



## **CONSTITUTION and BYLAWS**

Revision C, January 29, 2015

### **ARTICLE I** **NAME**

The name of this Department shall be **PINE RIDGE VOLUNTEER FIRE DEPARTMENT** (*PRVFD, Organization or Department*).

### **ARTICLE II** **MISSION STATEMENT**

The Mission of the Pine Ridge Volunteer Fire Department is to protect the quality and mode of life in the Pine Ridge community for present and future generations through interaction with our community; and compassionate service.

### **ARTICLE III** **PURPOSE**

**SECTION 1 – PURPOSE:** The purpose of the *PRVFD* is to serve our community by preventing and suppressing fires and to provide first response assistance, in an efficient and professional manner, for any emergency situations that might occur within its sphere of influence.

**SECTION 2 – SPHERE OF INFLUENCE:** The primary sphere of influence for the *PRVFD* is the *Pine Ridge community* defined as all properties with

entrances off Cressman Road, Lower Cressman Road, Upper Cressman Road, Glenwood Lane and Pinewood Lane. This area lies six miles below the Town of Shaver Lake off State Highway 168. The postal zip code is 93664.

**SECTION 3 – MUTUAL AID:** The *PRVFD* may provide mutual aid to neighboring communities and agencies if called upon to do so. The ranking available officer shall determine *PRVFD* response. Individual personnel response to mutual aid incidents is completely voluntary.

**SECTION 4 – NONPROFIT STATUS:** This organization is a nonprofit public benefit organization and is not organized for the private gain of any person. The Pine Ridge Volunteer Fire Department is organized exclusively for charitable purposes within the meaning of IRC section 501 (c) (3) of the Federal tax code.

**SECTION 5 – CHARITABLE DEDICATION:** The property of this organization is irrevocably dedicated to charitable purposes and no part of the net income or assets of this organization shall ever inure to the benefit of any director, officer, or private person.

**SECTION 6 – POLITICAL LIMITATION:** No substantial part of the activities of this organization shall consist of carrying on propaganda or otherwise attempting to influence legislation, and the organization shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

## **ARTICLE IV** **MEMBERS**

**SECTION 1 – MEMBER CLASSES:** The organization has four 4 classes of membership: *Provisional, Tactical, Non-Tactical, and Honorary.*

1. Provisional members are temporary candidates for Tactical membership which includes Firefighters and Road Rangers. Provisional members shall be entitled to all the privileges of membership except those of making motions, voting and holding office. They will also not be allowed to respond to incident calls. Provisional firefighter candidates must successfully complete the *Basic Firefighting Indoctrination* training session, attend three conventional training sessions, and obtain *Incident Command System* certification. Provisional Road Ranger candidates need only obtain *Incident Command System* certification. The unit Training Officer shall assess the performance of each candidate during the *Provisional Membership* phase. When the candidate has successfully completed all the pertinent requirements, the unit Training Officer shall inform the Fire Chief and convey his evaluation. The Fire Chief shall then determine the outcome and either grant permanent *Tactical Membership* or offer an alternative.
2. Tactical members are Firefighters and Road Rangers who are available for duty, participate in department activities, and respond to incident calls. A *Tactical Member* shall have all of the obligations of membership and is entitled to all the privileges of membership in the organization.
- ~~3.~~ Non-Tactical membership is available to persons who actively contribute to the organization but cannot, or do not wish to, respond to calls. An auxiliary member shall have all of the obligations of membership and is entitled to all the privileges of membership in the organization.

**SECTION 2 – MEMBERSHIP ELIGIBILITY:** Candidates for *Tactical* membership in the *PRVFD* must be at least eighteen (18) years of age, full-time or part-time residents within the *PRVFD* primary sphere of influence, shall be of honorable character and reputation, shall be mentally and

physically capable of executing the duties of their position and be willing to accept the responsibilities of their position.

Candidates for *Non-Tactical* membership must meet the same requirements as *Tactical* members except there is no age restriction. If a *Non-Tactical member* is under the age of eighteen (18) he/she cannot make motions, vote or hold office.

**SECTION 3 – ADMISSION PROCEDURE:** Candidates for membership in the *PRVFD* shall make their desire for membership known to the Fire Chief. The Executive Board shall then interview the candidate and bring a recommendation to the membership at the next legally constituted business meeting. A candidate requesting membership as a *Firefighter* or *Road Ranger* shall be inducted as a *Provisional Member* if elected. A candidate requesting membership as a non-tactical member shall be inducted as a *Non-Tactical* member immediately if elected. A two-thirds (2/3) vote of the membership at a legally constituted business meeting is required to induct the candidate into membership.

**SECTION 4 – RESIGNATIONS:** All resignations shall be tendered in writing to the Fire Chief or a member of the Executive Board. The Fire Chief or Executive Board member has the authority to accept the resignation. If a member permanently leaves the area or becomes out of touch with the Department and has not tendered a resignation, he/she may be considered "resigned" at the discretion of the Fire Chief or *Executive Board*. The resigning member must surrender all *PRVFD* property that might be in his/her possession.

**SECTION 5 – DISCIPLINE:** If any member is considered to be in violation of department guidelines or tends to injure the good name of the organization, to disturb its well being, or to hamper it in its work, it shall be brought to the attention of the Fire Chief or a member of the Executive Board. The Fire Chief or the Executive Board shall attempt to resolve the

situation quietly and informally. If the matter cannot be easily resolved or is of a more serious nature, the Fire Chief or Executive Board shall bring a recommendation to the membership for final resolution at a legally constituted business meeting. The Fire Chief shall have the authority to place a member on inactive status at any time.

**SECTION 6 – EXPULSIONS:** Any member facing expulsion must be given written notice clearly stating the charges brought against him/her at least ten (10) days prior to the expulsion vote. Expulsion of a member requires a two-thirds (2/3) vote of those members voting at a legally constituted business meeting. The terminated member must surrender all *PRVFD* property that might be in his/her possession.

## **ARTICLE V** **OFFICERS**

**SECTION 1 – ELECTED OFFICER POSITIONS:** The elected officer positions of the *PRVFD* shall be a Fire Chief, Assistant Chief, Secretary and Treasurer. The Secretary and Treasurer positions may be combined and administered by one person.

**SECTION 2 – APPOINTED OFFICERS:** Additional Chief Officers, Training Officers, Operations Officers, Safety Officers, Finance Officers, etc. shall be appointed by the Executive Board following successful completion of all required training, testing and certification. The Executive Board may promote, reduce in rank or terminate appointed officers at their discretion.

**SECTION 3 – ELECTION PROCEDURE:** Candidates for elective office shall be nominated by the members of the *PRVFD*. Candidates for all positions must agree to accept the position if elected. If the candidate is not present at the meeting, he/she must have been contacted in advance

and have agreed to accept the position if elected. Elections may be held at any legally constituted business meeting when required. If more than one person is running for an office, the vote shall be by *ballot*. The candidate receiving the majority votes for each office shall be declared elected. In the event of a tie, each candidate shall be allowed to speak in his/her behalf and a runoff election will be held. If there is still a tie after two runoff elections, a coin flip will decide the outcome. If the number of candidates equals the number to be elected the vote may be by *voice vote* or *unanimous consent*.

**SECTION 4 – TERMS OF OFFICE:** An elected officer shall serve until he/she resigns or is terminated by the membership. Appointed officers shall serve until he/she resigns or is terminated by the Executive Board but not to exceed the Fire Chief's term of office.

**SECTION 5 – VACANCIES:** In the event of a vacancy in the office of Fire Chief, the Assistant Chief shall assume that office until such vacancy shall be filled by election at the next legally constituted business meeting. In the event of a vacancy in any other elected office, such vacancy shall be filled by election at the next legally constituted business meeting.

**SECTION 6 – DUTIES OF OFFICERS:**

1. **FIRE CHIEF:** The Fire Chief shall preside over all organization meetings and shall preserve order and enforce strict obedience to the constitution and bylaws. The Fire Chief shall administer the organization on a day-to-day basis making operational and tactical decisions as deemed necessary for practical and efficient operation of the department. The Fire Chief shall also assume such other duties applicable to the office as prescribed in the constitution and bylaws and parliamentary authority adopted by the organization.

2. **ASSISTANT CHIEF:** The Assistant Chief shall act in place of the Fire Chief during his/her absence and shall have the same powers, authority and like duties as the Fire Chief and shall act accordingly. The Assistant Chief shall work in concert with the Fire Chief and assume administrative and operational responsibilities as delegated by the Fire Chief. The Assistant Chief shall also assume such other duties applicable to the office as prescribed in the constitution and bylaws and parliamentary authority adopted by the organization.
3. **SECRETARY:** The Secretary shall record accurate minutes of the proceedings of department meetings and distribute them to the members, shall maintain files of all department records, shall maintain an updated roster of membership and shall maintain organization Policies and Manuals. The Secretary shall distribute updated material to the members as required, and shall assist the Fire Chief and Assistant Chief with administrative duties as requested. The Secretary may delegate tasks to a qualified Assistant at his/her discretion. The Secretary shall also assume such other duties applicable to the office as prescribed in the constitution and bylaws and parliamentary authority adopted by the organization.
4. **TREASURER:** The Treasurer shall receive and deposit all department revenue, promptly pay all bona fide bills and satisfy any other financial obligations. The Treasurer shall maintain accurate financial records of all transactions and keep the officers and members apprised of the department's financial status. The Treasurer may delegate tasks to a qualified Assistant at his/her discretion. If a company Finance Officer is in place, the Treasurer shall work in harmony with the Finance Officer, sharing information, seeking advice and utilizing his/her skills and abilities to strengthen

the department's financial position. The Treasurer shall also assume such other duties applicable to the office as prescribed in the constitution and bylaws and parliamentary authority adopted by the organization.

## **ARTICLE VI** **MEETINGS**

**SECTION 1 – REGULAR QUARTERLY BUSINESS MEETINGS:** Regular business meetings shall usually be convened on a quarterly basis during the months of January, April, July and October. If the meeting cannot be held during the appointed months, it shall be scheduled as soon as possible thereafter.

**SECTION 2 – ANNUAL MEETING:** The January regular quarterly business meeting shall be known as the annual business meeting.

**SECTION 3 – SPECIAL BUSINESS MEETINGS:** Special business meetings may be called at any time by the Fire Chief or by no fewer than three (3) members by written request. Except in cases of emergency, at least three (3) days notice shall be given. The written request shall explicitly state the reason for calling the special business meeting. No business shall be transacted at a special business meeting other than the business explicitly stated in the written request.

**SECTION 4 – QUORUM:** Eight (8) *PRVFD* members shall constitute a quorum. A quorum must be present to constitute a legal business meeting.

## **ARTICLE VII** **EXECUTIVE BOARD**

**SECTION 1 – BOARD COMPOSITION:** The elected officers and the appointed officers, with the rank of captain or above, shall constitute the Executive Board.

**SECTION 2 – DUTIES and POWERS:** The Executive Board shall advise the Fire Chief, make recommendations to the organization and perform such other duties as are specified in this constitution and bylaws. The Board shall be subject to the orders of the *PRVFD*, and none of its acts shall conflict with action taken by the organization.

**SECTION 3 – BOARD MEETINGS:** The Fire Chief shall call Board meetings when required. Special Board meetings may also be called by the Board upon request of three (3) members of the Board.

## **ARTICLE VIII** **COMMITTEES**

**SECTION 1 – FUNDRAISING COMMITTEE:** A Fundraising Committee of at least four (4) members shall be appointed by the Fire Chief promptly after the annual meeting, whose duty it shall be to recommend and implement fundraising projects for the succeeding year.

**SECTION 2 – FINANCIAL REVIEW COMMITTEE:** A Financial Review Committee of at least three (3) members shall be appointed by the Fire Chief during or promptly after the October business meeting, whose duty it shall be to review the Treasurer's financial records and accounts for appropriate and accurate bookkeeping and to report their findings to the membership at the annual business meeting. Whenever a new Treasurer is elected, the new Treasurer shall be given an accurate financial report, that has been reviewed and approved by the financial Review Committee, at the beginning of his/her term of office.

**SECTION 3 – OTHER COMMITTEES:** Standing or special committees shall be appointed by the Fire Chief or the Executive Board as from time to time shall be deemed necessary to carry on the work of the organization.

**SECTION 4 – EX-OFFICIO:** The Fire Chief shall be an ex-officio member of all Committees.

## **ARTICLE IX** **FINANCES**

**SECTION 1 – FISCAL YEAR:** The *PRVFD* fiscal year shall coincide with the calendar year.

**SECTION 2 – CONTRIBUTIONS:** The *PRVFD* is supported by monetary donations and contributions from members, friends, community residents, organizations, agencies, and groups. Grants may also be applied for and accepted from all state, federal and other agencies and/or organizations.

**SECTION 3 – FUND RAISING:** Fund raising projects may be held from time to time to generate income.

**SECTION 4 – FIRE CHIEF’S SPENDING AUTHORITY:** The Fire Chief has the authority to spend a limited amount of *PRVFD* funds in any given month to cover day-to-day expenses and minor purchases for the *PRVFD*. The spending limit shall be determined by a majority vote of the members present at a legally constituted business meeting.

**SECTION 5 – SPENDING APPROVAL:** Any expenditure over the Fire Chief’s spending limit must be approved by a majority vote of the members present at a legally constituted business meeting. **Recurring** expenditures that are **routine**, and **essential**, such as fuel, insurance, repairs, etc., may

be approved in advance in perpetuity. This ongoing *recurring expenditure* approval may be rescinded at any time by a majority vote of the members present at a legally constituted business meeting. **Pending** expenditures that might be over the Fire Chief's spending limit may be approved in advance, possibly with a monetary limit.

## **ARTICLE X** **DISSOLUTION OF THE ORGANIZATION**

Upon the dissolution or winding up of the organization, its assets remaining after payment, or provision for payment, of all debts and liabilities of this organization, shall be distributed to a nonprofit fund, foundation, or corporation, which is organized and operated exclusively for charitable purposes and which has established its tax-exempt status under IRC Section 501(c) (3).

## **ARTICLE XI** **PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with this constitution and bylaws and any special rules of order the organization may adopt.

## **ARTICLE XII** **AMENDMENT OF CONSTITUTION AND BYLAWS**

This constitution and bylaws may be amended at any legally constituted business meeting of the PRVFD by two-thirds (2/3) vote provided that the amendment has been submitted in writing at the previous legally constituted business meeting.

**ADOPTION**

Adopted by the Pine Ridge Volunteer Fire Department on the 29th day of January in the year 2015

\_\_\_\_\_  
Larry Pearsall – Fire Chief

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Date

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Gary Martin – Assistant Chief

\_\_\_\_\_  
Date

\_\_\_\_\_  
Virginia Pearsall – Secretary/Treasurer

\_\_\_\_\_  
Date