

Constitution & By-Laws

DOUGLAS VOLUNTEER FIRE DEPARTMENT
JANUARY 13, 2021 – CORRECTED VERSION

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ARTICLE I - NAME

The name of this organization shall be the Douglas Volunteer Fire Department (DVFD).

ARTICLE II - OBJECT

SECTION 1: OBJECTIVE

The objective of this department shall be to render such assistance to the village and rural to extinguish fires and give emergency aid as may be possible with our equipment and fire fighting personnel.

SECTION 2: INCIDENT COMMAND

This department shall follow the principles of the Incident Command System (ICS) and National Incident Management System (NIMS).

SECTION 3: VILLAGE EMERGENCY SIREN

The emergency siren shall be blown for three (3) minute continuous blasts with one (1) minute cool down for tornadoes or other disasters until imminent danger has passed. Dispatch will not activate sirens in conjunction with fire or rescue calls in any Otoe County City or Village per The Otoe County Outdoor Warning Siren Activation, Testing, and Maintenance Policy.

ARTICLE III - COMPOSED

This department shall be composed of all fire fighting apparatus regularly organized and equipped by the village and rural for the purpose of fighting fires. All

new equipment will when possible meet the appropriate National Fire Protection Association (NFPA) guidelines.

ARTICLE IV - OFFICERS

SECTION 1: OFFICERS

The officers of this department shall be a chief, assistant chief, captain, lieutenant, president, and secretary-treasurer, who shall hold their respective offices until their successors are elected, together with such special officers or working committees as may be appointed or elected from time to time.

SECTION 2: EXECUTIVE COMMITTEE

Executive committee shall consist of the president of the department, the assistant chief, and the captain.

SECTION 3: ELECTIONS

The officers of the department shall be elected by ballot by the members in good standing at the annual meeting, every two (2) years, in January.

ARTICLE V - NUMBER OF MEMBERS

This fire department shall have a limit of twenty-five (25) members.

ARTICLE VI - DUTIES OF OFFICERS

SECTION 1: CHIEF

It shall be the duty of the chief to take full control of the entire department at all fires, parades, disasters, or any event requiring emergency assistance from our department. To have general supervision of all fire department property, and at all times to perform such other duties as may be required of the chief by law or by the village or rural boards. It shall be the duty of the chief to see a record of all fires and alarms and submit these to the State Fire Marshall and State Forestry Service. In the absence of the president, the chief shall preside at the meetings. The chief shall review and approve the New Member Training Program and Equipment Orientation Program. The chief shall be Fire Fighter I certified and have completed IS-100, IS-200, IS-700 and IS-800. Proof of these qualification must be presented to the department within two (2) months of being elected.

SECTION 2: ASSISTANT CHIEF

The assistant chief shall, in the absence of the chief, perform the duties of the chief. The assistant chief shall be Fire Fighter I certified and have completed IS-100, IS-200, IS-700 and IS-800. Proof of these qualification must be presented to the department within two (2) months of being elected.

SECTION 3: CAPTAIN

The duties of the captain shall be under the direction of the chief, or assistant chief, to lead fire fighters both on scene and at the station. The captain is responsible for the initial strategies, personnel safety, and the overall activities of the fire fighters. The captain is responsible to lead fire fighters to complete assigned objectives at the emergency scene and to supervise the operation of equipment. The captain will oversee routine and preventive maintenance of all apparatus and equipment. In addition, the captain will provide training to members regarding the apparatus operations and usage of equipment. The captain shall be Fire Fighter I certified and have completed IS-100, IS-200, IS-700. Proof of these qualification must be presented to the department within two (2) months of being elected.

SECTION 4: LIEUTENANT

The duties of the lieutenant shall be under the direction of the captain to assist in his or her duties. The lieutenant shall have completed IS-100, IS-200, IS-700 within two (2) months of being elected as lieutenant.

SECTION 5: SAFETY OFFICER

It shall be the duties of the safety officer to manage the risks and watch for unsafe practices at emergency or training events. The safety officer has the authority to halt any unsafe firefighting activity. The safety officer shall maintain a current EMS certification.

SECTION 6: PRESIDENT

It shall be the duties of the president to preside at all meetings, appoint all committees other than the executive committee, and to call special meetings whenever he or she thinks it necessary. The president shall govern all meetings by Robert's Rules of Order.

SECTION 7: SECRETARY-TREASURER

It shall be the duties of the secretary to keep an accurate list of all members of the department, to call roll at all meetings, to keep minutes of the proceedings of all meetings, and to note all absenteeism. The secretary shall notify all members placed on committees, and officers elected, provided they were absent from the meeting at which they were appointed or elected, to enter upon the records the names of the officers and report to the Village Board and Rural Board the names of the elected persons as soon as possible.

It shall be the duty of the treasurer to collect all monies due to the department and pay all bills when due as ordered by the chief or president. He or she shall keep an accurate account of monies received and disbursed, and shall render an accurate account of the same to the department at meetings.

SECTION 8: TRAINING OFFICER

The training officer is responsible for updating the training of current fire fighters and for training new fire fighters. Maintaining accurate training records shall be the responsibility of the training officer. The training officer is responsible for providing and schedule all training events. The New Member Training Program

and Equipment Orientation Program shall be developed, maintained, and overseen by the training officer. The training officer may appoint an assistant. The Training Officer shall be Fire Fighter I certified.

SECTION 9: EXECUTIVE COMMITTEE

The executive committee shall consist of the president of the department, the assistant chief, and the captain. The president shall serve as the chairman and secretary and shall perform the usual duties incumbent upon such officers. The executive committee shall perform such other duties as may here-in-after be prescribed for in the constitution and by-laws. It shall be the duty of the executive committee to screen all membership applications, to act as a grievance committee after following the chain of command, and to perform a quarterly audit on all expenditures. An alternate executive committee member may be appointed if a grievance involves a member of the executive committee.

SECTION 10: TRUSTEES

The Village Board of trustees of the Village of Douglas, and the Palmyra Rural District Fire Board shall be the trustees of this department.

SECTION 11: TAX CREDIT CERTIFICATION ADMINISTRATOR

The Tax Credit Certification Administrator is a non-elected, designated position. This position shall be designated during this department's elections as specified in Article IV Section 3. The Tax Credit Certification Administrator's duties are listed in Nebraska State's Legislative Bill 886.

ARTICLE VII - MEMBERSHIP

SECTION 1: QUALIFICATIONS TO REQUEST MEMBERSHIP

Any person eighteen (18) years of age or more who may desire to become a member of this department shall make a written request to the executive committee, and if approved, shall be voted upon at the next meeting by the attending members. Discussion of the applicant will be held in executive session and voted upon by secret ballot during a regular meeting.

SECTION 2: QUALIFICATIONS TO RETAIN MEMBERSHIP

Each member shall attend as many meetings as possible during the year. Any member absent from more than twenty-five percent (25%) of the regular business meetings, without an acceptable excuse to the department shall be a reason for suspension from the department upon written ballot and two-thirds (2/3) agreement of the members present.

SECTION 3: KEY AND PAGER

A pager, upon availability, shall be given to each new member after being voted in. A key will be provided upon completion of the probationary period. Upon the resignation of any member or dismissal of any member, the key and pager shall be returned to an active Douglas fire fighter. Persons not returning pager, or abuse of such pager, shall be responsible for the cost of the pager.

SECTION 4: RESIGNATION

Any member may resign from this department by a written request to the department or a verbal request to an officer of the department. Any officer may resign his or her office in the same manner, except the secretary-treasurer, who shall give at least thirty (30) days notice. When the books are found correct, the secretary-treasurer's resignation may be accepted.

SECTION 5: PROBATIONARY PERIOD

New members shall complete a minimum of a six (6) month probationary period. During this period the new member shall attend all monthly meetings and periodic maintenance (PM). Any necessary absences will follow Article XII Section 1. New members shall complete the New Member Training Program and Equipment Orientation Program during the probationary period under the direction of the training officer within the first year of membership. Completion of the New Member Training Program may be waived if the new member has obtained the Fire Fighter I certification prior to joining this department or completes the Fire Fighter I certification during probationary period. A sponsor will be assigned to the new member for the duration of the probationary period.

SECTION 6: VOTING RIGHTS

Voting rights are reserved for members who have completed the probationary period. Cadets do not have voting rights.

SECTION 7: AGE 65

Under present-day law, at age sixty-five (65), members insurance policy through the Village of Douglas and the Palmyra Rural Fire District, will increase in cost.

SECTION 8: DUES

There are no membership dues. However, an amount of up to \$15.00 per member may be set for social events.

SECTION 9: CADETS

This department offers a cadet program to youth from age thirteen (13) until eighteen (18).

ARTICLE VIII - DUTIES OF MEMBERS

SECTION 1: RESPONDING TO A CALL

Upon hearing the alarm of fire, each member shall go to the fire station to don personal protective equipment for his or her personal use at the fire. Members are required to follow all traffic laws while responding. If all apparatuses have left, the fire fighter may join them with as little delay as possible in his or her personal vehicle while using his or her best discretion to prevent the personal vehicle from becoming a hinderance to scene operations. Each member shall use his or her best judgement in the discharge of duties as may be assigned by the officer in command. Should any member refuse to obey the officer in command, that member may be brought before such officer at the next regular meeting, and failing to show just

cause for such disobedience, shall be expelled at the discretion of the department. All fire fighters attending an emergency call must receive permission to be dismissed from the officer in charge. There will be no exceptions, everyone entering or operating on an active scene must be wearing the appropriate personal protective equipment for the zone they are operating in.

SECTION 2: TRAINING

Successful demonstration of operational competency must be shown to an officer of this department before a fire fighter may operate or drive fire equipment or apparatuses without supervision. Fire fighters not meeting minimum qualifications of training shall be restricted in duties accordingly.

SECTION 3: FALSE ALARMS

Any member being guilty of willingly raising a false alarm of fire, or rescue, or assisting in any way what-so-ever in raising such alarm, shall be expelled at the discretion of this department.

SECTION 4: EXPENSES OF FIRE FIGHTERS

All department approved or required training will be paid for or reimbursement will be given by this department or the Palmyra Rural Fire District. Each member must take care of his or her own personal expenses, equipment, vehicles, etc., except that which is covered by the insurance policy held by the Village of Douglas or Palmyra Rural Fire District.

SECTION 5: RED LIGHT PERMIT

Red light permits may be issue at the discretion of the fire chief and Otoe County Sheriff in accordance with Nebraska State Statute 60-6,233. All red light permits expire annually on December 31 according to state statute and a new application must be submitted for the following year. Any abused of the red light permit will be reason for immediate revocation of said permit by the fire chief and disciplinary actions may be taken. Minimum age requirement to apply for the red light permit is at the discretion of the current fire chief.

ARTICLE IX - MEETINGS

SECTION 1: TIME, DATE, AND LENGTH

Regular meetings shall be held on the second Wednesday of each month at 7:30 p.m. At the discretion of the chief or president, or by written request of five (5) members of this department, an emergency meeting may be called with a minimum of twenty-four (24) hour notice to all members.

SECTION 2: TRAINING MEETINGS

Training meetings shall be held at the discretion of the training officer, with a minimum of twenty-four (24) hour notice to all members.

SECTION 3: QUORUM

Six (6) members shall constitute a quorum for the purpose of transacting business.

ARTICLE X - ELECTION OF OFFICERS

Officers of this department shall be elected by ballot every two (2) years at the annual January meeting.

ARTICLE XI - EXPULSIONS

Any member of this department shall be expelled by a two-thirds (2/3) vote of the attending members at a regular meeting. Prior to the expulsion vote, the delinquent member will be contacted by the Executive Committee who will ascertain the intent or desire of the member. If it is determined that the member is no longer an asset to the department, he or she will be asked to return any department equipment and be relieved of all duty by the process listed above. Members may be expelled for any of the following causes: Neglect of duty, Disorderly conduct, Willful disobedience of an officer of the department, etc. Any member of this department who is under the influence of alcohol or illegal drugs at any meeting or while on duty shall be expelled at the discretion of the department.

ARTICLE XII - EXCUSED ABSENCES

SECTION 1: ACCEPTABLE EXCUSES

Sufficient excuse of non-attendance includes but is not limited to the sickness of the member or in the member's family, indispensable business, vocation, vacation, or fire related training. A text message, email, or oral excuse must be presented in advance of the meeting to be missed. Such excuse shall be made to an officer of the

department. That officer must then tell the secretary-treasurer so accurate records can be made.

SECTION 2: LEAVE OF ABSENCE

The chief, or assistant chief, may grant leave of absence at their discretion to any requesting member.

ARTICLE XIII - USE OF FIRE EQUIPMENT

SECTION 1: EQUIPMENT USE

No equipment is to be taken from any truck or fire department property without special authorization of the chief or assistant chief. All personal protective equipment (PPE) shall remain at the fire house and maintained when needed. A member living two (2) miles or greater from the fire station has the option to keep personal protective equipment at home, with the approval of the chief. That member is responsible for the care of such equipment and will be required to reimburse the department if any equipment is lost, damaged, or stolen due to neglect of proper storage.

SECTION 2: EMERGENCY VEHICLES LEAVING ON CALLS

No emergency apparatuses may leave for an emergency call without at least two (2) firefighters in response without the approval of an officer.

SECTION 3: EMERGENCY VEHICLE PASSENGERS

Only fire fighters, or rescue members, are to ride fire equipment on emergency calls without permission of an officer. During any other situation, permission of the fire chief or assistant chief is required for any non-fire fighter person to ride on or in trucks or other equipment.

SECTION 4: NON-EMERGENCY USE OF EQUIPMENT

Fire equipment may be used for non-emergency purposes, if manned by members of the department on a volunteer basis. This pertains only to our fire district. Prior approval must be given from the chief or assistant chief before fire equipment may be used for such purposes. The chief or assistant chief is responsible to obtain any necessary authorization from the Palmyra Rural Fire District. All equipment will be returned in the same conditions in which it was borrowed.

ARTICLE XIV - CONSTITUTION & BY-LAWS

SECTION 1: AMENDMENTS

This constitution and by-laws may be altered, or amended, or added to, having been read at three (3) consecutive regular meetings, by the vote of two-thirds (2/3) in agreement of the membership present at the third regular meeting; previous notice having been given at the last regular meeting, or by written notice of such intended change.

SECTION 2: ADOPTION

This constitution and by-laws shall be in full force from the date of adoption by this department.

OFFICIAL