

# Crosby Volunteer Fire Department

## Bylaws Rev. 09/23

### ARTICLE I – Name and Mission

- Section 1 The name of this organization shall be the CROSBY VOLUNTEER FIRE DEPARTMENT, hereinafter referred to as CRFD. The CRFD shall be operated as a non-profit organization under the applicable provisions of the laws of the State of Texas.
- Section 2 The mission of this organization shall be to organize and maintain a volunteer fire department for the township of Crosby, Texas and the immediate vicinity in order to save the lives and property of its citizens through the accomplishment of the following objectives:
- A. To prevent or suppress natural cover, vehicular and structural fires and any other emergency situation which threatens the loss of life or property;
  - B. To promote cooperation between neighboring departments so that the economy and force of mutual aid can be effective;
  - C. To stimulate interest in fire protection and prevention;
  - D. To assist and advise Emergency Services District #80 Board Members in the means and ways to fulfill the responsibilities of CRFD under the Laws of the State of Texas and the County of Harris; and
  - E. To assist other public safety agencies in the performance of their duties in situations compatible with the mission of CRFD.

### ARTICLE II – Organization

- Section 1 The organization of CRFD shall be as follows:
- A. The department shall be composed of one or more companies.
  - B. The number of regular members in the CRFD shall not exceed one hundred fifty (150) regular members.
  - C. Regular members shall have all voting rights and privileges after successful completion of the department's probationary period.
  - D. Non-Regular members are those persons possessing specialized skills that are required to maintain, promote, or assist in furthering the objectives and purpose of the CRFD. Non-regular members shall have no voting rights and privileges are to be determined by the Executive Board.
  - E. The executive officers of CRFD shall be one (1) Chief, two (2) Assistant Chiefs, one (1) Fire Marshall, one (1) Safety Officer, and one (1) District Chief for each district within the protected area. These officers shall serve as the Executive Committee.
  - F. Other officers that shall hold Rank but are not members of the Executive Committee shall be one (1) Captain for each station within the protected area and one (1) Training Captain.
  - G. There are additional officer positions that have functional duties and hold limited rank as set by the SOP's. These positions may consist of two (2) Lieutenant Fire Marshalls, two (2) Training Lieutenants (which shall include the Certification Coordinator), two (2) Safety Lieutenants, Duties of the Quarter Master will fall under Safety and one (1) Lieutenant for each station within the protected area appointed by the Station Captain as needed.

- Section 2 Financial responsibilities of CRFD shall be broken down as follows:

- A. All collection and distribution of tax revenue shall be the responsibility of the Emergency Service District #80 Board of Directors. This board shall hereafter be referred to as ESD #80.
- B. Tax revenue collected by ESD #80 shall be distributed to the Executive Committee for the purpose of meeting the financial obligations and responsibilities of the CRFD. These distributions will be made in accordance with an annual service agreement and an annually prepared departmental budget ratified by ESD #80. All expenditures from these distributions shall be made for the benefit of the protected area.
- C. The Executive Committee shall maintain final responsibility for determination of expenditures concerning the operational expenses of CRFD. All operational expenditures shall be made for the benefit of the protected area.
- D. Capital expenses will be determined jointly by the Executive Committee and ESD #80. All capital expenditures will be made for the benefit of the protected area.
- E. The distribution of additional funding obtained by CRFD such as donations, service billing, grants, etc. do not fall subject to review and/or approval of ESD #80. The Executive Committee shall provide each business meeting a report on the Fire Recovery Report Account outlining income, interest, and expenditures.
- F. A quarterly dollar amount and purchasing procedure set by SOP 111 can be spent by the membership on items sought to be of beneficial use to the department. List of items will be put together by the membership in the first month of each quarter. In the event there is multiple items the list will be narrowed down to 3 items by the Executive Committee. The 3 items will be presented at the second business meeting of the quarter and voted on by the membership present at the meeting. The item with the majority vote will be purchased by the end of the 3<sup>rd</sup> month of the quarter. The cost of the item to purchased should remain below the quarterly amount or funds will be forfeited from the next quarter to cover the cost.

### Section 3 Departmental Representatives

- A. Members who act as CRFD representatives shall be compensated by CRFD for mileage, travel or lodging expenses that have been pre-approved by the Executive Committee provided that supporting documentation of the expenses incurred is submitted.

## ARTICLE III – Amendments or Revisions of the By-Laws

Section 1 These By-Laws may be amended or revised provided that a motion is made at a business meeting to create a By-Law Proposal committee to be formed to evaluate and write-up a proposed change and that a majority of the regular members in attendance vote by a show of hands to pass the motion.

Section 2 The By-Law Proposal Committee will be duly appointed from the floor and will have five (5) Regular Members in good standing of the CRFD. This committee of five will contain at least one member of the Executive Committee and the member who made the motion to evaluate the proposed change. The committee will evaluate the proposal and vote on whether to recommend a change. The majority opinion of the appointed committee members will determine if the proposal is recommended for adoption. After the committee has evaluated and voted on the proposal, they will either:

- (1) File a written report of why they elected not to recommend a change, or
- (2) File a written proposal signed by all members of the committee, for adoption with the 2<sup>nd</sup> Assistant Chief who will then inform all members of the Executive Committee of the By-Law Proposal Committee's decision before the next business meeting.

After hearing the recommendations of the Executive and By-Law Proposal Committees, the general membership shall vote on whether to accept the proposed change.

Section 3 If the By-Law Proposal Committee files a recommendation to reject a proposed change, then the proposed change and reasons for rejection will be made public to the CRFD membership at the next business meeting.

Section 4 If the By-Law Proposal Committee has recommended that a change to the by-laws be made, the Executive Committee will evaluate the proposal and vote on whether to recommend a change or recommend that the change be rejected. Regardless of the recommendation of the Executive Committee, the 2<sup>nd</sup> Assistant Chief ensures that the proposal is brought before the membership for a vote at the next scheduled business meeting of the department. Before such a vote is taken the members present shall be informed of the Executive Committee's recommendations with respect to the proposed change. No proposal shall be declared adopted unless a majority of the votes cast is in favor thereof. If adopted, the proposal shall be signed by every member of the Committee and The Fire Chief, and also be filed by the 2<sup>nd</sup> Assistant Chief as a part of the permanent record of the By-Laws. Any proposal that is adopted will take effect immediately. The 2<sup>nd</sup> Assistant Chief shall post the adopted proposal for thirty (30) days on the department web page and at each station for informational purposes.

Section 5 The version of the by-laws that reside on the CRFD web site, not titled as draft or proposed, shall be the official copy utilized for governing department business. A copy of the by-laws, with each page signed by the Fire Chief and another member of the Executive Board will be kept on file in the Chief's and the Second Assistant Chiefs office for verification purposes.

#### ARTICLE IV – Standard Operating Procedures

Section 1 The Executive Committee shall be responsible for drafting Standard Operating Procedures (SOP's) as the need is identified.

Section 2 All drafted SOP's (amended or proposed) must be reviewed by the Executive Committee. Once approved the document shall be presented to department membership by means of open discussion during new business at a regularly scheduled business meeting. The SOP is active once approved and shall be posted at all Stations for a period of at least 30 days for further communication to membership.

#### ARTICLE V – Membership and Membership Reinstatement

##### Section 1 Qualification for Membership

###### A. Regular Member

Any person, at least eighteen (18) years of age of good moral character, in good mental and physical condition, may submit application for membership in the CRFD to be acted on during a regular business meeting. Applicants must be approved by a majority vote of the regular membership present. (For stages of membership see SOP Membership) Applicants must pass a criminal background check and a medical physical provided by the department. Should an application for membership be rejected, six (6) months must pass before another may be filed.

###### B. Non-Regular Member

Various levels of Non-Regular Membership requirements/qualifications are outlined in SOP 117. Non-Regular Members shall not have voting rights or privileges in regular business meetings.

##### Section 2 Reinstatement of Membership

A. Any member in good standing who is dropped from the rolls of membership, either by resignation or by vote of CVFD except those leaving for military duty or school, may place their application after determination by the membership, and shall be voted on before any new applications are considered. Members leaving for military service or school shall be carried on the rolls, but placed on a leave of absence, for the duration of their military service or school, and for ninety (90) days thereafter.

- B. Should an application for membership or reinstatement be rejected, six (6) months must pass before another may be filed, and the applicant's name will be added to the bottom of the waiting list.

#### ARTICLE VI – Meetings

- Section 1 A business meeting of the department will be held on the first Tuesday of each month, except when Tuesday is a legal holiday. Three Executive Committee members plus the Regular Members present shall constitute a quorum. The remaining Tuesdays in the month shall be training meetings, unless otherwise specified by the Executive Committee. The Chief, on a case-by-case basis, shall reschedule business meetings that are canceled due to uncontrollable circumstances. The 1st Assistant Chief or his designee will chair business meetings. The Secretary, or his designee, will compile and file all meeting minutes for the business meetings.
- Section 2 All special committee meetings of the department will be called by a member of the Executive Committee or the particular committee chairperson.
- Section 3 The Executive Committee shall hold meetings at least quarterly. Any member of the Executive Committee can call a meeting, as they deem necessary provided that three (3) days' notice is given to all committee members so that they can make arrangements to attend. The Executive Committee will set the dates for the year's scheduled monthly meetings at the first business meeting in January. The Chief shall serve as chairman of the Executive Committee. The 2<sup>nd</sup> Assistant Chief shall serve as secretary for compiling and filing all minutes of the meetings. Four (4) members of the Executive Committee shall constitute a quorum for these meetings.

#### ARTICLE VII – Attendance

- Section 1 All Regular Members must attend five (5) standardized training meetings per quarter and (1) business meeting per quarter. If for any reason, other than a pre-approved or emergency absence due to work, sickness, sickness or death in the family, school, or military service, should a member not make this requirement they shall be subject to disciplinary action and shall be notified in writing by the 2<sup>nd</sup> Assistant Chief.

All Executive Officers must attend three (3) standardized training meetings per quarter and (1) business meeting per quarter. If for any reason, other than a pre-approved or emergency absence due to work, sickness, sickness or death in the family, school, or military service, should a member not make this requirement they shall be subject to disciplinary action and shall be notified in writing by the Fire Chief.

- Section 2 Should a member become physically disabled or have personal business requiring more of their time and not be able to attend meetings, drills, fires or emergency calls, they may, should they so desire, submit a letter requesting a leave of absence detailing the reasons and the length of the anticipated absence, and turn in all fire department issued equipment at the request of the Executive Committee. School leaves shall be submitted with documentation of their enrollment and continued enrollment in the school activities. After a member has been on leave of absence for a period of six (6) months, he/she must resubmit for leave of absence not to exceed an additional six (6) months, or his/her membership may be terminated by vote of existing membership. If a majority of members voting are in favor thereof, the member shall be dropped from the rolls and so notified by the 2<sup>nd</sup> Assistant Chief.

Work releases may be requested and approved by the executive committee and shall be for a (1) month period and shall not exceed 3 one month periods consecutively. The third shall come under review of the executive committee and member shall prove his motives and show a willingness to make up the trainings missed. Work releases shall release you from a pro- rated amount of their shift and training requirements.

Upon return from any leave, work or otherwise, of (6) months or greater, all members shall be subject to a written and physical proficiency test that meets their level of participation for their role within the fire department. All members returning from leaves shall address the executive committee and the Training Captain of CRFD in writing to ensure the returning members are tested and proficient before their return to active duty.

- Section 3 After a member has been dropped from the rolls for any reason, should they desire to be reinstated, they shall be taken into the department the same as a new applicant on a case-by-case basis. All delinquent dues or any other monies owed the CRFD shall be paid before their application is considered.
- Section 4 The membership of the CRFD may vote on removing a member from the CRFD roster any time after 2 previous consecutive quarters of said member not being in good standing with the CRFD as set forth within SOP 115.

#### ARTICLE VIII – Election and Appointment of Officers

- Section 1 All elections and appointments shall follow SOPs 116 and 129. All elected and appointed officers of the department shall be elected to serve for a period of two (2) years. Nominations will open on the first Tuesday of November and close on the second Tuesday of November. All elected and appointed officers shall be nominated from the floor during the first two (2) Tuesdays in November. Elections shall be by secret ballot at the first meeting in December. District 8, District 88, District 80, District 82, 8001, 8201, and 8401 offices shall be nominated in even numbered years. District 87, District 89, District 81, 8101, 8301, and 8501 offices shall be nominated in odd numbered years. All persons that are nominated to any executive office position must meet the definition of Regular Member and be a permanent resident of the fire protection district. Any person that has been nominated to a position of line officer (Training Captain or Station Captain) will not be required to be a permanent resident of the fire protection district. The position of the line officer will be a nominated position by the membership with final appointment of the position by the Executive Board. Nominees can accept nominations for more than one position. By the close of nominations, the nominee must strike their name from all but one position.

At minimum one Executive Officer, Training Department Rep., and Fire Marshal Office Rep. will certify that all nominees meet the in/out of district requirement above and SOPs 116 and 129 requirements before the election ballots are drawn up. The Executive Officer will remove all nominees who do not meet the requirements from consideration the night nominations are closed, the persons whose names are removed will be notified as soon as possible.

Any member who feels their name was unjustly removed from consideration may submit a written request to the Executive Committee to review their records and reassess their eligibility for nomination. Results of this review will be communicated to the member as soon as they become available. In the event that nominations have been closed and a requested eligibility review determines that a removed name is now eligible, that name will be added to the list of nominees by an Executive Officer without the need of reopening nominations from the floor. The decision(s) of the Executive Committee will be final.

A majority of the votes cast will elect. Newly elected officers shall assume their duties the first meeting in January of the following year. In case no nominee receives a majority (majority being 51%) of the votes cast, a run-off election will be held during the same meeting.

- Section 2 The 1<sup>st</sup> Assistant Chief on even numbered election years or the 2<sup>nd</sup> Assistant Chief on odd numbered years along with a chosen Captain and Regular Member for each year shall prepare the ballot in the following:
- A. Prepare an official ballot containing the name of all those nominated via the approved electronic voting program as detailed in SOP 112.

- B. Eligible Voters for any voting event shall be defined as per SOP 112.
- C. Election results will be made available for inspection by interested parties for a period of 14 days following announcement of election results.

Section 3 Vacated Offices

- A. In the event an Executive Office or Line Office becomes vacant for any reason, nominations from the floor will be taken and election conducted by secret ballot to fill the vacated office at the first business meeting during which the office in question is officially vacated.
- B. In the event that a lieutenant office becomes vacant, the office shall be filled by appointment by the officer over that office from the membership ranks.
- C. The procedure for elections to fill vacancies shall be as follows:
  - (1) Vacated offices elected or appointed shall follow Article VIII, Sections, 1 and 2 as written above.
  - (2) Nominations will be made from the floor at the first meeting after an office is vacated.
  - (3) Nominees will be voted on or appointed at the second business meeting after the office in question was vacated.
  - (4) Nominations will be made from the floor at the first meeting after an office is vacated.
  - (5) All other election procedures shall be followed in accordance with the procedures set forth in this document.

ARTICLE IX – Duties of the Officers and Their Rank

- Section 1 Duties of the Chief, the highest-ranking officer in departmental command structure, shall be defined by SOP 130.
- Section 2 Duties of the First Assistant Chief, who ranks next under the Chief and is of equal rank to the Second Assistant Chief in departmental command structure, shall be defined by SOP 131.
- Section 3 Duties of the Second Assistant Chief, who ranks next under the Chief and is of equal rank to the First Assistant Chief in departmental command structure, shall be defined by SOP 132.
- Section 4 Duties of the Fire Marshall, who ranks next under the Assistant Chiefs and is of equal rank to the Safety Officer and the District Chiefs in departmental command structure, shall be defined by SOP 133.
- Section 5 Duties of the Safety Officer, who ranks next under the Assistant Chiefs and is of equal rank to the Fire Marshall and the District Chiefs in departmental command structure, shall be defined by SOP 134.
- Section 6 Duties of the District Chiefs, whom ranks next under the Assistant Chiefs and is of equal rank to the Fire Marshall and the Safety Officer in departmental command structure, shall be defined by SOP 135 and 136 respectively.
- Section 7 Duties of the Certification Coordinator, who holds no rank in departmental command structure and will serve as one of the two (2) Training Lieutenants shall be defined by SOP 142.
- Section 8 Duties of the Station Captains, who ranks next under the District Chiefs and are of equal rank to the Training Captain in departmental command structure, shall be defined by SOP 136.01

Section 9 Duties of the Training Captain, who ranks next under the District Chiefs and is of equal rank to the Station Captains in the departmental command structure shall be defined by SOP 136.02

Section 10 Duties of the Lieutenants, whom rank next under the Station Captains and is of equal rank to all other appointed Department Lieutenants in the departmental command structure, Reports directly to their respective superior, shall be defined by SOP144

ARTICLE X – Duties of the Members of CRFD shall be defined by SOP 139.

#### ARTICLE XI – Impeachment of Membership

Section 1 Any elected officer of the department may, for the abuse of his authority, misconduct in office or neglect of duty, and/or negligent disregard of department policy be impeached and removed from their office by a two-thirds vote of the members in good standing present at a regular business meeting of the CVFD. Any charge against any officer shall be made in writing and signed by a minimum five (5) members of good standing and filed with one of the District Chiefs. A copy of the allegation shall be given to the party concerned before the next business meeting of the department. At the next business meeting of the department the allegations will be read by the District Chief to the membership present. A review committee of two executive officers other than the accused officer and the district chief taking the complaint, one captain and two regular members will be appointed to review the allegations. The committee will meet with the accuser(s) and the accused officer over the next 30 day period to review the allegations and documentation to determine if there is merit to the allegations. During the review period the officer is entitled to appoint an advocate from the membership of the department to assist with the review.

If the review committee finds merit for the allegations, they will recommend proceeding with a vote by secret ballot for the impeachment of the accused officer at the next business meeting by secret ballot. A panel of one executive officer, one captain and one regular member of the department shall be tasked with counting and certifying the votes.

Section 2 Any regular member of the department may, for misconduct or neglect of duty, and/or negligent disregard of department policy be impeached and removed from the rolls of the department by a two-thirds vote of the members in good standing present at a regular business meeting of the CVFD. Any charge against any member shall be made in writing and signed by a minimum five (5) members of good standing and filed with one of the District Chiefs. A copy of the allegation shall be given to the party concerned before the next business meeting of the department. At the next business meeting of the department the allegations will be read by the District Chief to the membership present. A review committee of two executive officers other than the district chief taking the complaint, one captain and two regular members will be appointed to review the allegations. The committee will meet with the accuser(s) and the accused officer over the next 30 day period to review the allegations and documentation to determine if there is merit to the allegations. The accused member may elect to appoint an advocate to assist with the review process.

If the review committee finds merit to the allegations presented, they will recommend proceeding with a vote for impeachment of membership at the next business meeting by secret ballot. A panel of one executive officer, one captain and one regular member of the department shall be tasked with counting and certifying the votes.

Section 3 Any non-regular member of the department may, for misconduct or neglect of duty, and/or negligent disregard of department policy be impeached and removed from the rolls of the department by a two-thirds vote of the members in good standing present at a regular business meeting of the CVFD. Any charge against any member shall be made in writing and signed by a minimum five (5) members of good standing and filed with one of the District Chiefs. A review committee of two executive officers, one captain and two regular members will be appointed to review the allegations. The committee will meet

with the accuser(s) and the accused officer over the next 30-day period to review the allegations and documentation to determine if there is merit to the allegations. The accused may elect to appoint an advocate to assist with the review process. If the review committee finds merit to the allegations presented, they will recommend proceeding with a vote for impeachment of membership at the next business meeting by secret ballot. A panel of one executive officer, one captain and one regular member of the department shall be tasked with counting and certifying the votes.

*Exceptions to this process in Section 3 shall be outlined in SOP 117 Non-Regular Membership.*

## ARTICLE XII – Disciplinary Problems

- Section 1 The department will maintain a written disciplinary policy as defined by SOP 145 that will be used to manage disciplinary issues. All line officer positions and above have the authority to carry out disciplinary actions as defined by SOP 145 as per the proper chain of command within CRFD.
- Section 2 The executive board and/or membership of the CRFD may bring forward in writing, allegations, for the abuse of authority, misconduct in office, or neglect of duty for appointed CRFD captain positions. The allegation will be reviewed by the executive board and provided to the parties involved before the next scheduled department meeting/training. Depending on the severity of the presented allegation will determine how promptly the executive board will notify the parties involved. The notification of the parties involved will be made no more than 72 hours from the time the allegation is presented to the executive board. The executive board will notify the parties involved via CRFD email, phone call, and/or text. The executive board shall determine by a majority vote if the allegation meets the criteria for removal from the position or warrants a disciplinary action. If the executive board votes the allegation as a removal, the individual will be notified immediately, and the position will be vacated.

## ARTICLE XIII – Duties of Committees

### Section 1 Executive Committee

- A. Shall maintain and manage the department's written disciplinary policy.
- B. The Executive Committee shall consist of the following: The Chief, First Assistant Chief, Second Assistant Chief, Fire Marshall, Safety Officer, and District Chiefs.
- C. It shall be the duty of the Executive Committee to act in all internal matters concerning the CVFD. It shall also serve as a fact finding committee to present major community problems to the Board of Directors and ESD #80.
- D. All decisions made by the executive committee regarding the operation and business of CRFD shall be final.
- E. The executive committee will prepare and approve the department annual budget to be submitted to ESD #80 for funding approval.
- F. The executive committee shall recommend and approve changes to department standard operating procedures and guidelines.

### Section 2 Grievance Committee

It shall be the duty of the grievance committee, consisting of the Board of Directors to examine such complaints and petitions as may be referred to it by the members of the CRFD or the Board

of Directors, when such grievances are filed in writing at a regular business meeting of the department. The committee will hear all arguments, pro and con, concerning the point in question, and shall report its findings at the next regular business meeting of the department. The findings of the committee shall be final, subject to an appeal by the members. A majority vote of the members present shall be necessary to reverse the decision of the grievance committee. This committee shall be elected by nomination from the floor at the business meeting at which the grievance is filed.

#### ARTICLE XIV – Rules of Order

- Section 1 All questions or points of order concerning parliamentary procedure, unless otherwise decided by these By-Laws or Robert’s Rules of Order, shall be decided by a majority vote of the members of CRFD.
- Section 2 All descriptions of the masculine gender in this document, or any other document published by this department, shall be in reference to a position, office, occupation, etc. with no reflection relating to specific gender.
- Section 3 These By-Laws hereby supersede and rescind all provisions of previous By-Laws and the constitution.