

CONSTITUTION

Of the

DICKINSON VOLUNTEER FIRE DEPARTMENT

ARTICLE I – TITLE AND OBJECTIVE

- Section 1. This organization shall be known as the Dickinson Volunteer Fire Department, Inc.
- Section 2. Its objective shall be the preservation and protection of the life and property from and during such emergencies as may occur in Dickinson and the immediate vicinity.

ARTICLE II – MEMBERSHIP

- Section 1. Membership in the Dickinson Volunteer Fire Department shall be open to all residents of the Dickinson area 18 years of age or over, and are of good moral character, and physically sound.
- Section 2. Membership in the department shall be confined to sixty (60) members, including the officers.
- Section 3. There shall be six (7) grades of membership: Active member, Probationary member, Inactive member, Support member, Life member, Honorary Member and Sustaining member. Type of membership is defined as follows:
(Amended October, 2010)
- A. Active Member.
1. A person who is charged with fire suppression and/or emergency medical service duties.
 2. An active member shall be a member in good standing, which is defined as:
 - i. A member who has attended 40% of all drills for the current year prior to the Annual Meeting;
 - ii. A member who has attended 25 % of all fire calls for the current year prior to the Annual Meeting;
 - iii. A member who has attended 50% of all business meetings for the current year prior to the Annual Meeting;
 - iv. A member who has paid all their dues in full on or before the 31st day of March of the current calendar year.

- v. A member who does not owe any outstanding monetary funds to the department.

(Amended March 21, 2007)

B. Probationary Member

1. A person who is charged with fire suppression and/or emergency medical service duties.
2. A Probationary member shall be a member in good standing, which is defined as:
 - i. A member who has attended 50% of all drills during their probationary period;
 - ii. A member who has attended 25 % of all fire calls during their probationary period;
 - iii. A member who has attended 50% of all business meetings during their probationary period;
3. A Probationary member will enroll in the next available 70 hour New Member Training Course or providing documentation of having completed said training.
4. A Probationary member shall not be allowed to drive Departmental apparatus.
5. A Probationary member shall not respond directly to a scene at any time, but must report to their assigned station.
6. A Probationary member shall not ride in any first out apparatus unless directed to do so by an Officer or Senior member in charge of the apparatus.
7. A Probationary member shall have no voting rights.
8. A Probationary member shall not be issued any Departmental gear or equipment, including pagers, until their New Member Packet / Application has been fully completed as determined by the Fire Department Administrator and they have been voted in as a Probationary member of the Department.

(Originated March 21, 2007)

C. Inactive Member

1. A person who has asked for and been granted a Leave of Absence as defined in Article VI, Section 3 of the By-Laws of the Dickinson Volunteer Fire Department.
2. A person who has been suspended from the Department.
3. A person who is on Departmental Disciplinary Suspension.
4. A person who has retired from the Dickinson Volunteer Fire Department and whom the Department is longer contributing payments into the Texas Statewide Emergency Services Retirement Fund.

(Amended March 21, 2007)

D. Support Member

1. A person who does not have a direct role in fire suppression and/or emergency medical service duties.
2. Duties of a support member may include but are not limited to: filling SCBA bottles, providing rehabilitation at scenes, managing and directing fundraising activities, etc.

(Amended March 21, 2007)

E. Life Member

1. A person who has completed ten years of active accumulated service in bona-fide fire departments, and whom has received a two-thirds vote of the Departments members in good standing.
2. A person who is no longer carried as an active member or inactive member of the Dickinson Volunteer Fire Department.
3. A person whom the Department is no longer contributing payments into the Texas Statewide Emergency Services Retirement Fund.
4. A person who may no longer be involved in interior fire suppression activities at any time, but may be given certain duties set by a majority vote of ½ the Department. Example: operate DVFD vehicles in any and all situations.
5. A person who no longer possesses voting rights within the Department.
6. A Life Member may be a support or auxiliary member of the department.

(Amended March 21, 2007)

F. Honorary Member

1. A person who has made a significant contribution to the Department through their gifts, their presence, or their service.
2. An Honorary Member must receive a two-thirds (2/3) vote from the members in good standing of the Department.
3. Honorary members shall be exempt from dues and assessments.

(Amended March 21, 2007)

G. Sustaining Member

1. A Sustaining member of this organization shall be one who, because of business activities or other reasons, is unable to maintain active status in the department but who desires to become affiliated with this organization. Membership will entitle Sustaining members to participate in department activities at the discretion of the Chiefs and / or Executive board. Such members will not be able to hold office or vote. The active membership will vote on all applications for sustaining membership.

(Amended October, 2010)

ARTICLE III – OFFICERS

- Section 1. The Elective Officers of this department shall consist of a President, Vice President, Secretary, Treasurer, Fire Chief, and 1st Assistant Fire Chief and Fire Marshal.
(Amended March 21, 2007)
- Section 2. In addition to the officer positions listed above there shall be an election of six (6) Director at Large positions. At least three (3) of the six (6) Directors must be active-members or Lifetime member of the Department at the time of their election to a Director position. These three (3) Directors shall maintain active membership or Lifetime status during their tenure as a Director or they will be required to resign from the Director positions. A Director at Large may also hold one of the Elective Officer positions.
(Amended March 21, 2007) (Amended February 15, 2012)
- Section 3. The Elective Officers and Directors at Large shall be elected at the Annual Meeting and shall serve a two (2) year term of office. The election of President, 1st Assistant Chief, Secretary and Director Positions #1, #3, #5 shall be on uneven years; the election of Vice President, Fire Chief, Treasurer and Director Positions #2, #4, #6 shall be on even numbered years. The Elective Officers and Directors at Large shall begin their term of office on the first day of January following there election at the Annual Meeting.
(Amended October, 2010)
- Section 4. Since the 1st Assistant Chief will be assuming the duties of Department Training Coordinator, the person assuming the role of the 1st Assistant Chief must have attended and passed a Basic Certification Methods of Teaching Course as approved by the Texas Commission of Fire Protection or its equivalent. If the person assuming the role of 1st Assistant Chief has not attended such a course prior to their election they must attend and pass such a class within one (1) year of being elected to the position.
(Amended October, 2010)
- Section 5. Safety Officers shall be appointed by mutual agreement of the Chief and 1st Assistant Chief. The person(s) being appointed as the Safety Officer(s) must have attended and passed a Basic Certification Safety Officer Training Class or its equivalent or must attend and pass such a class within one (1) year of being appointed to this position
(Amended October, 2010)
- Section 6. Election protocol as described in Article IV, Section 4 of the Dickinson Volunteer Fire Department By-Laws shall be adhered to during all officer and director elections.
(Amended March 21, 2007)

ARTICLE IV – DUTIES OF THE PRESIDENT

- Section 1. It shall be the duty of the President to preside at all meetings of the Department, to call special meetings, to preserve order and decide all points of order that may arise, subject to an appeal from his decision to the members of the department, enforce a rigid observance of the By-Laws and Constitution, appoint all committees and have general supervision of the meetings.
- Section 2. The President shall be the only Elective Officer who may sign any contract on behalf of the Department.
(Originated March 21, 2007)
- Section 3. In voting, the President shall have no voice except in balloting on applications and in deciding a tie vote.
- Section 4. In case of an elective office in the Department being vacant, the President shall have it filled by election at the next business meeting.
- Section 5. The following standing committees chairman shall be appointed by the President at the annual meeting: Membership committee, Entertainment committee, Auditing committee. Each committee shall consist of not more than three (3) members.
(Amended October, 2010)

ARTICLE V – DUTES OF THE VICE PRESIDENT

- Section 1. It shall be the duty of the Vice President to assist the President in the discharge of his several duties, and in absence of the President to officiate in his capacity.
- Section 2. The Vice President shall preside at all meetings in the absence of the President, and shall appoint all committees called for a meeting at which he/she may preside.

ARTICLE VI – DUTIES OF THE SECRETARY

- Section 1. It shall be the duty of the Secretary to keep the minutes of all meetings, keep a register of the names of all members, collect all dues and assessments and other monies due to the Department and pay the same over to the Treasurer, taking a receipt thereof. He / She shall notify each person elected a member of the department of such election.
(Amended October, 2010)

Section 2. The Secretary shall post a typed copy of the minutes from all Monthly Business Meetings and the Annual Meeting at Station One within seven (7) business days after such meeting has occurred. The Secretary shall also provide the Fire Department Administrator with a typed copy of the minutes within the same time period.

(Originated March 21, 2007)

ARTICLE VII – DUTIES OF THE TREASURER

Section 1. It shall be the duty of the Treasurer to keep a written account of all monies received and expended. He / She shall pay out the funds of the Department only such amounts as he / she is authorized by the Department and only on warrants properly drawn and countersigned by the President or Vice President. He / She shall submit monthly and annual statements of the balance on hand or due.

(Amended October, 2010)

Section 2. The Treasurer at each monthly business meeting shall present to the members a list of bills paid in the previous month. (Amended March 21, 2007)

Section 3. An internal audit shall be conducted at least twice a year.

Section 4. At least one month prior to the Annual Meeting, he / she shall submit his / her books and records to an outside auditor for examination.

Section 5. Whenever the amount on hand in cash, bonds or mortgages exceed the total of \$1,000.00 the Treasurer shall be required to be bonded for the balance of his / her term and the cost of the bond to be paid by the Department.

ARTICLE VIII – DUTIES OF THE DIRECTORS

Section 1. In the event of the disbandment of the Fire Department, it shall be the duties of the Directors to take charge of all property belonging to the Department, and see that it is properly disposed of in accordance with all rules and regulations pertaining to non-profit organizations.

ARTICLE IX – DUTIES OF THE FIRE CHIEF

Section 1. It shall be the duty of the Fire Chief to be present at all incidents, if possible, to control the incident scene and plan fire suppression activities. In doing so the Chief shall direct the action of the various companies when they arrive at the scene and make sure that every company does its duty at the scene. It shall also be the duty of the Fire Chief to release companies and/or members of the department

from the fire scene. The Fire Chief shall also make sure that all apparatus are returned to the station(s) in proper condition. The Fire Chief shall also make sure that all equipment is ready for immediate use.

(Amended March 21, 2007)

Section 2. The Fire Chief shall have the power to suspend any officer or member of the Department for neglect or refusal to attend his duties as a firefighter, subject to a vote of reinstatement by a majority vote at the next Business meeting.

(Amended March 21, 2007)

Section 3. The Fire Chief shall perform such other duties as are usually incumbent of a commanding officer of the Fire Department and shall hold office until his/her successor is duly elected.

(Amended October, 2010)

Section 4. The Fire Chief shall have the power, when deemed necessary for the betterment of the Department, to create a temporary position in the Department. The temporary position shall not amend the command structure currently in place. In addition, the temporary position shall last no longer than ninety (90) days without the approval of a majority of the members in good standing in the department.

(Amended March 21, 2007) (Amended October, 2010)

ARTICLE X – DUTIES OF THE 1ST ASSISTANT CHIEF

Section 1. It shall be the 1st Assistant Chief to assist the Chief in the discharge of his/her duties, and in the Chief's absence, assume the duties of the Fire Chief.

Section 2. The 1st Assistant Chief shall be the Department training coordinator responsible for all drills, training and maintaining training records of all department members.

(Amended March 21, 2007)

Section 3. The Fire Chief shall have the power to call out all companies for practice at such times as he deems proper.

(Amended October, 2010)

ARTICLE XI – DUTIES OF THE 2ND ASSISTANT CHIEF

(Amended October, 2010)

Section 1. It shall be the duty of the 2nd Assistant Chief to maintain all station equipment. In addition, the 2nd Assistant Chief shall assume the duties of the 1st Assistant Chief in his absence.

Section 2. When the position of 2nd Assistant Fire Chief becomes available, the position shall be filled by the Fire Chief.

(Amended October, 2010)

ARTICLE XII– DUTIES OF THE CAPTAINS

(Amended October, 2010)

- Section 1. It shall be the duty of the Captains to report the position assigned by the incident Commander and to carry out such duties as are necessary.
- Section 2. The Captains shall see that when the take-up order is given, that all equipment is returned to its proper place on the apparatus, and they shall see that the rules for the care and management of the apparatus are obeyed.
- Section 3. Captains are responsible for certain areas and equipment. It is their duty to see that it is properly maintained. They may at any time call a special work detail of their company for equipment or station maintenance.
(Amended March 21, 2007)
- Section 4. When a Captain's position becomes available, the position may only be filled by the member who is most qualified as determined by the Chiefs of the department.
(Amended October, 2010)

ARTICLE XIII – DUTIES OF THE LIEUTENANTS

(Amended October, 2010)

- Section 1. It shall be the duty of the Lieutenants to assist the Captains in the discharge of their several duties and in the absence of the Captain to officiate in his / her capacity.
(Amended March 21, 2007)
- Section 2. When a Lieutenant's position becomes available, the position may only be filled by the member who is most qualified after determined by the Chiefs of the department.
(Amended October, 2010)

ARTICLE XIV – DUTIES OF THE SAFETY OFFICERS

(Amended October, 2010)

- Section 1. It shall be the duty of the Safety Officers to insure that a safe working environment is provided for all Departmental activities including the following:
- A. Emergencies
 - B. Training
 - C. Overall station safety
 - D. Any event involving Departmental personnel and / or apparatus
- Section 2. The Safety Officers will report directly to the Fire Chief and / or Incident Command.

Section 3. The Safety Officer(s) will have the right to immediately stop any activity that the Safety Officer(s) deems as an unsafe act, which may cause harm to Department members, Department equipment or the general public.

(Amended October, 2010)

ARTICLE XV – DUTIES OF THE COMMITTEES

(Amended October, 2010)

Section 1. The Entertainment Committee shall arrange for all dinners, banquets and so forth that the Department may vote for. The President may appoint a special committee should he/she believe that some venture is too large in scope for the standing committee. After each social function, the committees shall render an account of all monies received and expended, and the balance (if any) shall be turned over to the Secretary.

Section 2. The applications of all persons desiring membership in the Department shall be referred to the Membership Committee, who shall determine if the candidate will make a proper member. This process will be done as outlined in Article II of the By Laws of the Dickinson Volunteer Fire Department.

(Amended March 21, 2007)

Section 3. The Auditing Committee shall examine all other records of the Treasurer and shall examine all other records of the Department that may be referred to it. A year end statement shall be made available to all members.

ARTICLE XVI – DUTIES OF THE MEMBERS

(Amended October, 2010)

Section 1. Members are required to adhere to rules and regulations as outlined in the Department S.O.P.

Section 2. It shall be the duty of every member to report to their assigned station for every dispatched call. When the member has arrived at the station they shall report to the officer in charge for orders and man the appropriate apparatus.

(Amended March 21, 2007) (Amended October, 2010)

Section 3. At the conclusion of an incident, it shall be the duty of every member to see that all equipment is properly returned to the apparatus and to perform such duties as may be assigned to them by an officer.

Section 4. It shall be the duty of every member to maintain proper decorum while at meetings or during such times as he / she may be carrying out orders of the Department.

- Section 5. It shall be the duty of every member to perform such permanent duties or special duties at incidents as may be assigned to them by the chief or the officers in command.
- Section 6. Every Full member will meet the minimum requirements set forth by the Texas Statewide Emergency Services Retirement Fund Board for training and calls.
(Originated March 21, 2007) (Amended October, 2010)
- Section 7. Every member shall make a reasonable effort, yearly, to attend training outside of the Department until they have acquired a Basic Firefighter Certification as prescribed by the State Firemen's & Fire Marshal's Association of Texas (SFFMA) or the Texas Commission on Fire Protections (TCFP).
(Originated March 21, 2007)
- Section 8. Every member will attend at least one (1) Galveston County Firefighters Association meeting every year, other than the Department sponsored meeting.
(Originated March 21, 2007) (Amended October, 2010)
- Section 9. Every member will provide the Department with training records for fire training that was obtained on their personal time or that was provided to them by their employer.
(Originated March 21, 2007) (Amended October, 2010)

ARTICLE XVII – ELECTION OF OFFICERS

(Amended October, 2010)

- Section 1. All election of officers shall be held at the Annual Meeting. Election may be by printed ballots.
(Amended October, 2010)
- Section 2. For the election of officers, each elected official must receive at least 51% of the popular vote for the election to be valid. If any one candidate fails to receive at least 51% of the popular vote, a runoff election will be held among the two candidates who received the most votes.
(Originated March 21, 2007)
- Section 3. All members will receive one (1) ballot. Any member wishing to vote absentee may request a ballot before the annual meeting from the President. If the election is for the position of President the absentee ballot shall be received from the Vice President. Once the ballot has been filled out it shall be deposited in the locked ballot box. The ballot box key will be kept by the President of the Department and the locking mechanism shall also be secured in a manner that prohibits the opening of the ballot box prior to the counting of the votes.
(Amended March 21, 2007)

ARTICLE XIII - QUORUM

(Amended October, 2010)

Section 1. Fifteen (15) members, including an officer qualified to preside, such as President, Vice President, Secretary or Treasurer, in that order, shall constitute a quorum to transact business.

(Amended March 21, 2007)

ARTICLE XIX – AMENDMENTS

(Amended October, 2010)

Section 1. A proposition to amend the Constitution may be made at a regular meeting when a quorum is present and must be submitted in writing. A ballot may be taken on the proposed amendment at the meeting following the one at which the proposed amendment was submitted.

Section 2. A two-thirds (2/3) affirmative vote of members present shall be necessary to amend or alter the constitution. Such amendment, if approved shall take effect immediately unless otherwise directed.

ARTICLE XX – IMPEACHMENT OF OFFICERS

(Amended October, 2010)

Section 1. Any elected officer, for misconduct, or the abuse of his/her authority while in office, may be impeached therefore and removed from office by a two-thirds (2/3) vote of the members voting. The charge against him/her must be made in writing and filed with the Secretary at least one month before any vote is taken upon it, and a copy of said charges shall be served upon the officer mentioned by the Secretary at least two (2) weeks before a vote for impeachment can be taken.

ARTICLE XXI – DISBANDMENT

(Amended October, 2010)

Section 1. This Department shall not be disbanded except by the three-fourth (3/4) vote of the entire Department. A published or served notice shall be given of the meeting for that purpose at least one month before that vote shall be taken.