



Constitution and By-Laws

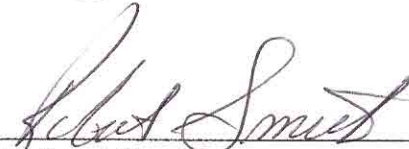
Of the

HUDSON VOLUNTEER FIRE DEPARTMENT

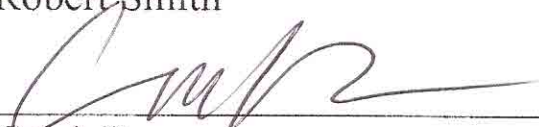
Passed and approved: October 3, 2011

Signed:

President


Robert Smith

Secretary


Caleb Ramsey

Constitution and By-Laws

Of the

HUDSON VOLUNTEER FIRE DEPARTMENT

WHEREAS certain laws and regulations are necessary for the good order and well being of all Associations in order to define duty, to establish discipline, the maintenance of harmony for the full promotion of the object for which we are associated together, we do ordain and adopt the following Constitution and By-Laws for our regulation and government, and do hereby pledge Ourselves to cheerfully submit to the legally expressed will of the majority, and to support our Officers in the discharge of their duties.

Article I

- Section 1** The name of this department shall be the Hudson Volunteer Fire Department, Inc.
- Section 2** The object of the department shall be the saving of lives and the protection of property endangered by fires and other disasters and to promote the teaching and practice of fire prevention and protection.
- Section 3** The following Holidays will be observed if they fall on a regular meeting night: Christmas Eve, Christmas Day, Halloween, Independence Day, Labor Day, Memorial Day, New Year's Eve, New Year's Day & Veteran's Day. If one of these Holidays fall on the day of a regular business meeting, that business meeting will be held the following meeting night.
- * Monday 's after an approved Department Holiday falling On a Sunday will be observed.

Article II

Section 1 The Officers of this department shall consist of a President, Vice-President, Secretary and Treasurer forming the Executive Administration; A Chief, Assistant Chief, and Fire Marshal, which will form the Fire-fighting Administration. The Chiefs shall appoint a Safety Officer.

Section 2

- A.** An annual election of officers will be held during the first business meeting in December. Anyone in the Hudson Fire Department must be a member for a minimum of six months before he or she can be nominated, appointed or elected to any office. In an order to form a more perfect unification of the likes and dislikes of the voting members of the Hudson Fire Department, the election proceedings shall be conducted as follows?
- B.** The Secretary of the Hudson Fire Department shall provide a secure drop box, in an accessible location, within the Fire Department for early nominations of elected Officers to be placed. Nominations will be opened during the regular November business meeting, and will cease at the beginning of the regular business meeting in December. The person making the nomination should provide the first and last name of the nominee, and the position for which they are nominating them for. A nomination can be made by another member of the Department, or by the member themselves.
- C.** After nominations have ceased, the Secretary shall provide the President, in written format, the list of nominees and the position they were nominated for. At which time the list will be read by the President to the Department in order by position. The President will then entertain a request for anyone wanting to withdraw his or her name from the nominee list, and these persons may do so at that time.
- 1,** Incumbents do not require a nomination. All incumbents will automatically be entered in as a nominee unless the incumbent withdraws his/her name.
- D.** Officer elections will be conducted in order as follows: Chief, Assistant Chief, President, Vice President, Secretary, Treasurer and Fire Marshal. Before each vote, of each Officer, the President shall once more open the floor for verbal nominations. If there are no more nominations then a motion for "nominations to cease" shall be made. After nominations have ceased then a ballot shall be handed out to each eligible voting member. The member must write in his or her candidate of choice for the position being voted on, and then all ballots will be collected and counted.

- I. If there are no opposing nominees for a position being voted on then a motion to vote by acclamation can be made.
- E. Counting of the ballots will be conducted at the end of each vote, for each position, by the current Fire Department Officers, with at least two of the six officers present.
- F. Those nominees receiving a vote of more than fifty percent (50%) for their perspective position will be declared the winner, and the announcement will be made by the President at the conclusion of each individual officer voting process.
- G. In the event of a tie, or if no candidate receives 50% of the vote, the two nominees with the highest percentage of votes will be reentered on a separate ballot, and another vote will be taken. In the event of a tie, on the second vote, the nominees will be asked to draw numbers from a hat, for a tie breaker, in the event that there is a second tie. The nominees names will be reentered on a separate ballot and a third vote will be made. If at that time the vote results in a tie, the nominee with the lowest number drawn will win the position that She/he was nominated for.
- H. On completion of the voting process all nominee slips and voting ballots will be placed in a folder and kept on file for approximately 5 years. After five years, the newest file will be placed in the file cabinet, and the oldest will be destroyed. All files are public record, and can be accessed at any time, by any member, by contacting one of the Officers of the Hudson Fire Department.

Section 3 A quorum shall consist of the President or Vice President and Nine (9) voting Members.

Article III

- Section 1** It shall be the duty of the President to preside at all meetings of the Department; he shall sign all minutes, resolutions, orders and summons of the Department, as well as these By-Laws and Amendments thereto. He shall appoint all Committees and Officers not otherwise provided for. He shall hold, as trustee for the community of Hudson, Texas, title to all property belonging to, used by, or in possession of the Department and shall execute all conveyances of such property as such trustee with approval of 3/4ths of all Members present at regular business meeting. He shall do such other and further things as the Department may direct. He shall have the authority to fine any Member in the amount not to exceed One Dollar (\$1.00) for misbehavior or misconduct during any meeting of the Department.
- Section 2** The Vice-President shall act and have all authority of the President, in his absence, and shall do such other and further things as the department may direct.
- Section 3** It shall be the duty of the Secretary to keep a record of all Department business. He shall keep a current roster of all Fire Department personnel as well as any other correspondence necessary to the function of this Department. The Treasurer shall keep an account of the department's finances. He shall have the authority to collect all monies due the department, make all disbursements due, and keep an accurate record of the same. He shall render a monthly and an annual report of all monies received and disbursed throughout the previous year, and submit his books to the proper committee at least 1 week before the annual meeting to elect officers. Both Officers shall transfer all books, papers, stocks, or other collateral belonging to the department within 1 week after termination of His office. Due to the amount of work involved in this position, he may request an Assistant to help. This assistant will be appointed by the President and must be an Active A or Reserve B member of the department. The assistant will not have any authority over financial matters. He shall serve simply to assist in delegating necessary paperwork and filing records.
- Sub-section A:** This department shall have a Board of Directors, which will consist of all seven (7) elected Officers. This board shall have the authority to spend money for emergency or repairs when one officer from the Executive and one officer from the Fire-fighting branch deems it necessary to do so. This Board shall also have any other authorities as may be included in this Department's guidelines.

Article IV

Section 1 It shall be the duty of the Fire Marshal to see that periodic inspections of the public and Commercial Buildings of the Community be made for the purpose of furnishing the Members of the Department with the necessary information to provide improved Fire-Fighting practices and for the purpose of active Fire Prevention. He shall be responsible for the investigation of all fires and submission of fire reports to the proper authorities.

Article V

Section 1

It shall be the duty of the Fire Chief to assume full charge of all members, apparatus, and Equipment, while on parade, at drills, at conventions and at fires or other emergencies requiring the service of the Department. He shall have the right to call out any and all Members and Apparatus for any purpose incidental to this office. He shall assume full responsibility for all fire equipment and see to its proper care and maintenance. It shall be his responsibility to recommend the purchase of new equipment. He shall see that adequate training programs are conducted in the Department and shall acquaint himself with all new firefighting methods by attending fire schools, drills and conferences. He shall recommend the purchase of suitable training manuals, text books and other instructional material. He shall see that proper discipline is maintained in the department.

Section 2

It shall be the duty of the Chief to see that a proper record is kept of all fires: the hour and date, the type of Occupancy, the name of owner or tenant, the value of the property involved, the estimated amount of damage, the amount of insurance carried and insured loss paid, the type of building construction, where the fire originated, the extent of its spread and how it was extinguished.

Article VI

- Section 1** The Assistant Chief shall be under the order of the Chief, and in his absence shall succeed to his duties and authority.
- Section 2** The Chief and Assistant Chief shall have the authority to appoint as many Captains and/or Lieutenants as necessary to maintain adequate leadership of this Department during emergency calls. Any and all of these appointed Officers must be approved by majority vote of the Board of Directors, and shall maintain their position as long as necessary, until the Board votes to change them.

Article VII

Section 1 Any person who has attained the age of Eighteen (18) years and who is in good physical condition may apply for membership into the Hudson Fire Department and will become a member of the Hudson Fire Department after completing all of the following five (5) requirements in the order that is listed in these By-Laws.

- A. Provide the elected Officers with a completed application for membership.
- B. Provide the elected Officers with a complete criminal history at the Applicants expense. This report will be refunded only after the Applicant has received a favorable vote from the Members of the Fire Department and being placed on the B-List. If the Applicant does not complete the application process or does not receive a favorable vote from the Members, this report shall not be refunded.
- C. Receive a favorable report from the Investigative Committee.
- D. Complete an interview process with the elected Officers of the Hudson Fire Dept.
- E. Complete a Ninety (90) day probation period.

Section 1, Sub-section A: Any Applicant who holds a minimum certification of Basic Fire Fighter from the Texas Commission on Fire Protection (TCFP) or Basic, Intermediate or Advanced Firefighter From the State Fireman & Fire Marshal's Association (SFFMA) or has been a Member in good standing with another Fire Department for no less than Three (3) years (any of these shall be verified by the Investigative Committee) shall complete the following Five (5) requirements in the order listed in these By-Laws.

- A. Provide the elected Officers with a completed application for membership.
- B. Provide the elected Officers with a complete Criminal History at the Applicants expense. This report will be refunded only after the Applicant has received a favorable vote from the Members of the Fire Department and being placed on the the B-List. If the applicant does not complete the application process or does not receive a favorable vote from the Members, this report shall not be refunded. Receive a favorable report from the Investigative Committee.

- C. Complete an interview process with the elected Officers of the Hudson Fire Dept.
- D. Complete a Thirty (30) day probation period.

Section 1, Sub-section B: All applications shall contain the endorsement of at least two (2) active Firefighters. The application shall be read by the Secretary of the Hudson Fire Department at the first (1st) regularly Scheduled Business Meeting of the Hudson Fire Department following the date of filing, and shall not be voted on until all requirements listed in Article VII Section 1 or Article VII Section 1 Sub-section A of these By-Laws has been completed.

Upon completion of all requirements the perspective Applicant's application shall be voted on by the Members present at the next regularly scheduled Business Meeting. A secret ballot shall be taken and if the Applicant receives no more than One-Fourth (1/4) negative votes, He/She shall be declared a Probationary Firefighter/Member of the Hudson Fire Department and shall be placed on the B-List. The Probationary Firefighter shall remain on the B-List until the completion of either a self paced Introductory Firefighting Course or an Introductory Firefighting Course On-line or at Angelina College equivalent to the Standards of the State Fireman & Fire Marshal's Association (SFFMA) and a Class B Texas Driver License has been obtained by the Probationary Firefighter at which time the elected Officers of the Hudson Fire Department vote to move Him/her to the A-List.

No member on the B-List shall be eligible to vote on any matter or run for an elected office within the Hudson Fire Department until She/he has been placed on the A-List. The issuance of any and all equipment and the operation of any fire apparatus shall be approved by the Fire Chief. Upon a favorable vote from the Members of the Hudson Fire Department the Probationary Firefighter shall be assigned a Member Sponsor for the period of one (1) year from the date the member was voted into the Department. The member sponsor shall be appointed by the Fire Chief. All members of the Hudson Fire Department shall abide by a written contract which must be signed by all seven (7) of the elected Officers and the Probationary Firefighter upon being voted into the Department.

Section 1, Sub-section C: Any person at least age 14 but not yet 18 may apply for membership into Hudson Volunteer Fire Department as a Junior Member. Application process:

- A. Applicant must have a parent or guardian that is a current active member in good standing With Hudson VFD.
- B. The application process will follow the same guidelines for regular membership as listed In Article VII, Section 1 of these By-Laws. Part B regarding the background check will Not be required.
- C. Upon a favorable vote into membership, a completed release form must be signed by the Junior member and the active "A" list parent/guardian and be placed on file with the Secretary of Hudson VFD.

Conditions of membership:

- A. All junior firefighters will be expected to attend regular Monday night meetings, and work Alongside the full members.
 - 1) Any school related function will automatically take precedence over expected attendance.
- B. All junior firefighters will expected to maintain satisfactory grades in school:
 - 1) School issued progress reports and report cards must be shown to The Fire Chief when issued for review. Any failing grade will result in suspension of attendance to meetings and emergency calls until the next report showing passing grades is presented.
- C. Junior firefighters aged 16-17 who are licensed to drive, may respond Non-Emergency to Paged calls. She/he should report straight to the Officer in charge of the scene upon Arrival for further instructions.
- D. All junior firefighters will be expected to follow current Standard Operating Guidelines and By-Laws of Hudson VFD.
- E. Any junior firefighter may be removed from the Jr Membership rolls for continued failure Of attendance or lack of showing active participation. A junior firefighter, upon his/her 18th birthday, will automatically become a "B" list member of Hudson Volunteer Fire Department and will then fall under full membership guidelines.

Amendment approved 12-5-11

Article VII, Section 1

Section 1, Sub-section D:

Hudson Volunteer Fire Department Search and Rescue members & City of Hudson Police Officers seeking membership with the Hudson Volunteer Fire Department shall be exempt from obtaining a criminal history background check. If at any time the City of Hudson, and or, HFD K-9 Search & Rescue no longer requires a background check, these applicants will be required to obtain one from Texas Department of Public Safety.

Amendment approved 12-5-11

Article VII, Section 1

Section 1, Sub-section E:

**The criminal history background referenced in Article VII, Section 1, Paragraph B
And Article VII, Section 1, Sub-section A, Paragraph B will be from the Texas
Department of Public Safety.**

- Section 2** Any member who has been issued a pager and who is absent from three consecutive meetings of the Department without legal excuse shall turn in his pager and placed on the inactive list and shall be so notified by the Secretary.
- Section 3** Any member who has been placed on the inactive list by the elected Officers of the Hudson Fire Department and been so notified by the Secretary, and continues to be absent from a minimum of 1/3 of the Fire Department functions such as but not limited to meetings, parades, fundraisers, training and emergency calls for a period of no less than Sixty (60) days shall be dropped from the roll of the Hudson Fire Department and shall be so notified by the Secretary by certified mail. After being so notified the former member shall have a period of Ten (10) days to return any and all property belonging to the Hudson Fire Department. Failure to comply shall result in legal action against the former member.
- Section 4** In case of dismissal, expulsion, resignation, total disability, or death of an active member, the Secretary shall, in writing, certify such facts to the Executive Committee and other Authorities, who, for legal purposes, are furnished a Roster of the Department.
- Section 5** Any Member whose name has been dropped from the rolls shall deliver any property belonging to the Department which he may have in his possession to any Officer of the Department.
- Section 6** Any member who reports for duty at a fire, drill or parade in a state of intoxication shall be subject to expulsion from the Department.
- Section 7** Any officer or Member of the Department who knowingly fails to report an intoxicated Member as provided in section 6 shall be fined the sum of One Dollar (\$1.00).
- Section 8** If any Officer or Member of the Department be charged with improper conduct while discharging his duty as a Firefighter or at any function sponsored by the Department, the charges shall be made in writing, signed by the Member making such charges, and filed with the Secretary. The Secretary will then furnish the accused Member with a copy of the charges and require him to make his defense before the department, which, if he refuses to make within one month after being so notified, he shall be dismissed from the department.
- Section 9** For gross neglect of duty an Officer may be charged before a regular meeting of the Department. After presenting his defense and if found guilty by a two-thirds majority of the Members present, he shall be relieved of his duty as an Officer.
- Section 10** Deleted.

Section 11 All excuses must be made to the Department at its regular meeting by the defaulter in person, unless he is unable to attend due to absence from the area, sickness or some other unavoidable cause, in which case a written excuse must be filed with the Secretary for action by the Department. Sickness of the Member or in the family of a Member, absence from the area or business conditions being of such a nature that prevented his leaving work shall constitute the only legal excuses.

Section 12 A Standard Operating Procedures shall be established by the Fire Chief and the Assistant Chief of the Hudson Fire Department. The S.O.P.'s shall be separate from The Constitution and By-Laws of the Hudson Fire Department. The S.O.P. need only be presented at the next regularly scheduled business meeting by the Fire Chief or the Assistant Chief in the Chief's absence to become in effect. If at any time an S.O.P. becomes out of date, obsolete or if the S.O.P. is unnecessary any Member of the Hudson Fire Department may recommend at the next regularly scheduled business meeting to have the S.O.P. changed or removed. This can be accomplished with a majority vote of the voting members present.

Article VIII

- Section 1** The following standing Committees may be appointed by the President to serve a term of one year; Three members shall constitute each committee, the first person named on each Committee to be its Chairman:
1. Finance Committee
 2. Investigating Committee
 3. Entertainment Committee
 4. Welfare Committee
- Section 2** It shall be the duty of the Finance Committee to check all finances, payments, dues, assessments and to promote all fund-raising campaigns for the Department.
- Section 3** An investigating committee shall be appointed by the President of the Hudson Fire Department to investigate the character, physical condition and other eligibility requirements for membership applicants of the Hudson Fire Department. Their findings will be reported to the Department at the next regularly scheduled business meeting of the Hudson Fire Department. Any Member of the Department who makes Public the findings of this Committee, upon being found guilty, shall be dismissed from the Hudson Fire Department.
- Section 4** It shall be the duty of the Entertainment Committee to arrange all programs conducted for the entertainment of the Members of the Department.
- Section 5** It shall be the duty of the Welfare Committee to take care of all cases of distress among Members of the Department.

Article IX

Section 1 Any proposed amendment to this Constitution and By-Laws shall be presented at any Regular scheduled business meeting by any Member filing orally with the Secretary of the department the Amendment offered to be voted. The Secretary shall read the proposed amendment, and following the second reading at the next regular scheduled Business meeting, if such amendment receives a two-thirds majority vote of the Members present, same shall become a part of this Constitution and By-Law.

Article X

Section 1 These rules may be suspended at any business meeting by a vote of two-thirds (2/3) of the members present.