

Constitution and By-Laws
Of
The White House Community Volunteer Fire Department, Inc.

Adopted: June 18, 1981
Amended: August 16, 1989
Amended: August 09, 1993

PREAMBLE

This document shall be the revised Constitution, By-Laws and General Rules of this Organization.

ARTICLE ONE

Objective of the Company

Section I **Name:** The name of the company shall be the White House Community Volunteer Fire Department, Inc. (a non-profit corporation chartered in the State of Tennessee.)

Section II **Purpose:** To render protection from fire to the people and property of the unincorporated communities and rural areas surrounding White House. To respond to emergency situations and provide valuable public service for the betterment of the said area and communities.

ARTICLE TWO

Section I **General Boundary:** Shall be the area of eastern and southern Robertson County, and western Sumner County; not covered by other organized fire departments.

Section II **Mutual Aid Boundary:** Shall include those surrounding areas that might request aid from this department.

ARTICLE THREE

Meetings

Section I **Monthly Business:** All members shall assemble on the second Monday night of each month at 7:00 pm for the regular monthly business meeting. The date and/or time for the monthly business meeting may be changed at the discretion of the Chief.

Section II **Departmental Training:** Training sessions will be every fourth Monday night at 6:30 pm each month. Special training drills may be called at the discretion of the Chief or the Department training officer.

Section III **Special Meetings**

- A Special meeting may be called by any elected officer of the department.
- The first order of any special meeting shall be to demonstrate that at

least two-thirds of the active membership were notified of the meeting and the subject/subjects to be discussed.

Section IV **Expenditure of Company Funds (purchases)**

- All receipts for the purchases, cash or charge, shall be turned over to the Treasurer as soon as possible.
- All major purchases must be approved by a majority vote of the active members present at a monthly or special business meeting.

Section V **Loan or Lease Agreements**

- A loan or lease agreement must receive a majority vote in the affirmative at a regular or special called meeting.
- The Chief and Secretary/Treasurer shall enter into the agreement with the lending institution and sign such agreement on behalf of the department.

ARTICLE FOUR
Membership

Section I **Basic Qualifications:** Any person who has physical ability and willingness to attain membership may be a member. Acceptance of any membership status entails the faithful fulfillment of all instructions given by superior officers.

Section II **Types of Memberships**

- **Probationary:** An applicant for membership shall first attain Probationary membership status as a prelude to any status except Associate membership. A Probationary member may not vote, or accept the responsibilities and hazards of high risk situations, such as (but not limited to) entering burning buildings. With these exceptions, a probationary member shall have all other rights and duties of an Active member.
- **Active:** Any person who has passed beyond probationary status may become an Active member. An active member may vote, qualify to operate major departmental equipment, and accept the hazards and responsibilities of high risk situation. Active members are expected to respond to all emergency situations, and attend all meetings and drills, (both special and regular) unless excused by an officer of the department.
- **Associate:** Any person who supports the goals and activities of the department, but who either does not wish to, or is unable to attain probationary and active membership status may become an associate member. An Associate member may attend meetings with a voice in what is said, but may not vote; and may offer service in any other non-firematic way.

Section III **Attainment of Membership**

- Probationary: In order to become a probationary member, an applicant must:
 - Be eighteen years old.
 - Submit a signed application on proper departmental form.
 - Receive a majority vote in the affirmative from those voting on his/her application.
 - Attain active status within six months or be dropped from the rolls of the department.
- Active: In order to become an Active member, a candidate must;
 - Be a Probationary Member.
 - Be recommended for active membership status.
 - Receive a majority vote in the affirmative from the active members voting; but in no case shall a person become an Active member if three or more members vote against them. In the event a candidate for Active membership is rejected that person may not be considered for such a status again for at least 30 days.
- Associate: To become an Associate member.
 - Be recommended by an active member.
 - Receive a majority vote in the affirmative from the active members voting.

Section IV **Maintenance of Membership**

In order to retain Active membership status, a member must comply with the duties as outlined in Article Eight; except if a member shall be absent from more than three regularly scheduled drills and/or meetings in any six month period without proper excuse from the Chief or Asst. Chief, then the secretary shall transfer his/her name to the probationary roll and that person shall become a Probationary member roll and that person shall become a Probationary member.

ARTICLE FIVE

Officers and their Qualifications

- Section I The Department shall be directed, operated, and/or administered by the following officers to be elected by a majority of the active members attending the election meeting, for the term of one year. No individual may hold two or more elective offices simultaneously. Every elected officer must be an Active member at the time of his or her election.

- Section II Officers to be elected are:
- Chief of Department
 - Assistant Chief Of Department
 - District Chief (One for each Station)
 - Captain (One for each Station)
 - Lieutenant (One for each Station)
 - Secretary
 - Treasurer

Section III Special Officers: The chief may appoint committee Chairpersons and other Special Officers such as Engineer and Safety Officers to fulfill the administrative and/or field tasks of the Department.

Section IV All Candidates for Officer positions must have been an Active member for at least twelve months.

ARTICLE SIX Election of Officers

Section I **Annual Elections:** The officers of the department shall be elected during the monthly business meeting in June of each year.

Section II **Special Elections:** In order to fill vacancies as they occur, special election may be held during any monthly business meeting provided that thirty days notice of such election has been given to the active members.

Section III **Sequence of the Election:** Officers shall be elected in the same sequence in which they appear under Article Five, Section Two and Three of this document.

Section IV **Nominating Procedure:** In May of each year, the Chief shall appoint three active members to serve on as a nominating committee. This committee shall review eligible members and select at least one qualified candidate for each elective office who accepts the nominations. Nomination shall also be accepted from the Active members at the monthly business meeting in June.

Section V **Voting Procedures**

- Election to office shall be by majority vote of the Active members present.
- In the event no nominee obtains a majority vote, the department shall vote again on the two nominees that received the largest number of votes in the first ballot.
- If a tie vote is evident, the Department shall vote again. If a tie vote is still evident, the Chief-elect shall decide the vote in favor of one of the candidates.
- Installation of the new officers shall be held during the first part of the monthly business meeting in January of each year.

ARTICLE SEVEN
Duties of Officers

- Section I **Chief** shall be responsible for the overall business operations of the Department and shall have full charge at all fires and comparable emergencies.
- Preside at all meetings.
 - Preserve order at all times.
 - Decide all points of order that may be raised.
 - Delegate authorities to members as may be deemed necessary.
 - Appoint all committees as may be deemed necessary.
 - See that every member performs his/her duties properly, and, when necessary, suspend from any and all such duties any member unable or refusing to perform the same adequately.
 - Relieve members from fire or emergency duties upon reasonable request to be excused, and automatically excuse members from drills or meetings due to conflict with members job or family illness.
 - Obtain a discharge from each fire of emergency scene as soon as possible.
 - Establish and enforce such safety rules as he may deem necessary.
 - Authorize the issuance of volunteer fireman license tags and red light permits.
 - Maintain and enforce the Departments Standard Operation Procedures
- Section II The **Assistant Chief** shall;
- Aid the Chief in his duties as he may direct.
 - In the absence of the Chief, Officiate as Chief.
 - Be the second in the chain of command at fire scene.
- Section III The **District Chief** shall;
- See that every member performs his/her duties properly, and, when necessary, suspend from any and all such duties any member unable or refusing to perform the same adequately.
 - Relieve members from fire or emergency duties upon reasonable request to be excused, and automatically excuse members from drills or meetings due to conflict with members job or family illness.
 - Obtain a discharge from each fire of emergency scene as soon as possible.
 - Establish and enforce such safety rules as he may deem necessary.
 - Be Responsible for fire cause determination for incidents in thier district.
- Section IV The **Captain** shall;
- Perform those duties as direct by the Chief or Assistant Chief
 - In the absence of the Chief or Assistant Chief, act as Chief
 - Be third in the chain of command.
- Section V The **Lieutenant** shall;

- Perform those duties as directed by a superior officer.
- In the absence of the Chief, Assistant Chief or Captain, act as Chief.
- Be fourth in the chain of command.

Section VI **Secretary** shall;

- Keep a true record of the proceedings of the Department, and at each meeting read the minutes of the preceding meeting and give a current financial report.
- Keep a correct roll of the Department.
- Keep on file all papers relating to the business of the department.

Section VII **Treasure** shall;

- Keep a regular account of all moneys received and expended by the Department.
- Present a year end fiscal report of the total receipts and disbursements during the year and balance the remaining on hand.
- Perform such other duties as the Chief may from time to time deem necessary, included submission of accounts for audit by a committee appointed by the Chief.

Section VIII **Senior Fireman**: A member whose length of service to the department exceeds all other members present at a time when no elected officer is present shall be known as the Senior Fireman and shall be fifth in the chain of command at a fire.

ARTICLE EIGHT Duties of the Members

All members shall, at all times, conduct themselves in an acceptable manner commensurate with the responsibility they accept as a Volunteer Firefighter.

Section I **Active Members** shall;

- Respond to all alarms, drills, and meetings and perform those duties as assigned by the person in charge.
- Assume those duties and responsibilities as may become necessary as Senior Fireman.

Section II **Probationary Members** shall;

- Undergo a specific period of training as designated by the Chief.
- Respond to all alarms, drills, and meetings and perform those duties as assigned by the person in charge.

ARTICLE NINE
Discipline-Board of Inquiry

- Section I When and by Whom;
- Any Active member may call a Board of Inquiry by written request to the Chief. Such request must include:
 - Date and description of the incident.
 - Person or persons involved, including witnesses
 - The Chief must call a Board of Inquiry if:
 - An incident occurs which causes severe damage to departmental property. The Chief shall be the sole judge as to what is “severe”.
 - An incident occurs which involved more than minor injury to any fireman. The Chief shall be the sole judge as to what is “minor”.
 - He receives a written request containing the information outlined in A of this Section.
- Section II How It’s Made Up;
- The Chief (or ranking officer in the order of election, if the Chief is not available) shall choose the Board of Inquiry from the Active members. Such Board shall consist of:
 - One elected officer
 - Two members at large.
 - The Chief shall appoint any one of the three members to be the chairperson and that member shall be responsible for maintaining order at all meetings of the Board of Inquiry.
- Section III Purpose: The purpose of the Board shall be as follows;
- To determine the facts of the incident as objectively as possible and within a reasonable amount of time.
 - To take corrective action to see that the negative aspects of the situation do not reoccur. To do this the Board shall be empowered to take whatever disciplinary action it may deem necessary against any member before it, up to and including dismissal from the department; or make whatever rules of safety it may feel necessary.
- Section IV Rules and Procedures of the Board of Inquiry.
- Any and all charges must be presented in writing to the person (‘s) being charged at least fourteen days prior to the meeting of the Board.
 - The Board of Inquiry must be objective and fair in its consideration. It must hear testimony as to factual occurrences and arguments from both sides as follows: In the presence of the person (‘s) making the charges and the person (‘s) being charged, the Board must:
 - Hear the charges as read by the person (‘s) making

them.

- Hear the facts as may support or refute those charges.
- Examine any other material or other evidence it may see fit to determine the facts of the case.
- Witnesses shall be heard one at a time and shall not be present in the Board's meeting except as required to give testimony.
- Questioning of those appearing before the Board shall be as follows:
 - All questions shall be presented by the Chairperson of the Board or the other members on the Board.
 - Additional questions from the person ('s) being charged and/or the person ('s) making the charges shall be presented to a member of the Board in writing and actually asked of the witnesses by the Board member.
- In closed meeting, the three members of the Board of Inquiry shall:
 - Decide if the charges as read and presented to the Board are true or false.
 - If the Board decides the charges are false their decision shall be announced immediately, and no further action shall be taken.
 - If the Board decides that the charges are true, they must go on to decide what, if any, disciplinary action are appropriate; or they must then announce such measures to the person('s) affected and adjourn.
- All decisions of the Board shall be by Majority vote.
- No minutes of the Board meeting shall be taken.
- A written report of the findings of the board must be presented to the membership at the next monthly business meeting.
- All true or false decisions and disciplinary action and safety rules made by the Board are final except as respects of Section Five of this same Article.

Section V The Right of Appeal: Any member of the department may have the decision of the Board of Inquiry set aside and ask for a new Board of Inquiry by:

- Presenting the Chief with a written petition to do so. This petition must:
 - Be signed by at least two thirds of the Active members of the Department.
 - Be presented to the Chief no later than sixty days after the Board makes its written announcement to the membership at a monthly business meeting.
- Upon receiving such written petition, the Chief must call a new Board together consisting of three completely different members from the

- first board.
- All decisions of the second Board of Inquiry shall be final. No further appeal is possible.

ARTICLE TEN
Amending this Constitution and By-Laws

- Section I This Constitution and By-Laws may be amended as follows:
- Any active member may propose a change in the Constitution and By-Laws in writing to the membership at a monthly Business meeting.
 - The proposal must be seconded by any other active member present in order to be considered by the active membership.
 - In order to become effective, the proposal must receive a two thirds majority vote of the active members present at two consecutive monthly business meetings.
 - After the proposal has received a two thirds majority vote of the active members present at two consecutive monthly business meetings, copies of the proposal will be made available to each member at the next monthly business meeting.