

**Constitution
&
By-Laws**

Gates-Chili Fire Department

October 2002

Updated April 2005 With October 2004 Amendments

**Gates-Chili Fire Department
Constitution & By-Laws
October 2002**

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Locations

Company No. 1 – 2355 Chili Avenue
Company No. 2 – 2215 Long Pond Road
Company No. 3 – 22 Coldwater Road

ARTICLE 1: NAME AND PURPOSE

This membership Corporation, known as the Gates-Chili Fire Department, Incorporated, pursuant to its Certificate of Incorporation, on-file with the Secretary of State and in Monroe County Clerk's Office, is vested with the power to prevent and extinguish fires, in accordance with the statutes of the State of New York and such other duties, as may be directed by the Board of Fire Commissioners of the Gates Fire District. In addition, a Rescue and First-Aid Squad, as provided in Section 209B of General Municipal Law shall be, and hereby established for the Gates-Chili Fire Department, Incorporated are hereby constituted members thereof, in conjunction with their duties as active volunteer firefighters.

ARTICLE 2: MEMBERSHIP

Section 1 - Qualifications for Membership:

Any person, at least eighteen (18) years of age, a citizen of the United States, of good character, and residing within the boundaries of the Gates Fire District, may apply for active membership, in-writing, on a form provided by the Gates-Chili Fire Department, Inc. Such application shall include applicants name, age, domicile, occupation, and such other information as may be required. Applicants will be processed in the order membership applications are received.

The applicant will be accepted into membership by two-thirds (2/3) secret ballot of the members voting at any monthly meeting, and following the recommendation of the Membership Committee. The approved applicant must be presented for approval to the Board of Fire Commissioners for the Gates Fire District at their next monthly business meeting. The approved application for membership will be presented to the Board of Fire Commissioners by the Fire Chief. If an opening exists in the appropriate fire company the new member shall be inducted at the next monthly meeting, if approved by the Board of Fire Commissioners. If no opening exists in the appropriate fire company, the new applicant will be inducted at a monthly meeting as soon as an opening occurs.

If an applicant is refused membership, the initiation fee, together with one-year dues shall be returned to applicant, who may not re-apply for membership for at least one-year (1 year).

Section 2 - Classifications of Membership:

Membership in the Gates-Chile Fire Department, Inc. shall be classed into the following categories:

- 1. Recruit
- 2. Active
- 3. Reserve
- 4. Life
- 5. Social

Section 3 - Recruit Membership:

Recruit membership is the initial membership into the Gates-Chili Fire Department, Inc. A recruit firefighter has been elected by the body and approved by the Board of Fire Commissioners as a member of the Department. The recruit will serve a **minimum** of three – (3) months as a probationary firefighter, or longer, as determined by a Chief Officer for the Department. Upon recommendation from the assistant Chief of the Probationary firefighters company, to the Fire Chief, the recruit firefighter shall be reverted into active status.

Recruit firefighters may attend all business meetings and vote on any issue or election. A recruit firefighter **may not** hold any offices, line or civil.

Recruit firefighters may use firefighting equipment **if so directed** by the line officer, chief officer, or senior firefighter in-charge of any fireground activity or training evolution.

Recruit firefighters **are not authorized** to respond to any mutual-aid incident, or incidents outside the boundaries of the Gates Fire District under any circumstances.

Recruit firefighters are not entitled to participate in the following fire department activities:

- 1. Softball team
- 2. Bowling team
- 3. Drill team
- 4. Euchre team

Recruit firefighters are required to meet all training criteria, as established in the Rules & Regulations for the Gates Fire District, in the By-Laws for the Gates-Chili Fire Department, and in accordance with the Operations Guidelines Manual. Recruit firefighters are required to successfully complete the Essentials of Firefighting Program. And complete the Recruit Training Program, as outlined by the Gates Fire District, within one-year (1 yr.) from date of membership approval.

Section 4 - Active Membership Qualifications:

1. Applicants must be at least eighteen (18) years of age.
2. Applications must reside within the district where the Gates-Chili Fire Department, Inc. is empowered to operate. (revised 10/2004)
3. Applicants must be in sound health, be of good character, and a citizen of the United States of America. New applicants will be required to submit to a full medical evaluation by the physician for the Gates Fire District at the time of acceptance, at no cost to the applicant.
4. All active members will be members of the fire company in which their residence is located. If any active member changes residency into another fire company jurisdiction, the member must transfer into that fire company. In the event the transfer company is at full compliment, the active member will retain his/her present fire department number, and will be assigned the first available number from the new fire company.
5. Any active member who has been away from active duty for a period of three-month or longer, must submit to a physical by the physician for the Gates Fire District, prior to returning to active firefighting duty. Any member who requests to revert from reserve to active status, and has been away from active status for a period of three-months or more, will submit to a physical by the Fire District physician, prior to final approval for reverting to active status.
6. Any applicant transferring from another fire department will revert to the top of the membership list, provided the applicant produces a letter of recommendation from the fire chief of their former fire department, and produces all required training records to the fire chief and membership secretary, with application. Transfer firefighters will submit to a physical by the Fire District physician prior to being places into active duty as a firefighter.
7. Any applicant from the Gates Explorer Post No. 272, reaching age eighteen (18) and is a member on good standing with the post, may submit an application for membership into the Gates-Chili Fire Department, Inc. If a waiting list exists, the Post member may go to the top of the list providing the applicant has a written recommendation, outlining completed training, and status within the post. The applicant will meet all criteria established in the By-Laws for applicants. Explorer Post No. 272 will not go- ahead of any transfer firefighter on a waiting list.

ARTICLE 3 – MEETINGS

Section 1 - Regular Meetings:

There shall be regular meetings of the Gates-Chili Fire Department, Inc. held at Company No. 1, 2355 Chili Avenue, or in any emergency or circumstances, held at a location within the Gates Fire District. Regular meetings, as designated by the Board of Directors for the Gates-Chili Fire Department, Inc. shall be conducted on the first Tuesday of each month, beginning at 7 p.m., except when said day is a legal holiday, or special local event. For these cases, Regular meetings will be conducted on the following Tuesday, for the purpose of conducting business.

Section 2 - Annual Meeting:

The Annual Meeting for the Gates-Chili Fire Department, Inc. shall be held on the first Tuesday in December of each year. Written Notice shall be sent to each voting member by mail, to the address on record for each member, at least five (5) days preceding the Annual meeting.

Section 3 - Special Meetings:

Special meetings of voting members may be called by the President, the Fire Chief, a majority of the Board of Directors, or five (5) voting members in good standing, following submission in-writing to the President, a request to conduct a Special meeting. All such requests must be honored by the President. Written notice shall be sent to each voting member by mail, to the address on record for each member, at least five (5) days prior to the Special meeting.

ARTICLE 4 – ORDER OF BUSINESS

Gates-Chili Fire Department Order of Business

1. Pledge of Allegiance
2. Prayer
3. Drape Charter
4. Roll Call
5. Approval of last minutes
6. Reading of Communications
7. Announcement of tellers
8. Unfinished business
9. New Business
10. Chief's report
11. Deputy Chief's report
12. Asst. Chief's Co. #1, 2, 3 reports
13. Commission report
14. Board of Director's report
15. House Committees' Co. # 1, 2, 3 reports
16. Membership Secretary's report
17. Delegates reports – FASNY/Western/Monroe County/Northern Central
18. Sick & Welfare
19. Fire Prevention
20. Explorer Post 272 report
21. Ladies Auxiliary report
22. Fund Drive report
23. Historian report
24. Chaplains' report
25. Voting
26. Financial Secretary report
27. Treasurer's report
28. Results of Voting
29. Entertainment report
30. Discharge of tellers
31. Adjournment

ARTICLE 5 – DUES AND ELECTIONS

Section 1 - Membership Dues:

Each member shall pay annual dues of one dollar (\$1.00) in advance. Members shall be removed from the rolls of the Gates-Chili Fire Department, Inc. for non-payment of annual dues for one (1) year.

Section 2 -

All membership dues must be paid in-full no later than the Annual meeting (first Tuesday of December each year), or the member will not be permitted to vote in annual elections for the Gates-Chili Fire Department, Inc.

Section 3 -

Persons seeking officer positions within the Gates-Chili Fire Department, both line and civil, shall submit a letter of intent, stating qualifications to seek that office, to the Chairperson of the Board of Directors, no later than the August Board of Director meeting each year. Letters of intent will be forwarded to the Nominating Committee for review, prior to the October caucus.

Section 4 - Election:

At each Annual meeting, the President, Vice-President, Recording Secretary, Financial Secretary, Treasurer, Inside Guard, and Directors shall be elected by ballot by the eligible voting membership present. The Fire Chief, Deputy Chief, Assistant Chiefs, Captains, and Lieutenants shall be elected by ballot, by the active members of each organized fire company. The candidate receiving the majority of the votes cast shall be elected. The Director shall be the candidate receiving the greater number of votes cast, and will serve a term of five (5) years. In the event of a tie ballot in any Office, another ballot vote shall be taken by those voting members present at the annual meeting, for the purpose of deciding the tie vote.

Each fire company will conduct a caucus drill in October, preceding the regular November meeting of the Department. When more than two (2) members are nominated for the Offices of Assistant Chief, Captain, or Lieutenant during the fire company nominations for the officers, a primary election must be held to reduce the nominees to the maximum of two (2). The primary election will be held after the November monthly meeting, at the next regularly scheduled company drill. Only those members active on the company where the primary election is being held are eligible to vote in that company's primary.

The two (2) nominees receiving the highest primary votes will win and be eligible to run for office. In the case of ties a secondary primary election between only the nominees that ties, will be conducted. If the two (2) nominees that tied receive more votes than the other nominees, a secondary primary election is not required.

Section 5 -

The Recording Secretary will issue all absentee ballots to the Board of Director or his designee. In the event that the Board of Director or his designee is unavailable, the Recording Secretary will appoint another Board of Director to fulfill his duties. Members will receive their absentee ballots from their company Board of Director or his designee. (revised 3/7/00)

Section 6 -

Members in good standing unable to attend the Annual Meeting may obtain an Absentee ballot in accordance with Section 5 of this Article, seven (7) days prior to the Annual Meeting. The absentee ballot will be issued in accordance with the following procedure:

1. The Designated Board of Director or his designee will issue all absentee ballots,
2. All ballots are to be imprinted with the Fire Department raised seal,
3. All ballots shall be enclosed in two (2) sealed Gates-Chili Fire Department envelopes. The inner envelope shall have a ballot inside, sealed, not endorsed to ensure integrity. The outer envelope shall be signed by the voter and returned to the Board of Director.
4. Absentee ballots must be returned to the Recording Secretary in the said envelope prior to the start of the annual meeting. The Recording Secretary will maintain a complete record of all absentee ballots issued and returned by absentee voters,
5. Once the outer envelope and point sheet coincides, the outer envelope shall be opened, discarded and the inner envelope containing the absentee ballot deposited in the ballot box by the recording Secretary.
6. The absentee ballots are not to be opened until the polls are closed and all ballots have been counted.
7. The absentee ballot point sheet shall be maintained separately from the regular sign in sheets for the election. Members casting an absentee ballot shall have a line drawn through their name on the regular sign in sheet so that no member casts a second ballot. (revised 3/7/00)

Section 7-

On the day of the Annual Meeting, polls for election will be open at the meeting location at 6pm. Polls for the election will close at 8pm.

Section 8 -

Each member voting must sign a sheet stating he/she has received a ballot.

Section 9-

The polls are to be staffed by one member from each fire company who will act as a teller for the election. The Recording Secretary will also be part of the election staff. All tellers will be appointed in advance by the President.

Section 10 -

Envelopes containing absentee ballots shall be opened by the Recording Secretary in the presence of the appointed tellers. The ballots received shall be deposited in the ballot box and opened following the closing of the polls.

Section 11 -

All elected officers, both civil and line, shall be installed and take office at the Regular January meeting following the election.

RULES – Unless otherwise specifically provided in these By-Laws for the Gates-Chili Fire Department, Inc. Roberts Rules of Order shall govern procedures at all Regular meetings.

ARTICLE 6 - OFFICERS

Section 1 - Line Officers:

The active officers for the Gates-Chili Fire Department, Inc. shall consist of the Fire Chief, Deputy Chief, and one Assistance Chief, Captain, and Lieutenant for each fire company within the Gates Fire District. All active officers will be elected at the Annual meeting.

Section 2 - Civil Officers:

The civil officers for the Gates-Chili Fire Department, Inc. shall consist of the President, Vice-President, Recording Secretary, Membership Secretary, Financial Secretary, Treasurer, and Inside Guard. There shall also be a Board of Directors, consisting of one (1) active, reserve, or life member, from each fire company.

Section 3 - Eligibility:

Only active members shall be eligible to hold a line office. Any active, reserve, or life member shall be eligible to hold a civil office. A member must have at least three (3) years active service to hold a line or civil office. The President will not be eligible to succeed him/herself after the third (3rd) consecutive term of office.

Section 4 - Requirements:

Any firefighter, to hold a position as a line officer, must first have been elected to the position under the one which he/she aspire to attain (i.e., only members who have previously served to the office of Captain are eligible to become Assistant Chief. Only members who have been previously served as Lieutenant are eligible to become Captain). Any active firefighter must serve three (3) years active duty to be eligible to run for the position of Lieutenant. Any member seeking the office of Lieutenant must have previously completed the Essentials of Firemanship Training Program, and qualify per Officer Training Guidelines, established in the Rules & Regulations for the Gates Fire District. **The three years must be completed prior to the established date of taking office.**

Section 5-

When a active officer moves residence from one fire company to another company (within the boundaries of the Gates Fire District), the officer may retain the title of office for the remainder of the calendar year. At the next succeeding Annual Meeting such officer shall be eligible to run for the same office in the company relocated to. The officer be eligible to run for the next succeeding office if the previous or less office served was for a period of six (6) months or more. The Fire Chief shall appoint an acting officer to fill any vacant any active offices as soon as possible.

Section 6 -

Any active or reserve member in order to hold the office of President must have previously served in the office of Vice-President.

ARTICLE 7 - AMENDMENTS

The By-Laws for the Gates-Chili Fire Department, Inc. may be altered or amended by a two-thirds (2/3) majority vote cast at the April or October meeting, provided such amendment or alteration have first been submitted in-writing to the Board of Directors at their January or July meeting which is held on the last Wednesday of the month. Any amendment or alteration to these By-Laws must be read and discussed at the meeting preceding the vote (March or September). The amendment or alterations will be read only, and voted upon at the April or October regular meeting. **(revised 10/2004)**