her absence, and shall do such other and further things as the Department may direct.

Section 3: It shall be the duty of the Secretary to keep a record of all Department business. He/she shall keep a current roster of all Fire Department personnel as well as any other correspondence necessary to the function of this Department.

Section 4: The Treasurer shall keep an account of the Department's finances. He/she shall have the authority to collect all monies due the Department, make all disbursements due and keep an accurate record of the same. He/she shall render monthly and annual reports of all monies received and disbursed throughout the previous year and submit his/her books to the proper committee at least 1 week before the annual meeting to elect Officers.

Section 5: Due to the amount of work involved in the position of Secretary and Treasurer, an assistant Secretary and or assistant Treasurer may be requested by the elected Secretary and or the elected Treasurer. The assistant Secretary and or assistant Treasurer must be approved by the President and the assistant must be an active A or reserve B member of the Department. The assistant Treasurer will not have any authority over financial matters.

Section 6: Both the Secretary and the Treasurer shall transfer all books, papers, stocks or other collateral belonging to the Department within 1 week after the termination of his/her office.

Article IV

Section 1: It shall be the duty of the Fire Marshal to see that periodic inspections of the public and commercial buildings of the community be made for the purpose of furnishing the members of the Department with the necessary information to provide improved firefighting practices and for the purpose of active fire prevention. He shall be responsible for the investigation of all fires and submission of fire reports to the proper authorities.

Article V

Section 1: It shall be duty of the Fire Chief to assume full charge of all members, apparatus and equipment, while on parade, at drills, at conventions and at fires or other emergencies requiring the service of the Department. He shall have the right to call out any and all members and apparatus for any purpose incidental to this office. He shall assume full responsibility for all fire equipment and see to its proper care and maintenance. It shall be his responsibility to recommend the purchase of new equipment. He shall see that adequate training programs are conducted in the Department and shall acquaint himself with all new firefighting methods by attending fire schools, drill and conferences. He shall recommend the purchase of suitable training manuals, text books and other instructional material. He shall see that proper discipline is maintained in the Department.

Section 2: It shall be the duty of the Chief to see that a proper record is kept of all fires: the hour and date, the type of occupancy, the name and owner or tenant, the amount of insurance carried and the insured loss paid, the type of building construction, where the fire originated, the extent of its spread and how it was extinguished.

Article VI

Section 1: The Assistant Chief shall be under the order of the Chief, and in his absence, shall succeed to this duties and authority.

Section 2: The Chief and Assistant Chief shall have the authority to appoint as many Captains and or Lieutenants as necessary to maintain adequate leadership of this Department during emergency calls. Any and all of these appointed Officers must be approved by majority vote of the Board of Directors, and shall maintain their position as long as necessary, until the Board votes to change them.

Article VII

Section 1: Any person who has attained the age of Eighteen (18) years and who is in good physical condition may apply for membership into the Hudson Fire Department and will become a member of the Hudson Fire Department after completing all of the following five (5) requirements in the order that is listed in these By-Laws.

- A. Provide the elected Officers with a completed application for membership.
- B. Provide the elected Officers with a complete criminal history at the applicant's expense. This report will be refunded only after the applicant has received a favorable vote from the members of the Fire Department and being placed on the B list. If the applicant does not complete the application process or does not receive a favorable vote from the members, this report shall not be refunded.
- C. Receive a favorable report from the Investigative Committee.
- D. Complete an interview process with the elected Officers of the Hudson Fire Department.
- E. Complete a Ninety (90) day probation period.

Section 1, Sub section A: Any applicant who holds a minimum certification of Basic Firefighter from the Texas Commission on Fire Protection (TCFP) or Basic, Intermediate or Advanced Firefighter from the State Fireman & Fire Marshal's Association (SFFMA) or has been a member in good standing with another Fire Department for no less than three (3) years (any of these shall be verified by the Investigative Committee) shall complete the following five (5) requirements in the order listed in these By-Laws.

- A. Provide the elected Officers with a complete application for membership.
- B. Provide the elected Officers with a complete criminal history at the applicant's expense. This report will be refunded only after the applicant has received a favorable vote from the members of the Fire Department and being placed on the B list. If the applicant does not complete the application process or does not receive a favorable vote from the members, this report shall not be refunded. Receive a favorable report from the Investigative Committee.
- C. Complete an interview process with the elected Officers of the Hudson Fire Department
- D. Complete a Thirty (30) day probation period.

Section 1, Sub-section B: All applications shall contain the endorsement of at least two (2) active Firefighters. The application shall be read by the Secretary of the Hudson Fire

Department at the first (1st) regularly scheduled business meeting of the Hudson Fire Department following the date of filing, and shall not be voted on until all requirements listed in Article VII, Section 1 or Article VII, Section 1 Sub-section A of these By-Laws has been completed.

Upon completion of all requirements the prospective applicant's application shall be voted on by the members present at the next regularly scheduled business meeting. A secret ballot shall be taken and if the applicant receives two-thirds (2/3) votes, he/she shall be declared a probationary firefighter/member of the Hudson Fire Department and shall be placed on the B list. The probationary firefighter shall remain on the B list until the completion of either a self paced introductory firefighting course or an introductory firefighting course on-line or at Angelina College equivalent to the standards of the State Fireman & Fire Marshal's Association (SFFMA) and a class B Texas driver license has been obtained by the probationary firefighter at which time the elected Officers of the Hudson Fire Department vote to move him/her to the A list.

No member on the B list shall be eligible to vote on any matter or run for an elected office within the Hudson Fire Department until she/he has been placed on the A list. The issuance of any and all equipment and the operation of any fire apparatus shall be approved by the Fire Chief. Upon a favorable vote from the members of the Hudson Fire Department the probationary firefighter shall be assigned a member sponsor for the period of one (1) year from the date the member was voted into the Department. The member sponsor shall be appointed by the Fire Chief. All members of the Hudson Fire Department shall abide by a written contract which must be signed by all seven (7) of the elected Officers and the probationary firefighter upon being voted into the Department.

Section 1, sub-section C:

Hudson Volunteer Fire Department, Inc
Explorer Program

Whereas a general decline in volunteer firefighters has been noticed across the United States and in our area as well, the Hudson Volunteer Fire Department has seen the need to open up the Explorer program to the youth of our community in hopes of providing trained personnel for years to come.

This updated version of the Explorer program will not grandfather any current members. All Explorers both current and future will fall under these guidelines.

The Explorer program will maintain not more than 10 members in the program and the Explorers must be between 14 and 17 years old. Dependents of active fire department personnel are automatically accepted regardless of the total number of junior members currently on hand. Upon their 18th birthday, Explorers will become a "B" list member of the Department after receiving a majority vote of the members present during a regular business meeting. Explorers must maintain at least 1 year of consistent participation before being eligible for vote into the Departments regular membership.

The explorer program will be overseen by a Captain of the Explorers which will be a qualified full time member of the Hudson Fire Department with at least 3 years firefighting experience. The Captain of the Explorers will have a minimum basic certification from either the State Firemen and Fire Marshal's Association or the Texas Commission on Fire Protection. It is the responsibility of the Captain of the Explorers to notify the Department Secretary of new explorers as well as any explorers that are dropped from the program.

The Captain of the Explorers will be appointed by the Fire Chief. The Captain of the Explorers may appoint an assistant to help with paperwork and to help with training. Any assistant appointed to help with training must hold at least a basic certification from SFFMA or TCFP.

The Captain of the Explorers will be responsible for implementing and overseeing a structured training program for the explorers and will also be responsible for the explorers when they participate in any department function that does not pertain to firefighting, ie: fundraisers, parades, family night..

Explorers shall have a signed parental consent form on file releasing the Hudson Volunteer Fire Department from any liability arising from the explorers participating in the program.

A guideline of rules will be maintained separate from the Hudson Fire Department By-Laws to govern the explorer program. The guidelines may be modified by a simple majority vote of the membership present during a regular business meeting. The modification offered to be changed, added or deleted shall be presented to the members and after any discussion may be voted on.

Section 1, Sub-section D:

Hudson Volunteer Fire Department K-9 Search and Rescue members and City of Hudson Police Officers seeking membership with the Hudson Volunteer Fire Department shall be exempt from obtaining a criminal history background check. If at any time the City of Hudson, and or, HFD K-9 Search and Rescue no longer require a background check, the applicant will be required to obtain one from Texas Department of Public Safety.

Section 1, Sub-section E:

The criminal history background referenced in Article VII, Section 1, Paragraph B and Article VII, Section 1, Sub-section A, Paragraph B will be from the agency in use by the department at the time and shall include a State of Texas and Federal background check.

Section 2: Any member may submit a written request for a leave of absence to the elected officers of the department. Members may request a leave of absence from 2 months to 6 months. Granting a leave of absence will be considered on a case by case basis. A request for leave of absence must be approved by a majority vote of the elected officers. Once approved, the member will be required to turn in any fire department property requested by the Chief or Assistant Chief of the department. Section 3 of this article will not apply to those members on an approved leave of absence.

Section 3: Members are required to maintain an active status within the department. The department recognizes the unique contribution of each member, and as such the following guidelines will define active membership. Active membership can be defined as attending at least 15% of emergency calls, attending at least 50% of regularly scheduled business meetings of the department, or attending 33% of other approved functions. Approved functions include training, equipment checks, public service events, etc. These criteria will be based upon the previous 6 months from the time of review. A review may be conducted by the elected officers of the department. Meeting any one of the previous three criteria will maintain a member's active status with the department. Failure to meet any of the previous three criteria will cause the member to be placed on the inactive list. A member who has been placed on the inactive list will be notified as such by the Secretary of the department, and immediately placed on a probationary status for a period of 4 months. Members wishing to return to an active status must meet at least two of the previous criteria within the 4 month probationary period. Upon the end of the probationary period, the elected officers of the department will review the member's participation. If the member has not met the criteria to return to an active status, the member will be dropped from the roles of the department and will be required to return all department owned property. A member who meets the criteria will be reinstated as an active member of the department. Any member on a 4 month probationary period will not have the power to vote at any meeting of the department.

Section 4: In case of dismissal, expulsion, resignation, total disability or death of an active member, the Secretary shall, in writing, certify such facts to the Executive Committee and other authorities, who, for legal purposes, are furnished a roster of the Department.

Section 5: Any member whose name has been dropped from the rolls shall deliver any property belonging to the Department which he may have in his possession to any Officer of the Department.

Section 6: Any member who reports for duty at a fire, drill or parade in the state of intoxication shall be subject to expulsion from the Department.

Section 7: Any Officer or member of the Department who knowingly fails to report an intoxicated member as provided in Section 6 shall be fined the sum of one dollar (\$1.00).

Section 8: Disciplinary Review Board

- A. The disciplinary review board shall consist of the seven (7) elected officers of the Hudson Volunteer Fire Department.
- B. Any member of the Hudson Volunteer Fire Department may submit a formal written complaint to the President against any member for any action the complainant deems to be conduct unbecoming. Likewise, violations of the by-laws and/or Standard Operating Procedures may be submitted in a formal written complaint to the President. A citizen may also submit a formal written complaint against any member.
- C. The President shall provide a copy of the complaint to the member whom the complaint is regarding within thirty (30) days to allow time for rebuttal formulation.
- D. A formal hearing in front of the review board shall be scheduled with due regard for the convenience of all involved within thirty (30) days.
- E. The disciplinary review board shall attempt to hear all parties involved.
- F. After testimony has concluded, the disciplinary review board shall meet to determine any further action. A majority of the review board must agree to the appropriate disposition of the complaint.
- G. The member who is being reviewed shall be notified within fourteen (14) days as to the disposition of the complaint.
- H. The disciplinary review board shall have the power to administer any of the following.
 - a. No action
 - b. Written reprimand
 - c. Suspension up to six (6) months
 - d. Dismissal
- I. In the event the disciplinary review board rules that a member be dismissed, the ruling shall be brought before the department as a whole. The dismissal shall be voted on by the members of the department. A vote of two-thirds (2/3) is required to dismiss the member from the department.
- J. If the disciplinary review board rules that a pattern of invalid complaints is arising from a member, the review board may take afore mentioned action against the party submitting a formal complaint.
- K. In the event a formal written complaint is submitted against an elected officer, the remaining elected officers shall form the review board.

Section 9: A Standard Operating Procedure shall be established by the Fire Chief and the Assistant Chief of the Hudson Fire Department. The S.O.P.'s shall be separate from the Constitution and By-Laws of the Hudson Fire Department. The S.O.P. need only be presented at the next regularly scheduled business meeting by the Fire Chief or the Assistant Chief in the Chief's absence to become in effect. If at any time an S.O.P. becomes out of date, obsolete or if the S.O.P. is unnecessary any member of the Hudson Fire Department may recommend at the next regularly scheduled business meeting to have the S.O.P. changed or removed. This can be accomplished with a majority vote of the voting members present.

Article VIII

Section 1: The following standing Committees shall be appointed by the President to serve a term of one year. Committees will be made up with anyone wishing to volunteer and the first named member for each Committee shall serve as Chairman;

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|----------------------------|----------------------------|--------------------|
| 1. Finance Committee | 3. Entertainment Committee | 5. Grant Committee |
| 2. Investigating Committee | 4. Fundraising Committee | |

Section 2: It shall be the duty of the Finance Committee to audit the Treasurer's records including deposits and disbursements. The Chairman shall report the findings to the members during the December business meeting.

Section 3: It shall be the duty of the Investigating Committee to investigate the character, physical condition and other eligibility requirements for membership applicants of the Hudson Fire Department. Their findings will be reported to the Department at the next regularly scheduled business meeting of the Hudson Fire Department. Any member of the Department who makes public the findings of this Committee, upon being found guilty, shall be dismissed from the Hudson Fire Department.

Section 4: It shall be the duty of the Entertainment Committee to arrange all programs conducted for the entertainment of the members of the Department. The Chairman may recruit as much help as needed to ensure successful events.

Section 5: It shall be the duty of the Fundraising Committee to oversee and arrange all fundraising projects sponsored by the Department. The Chairman may recruit as much help as needed to ensure successful events.

Section 6: It shall be the duty of the Grant Committee to seek out grants that may be available to the Department. The Grant Committee shall report back to the members about any grants that can be applied for and shall be responsible for submitting the grants and providing any necessary documentation to the Grantor that may be necessary to secure the grant(s).

Article IX

Section 1: Any proposed amendment to this Constitution and By-Laws shall be presented at any regular scheduled business meeting by any member filing in writing to the Secretary of the Department the amendment offered to be voted. The Secretary shall make copies and distribute to each voting member present. The proposed amendment will be passed out again at the next regular scheduled business meeting and after any discussion will be voted on. The proposed amendment must receive at least a 2/3rd majority vote of the voting members present during the second business meeting to become a part of the Constitution and By-Laws.

Article X

Section 1: These rules may be suspended at any business meeting by a vote of two-thirds (2/3) of the members present.