

By-Laws

of the

Four Communities Fire Department, Inc.

P.O. Box 227
Sharpes, FL 32959

4870 North US Highway 1
Cocoa, FL 32927

11 March 2009

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By Laws

Article I. NAME

The name of this organization shall be the 4 Communities Fire Department Inc. The 4 Communities Fire Department may also do business under the name "Four Communities Fire Department Inc.". The 4 Communities Fire Department Inc. may also be referred to in this document as "FCFD" or "the department" or "the Corporation".

Article II. LOCATION

The principle mailing address for the 4 Communities Fire Department Inc. is P.O. Box 227, Sharpes, FL 32959.

The principle physical address for the 4 Communities Fire Department Inc. is 4870 North US 1, Cocoa, FL 32927.

Article III. PURPOSE

The Four Communities Fire Department Inc. is located in or near, and provides services in the following communities: City Point, Sharpes, Williams Point, Frontenac and Port St. John, which are served by the commissioners of districts 1 and 4 of Brevard County, Florida. The FCFD will conduct any and all lawful business in order to fulfill its primary objectives as follows:

Section 3.01 Fire Protection and Prevention

To provide mutual, volunteer fire protection and prevention to the aforementioned communities, and all areas defined by the following boundaries: State Route 528 on the south, to an east-west line running along Kings Highway on the north; by the Indian River on the east, and by the St. John's River on the west. The FCFD may also provided mutual aid and assist other departments, agencies and organizations anywhere within the State of Florida in times of emergency, or in accordance with Mutual Aid Agreements.

Section 3.02 Planning and Mitigation

To investigate, promote, plan and act upon methods of fire control and prevention, to establish, provide and maintain fire station(s) and fire fighting equipment and in general, do any and all proper acts to carry out such objectives.

Section 3.03 Disaster Relief

To aid and cooperate with Emergency Management activities, to promote and take part in first aid, disaster and rescue work, on land and water.

Section 3.04 Community Support

To unite as members in the bonds of good fellowship and to promote and otherwise participate in activities of civic, social, and moral welfare and betterment and in the principles of good government and citizenship.

Section 3.05 Community Forum

To provide a forum for the full and free discussion of all matters of public interest; partisan politics and sectarian religion alone accepted.

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Article IV. MEMBERSHIP

Section 4.01 General

In conformity with the objects of this organization, applicants for membership shall be residents of this area, of good and moral character, and who shall pay such admission fee and dues as the rules and by-laws of this organization may designate, and who shall apply and qualify under one of the membership classifications.

Section 4.02 Membership Application

All applicants for membership shall complete and sign the regular form provided for that purpose.

With proper fee and dues forward to the Treasurer, the application will be submitted for reading at the next regular meeting.

If the applicant is present, the Review Board may interview the applicant following the Business Meeting. At the second Business Meeting, the applicant will be removed from the meeting hall, and the membership application shall be read again. The Chief or his/her designee shall read firefighter Applications, and all other Membership Applications shall be read by the President or his/her designee, along with his/her recommendation, then shall be voted on. Upon receiving one-third or more negative votes the application shall be rejected. Immediately following the vote, the applicant will be brought back in and advised of the success of his/her application. Upon membership rejection, any dues paid as part of the application process shall be returned.

Section 4.03 Firefighters

Firefighters shall be those persons, citizens, native or naturalized, 18 years of age and over.

All applicants must have a valid Florida driver's license and shall volunteer their services without compensation.

Firefighter applicants will be voted upon by the membership, upon recommendation of the Chief.

They will be required to respond to not less than 75% of weekly department training sessions, called at the direction of the Chief or highest-ranking officer and 50% of monthly business meetings, work parties and fund raisers.

The total number in this classification shall not exceed a quota arrived at in the following manner. In accordance with the last preceding federal census of the four communities' served 25 for the first 2,000 or under population and 1 additional for every 250 increase in population. Active firefighters must adhere to all rules and regulations, as established by the Chief, to be known as standard operating procedures. Sub-categories of Firefighters may be established for the purpose of identifying levels of training and expertise, and what activities the individual firefighter may or may not be allowed to participate in.

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Section 4.04 Support Members

Supporting members shall be those who by reason of their own choosing are unable to assist in the fire fighting functions, but who are desirous of supporting and actively promoting the civic, social, and welfare activities of this organization. Support members must be at least 18 years of age. Support members shall not be eligible to hold a Fire Operations Officer position. In order to be eligible to vote, a support member is required to be present to not less than 75% of weekly department training sessions and 50% of monthly business meetings, work parties and fund raisers.

Section 4.05 Reserve Firefighters

Reserve Firefighters shall be those who otherwise qualify as active firefighters, but cannot serve actively because of one of the following conditions:

1. The number of active firefighters that we can safely support has been met or exceeded, and the individual must wait for a vacancy on the roster,
2. The individual has served in the fire service for a significant length of time, and can provide the FCFD with expert guidance and assistance, but is unable to meet minimum participation standards.

The secretary will keep a permanent roster of both classifications, and in the case of the first condition, upon approval of the Fire-Chief, advance each name on the list as a vacancy occurs into the active classification.

Reserve Firefighters must be voted on by the membership. Reserve Firefighters are not authorized to act with or on the behalf of the FCFD, or in any firefighting or EMS role, unless they are acting with or under the authority of another duly empowered agency, or they are requested to act by the officer in charge. Reserve Firefighters waiting for a roster opening may be arranged in order by experience, training & certification, previous service, and/or on a first come first served basis, as determined by a committee of the Fire Operations Officers.

In order to be eligible to vote, a Reserve Firefighter is required to be present to not less than 75% of weekly department training sessions, and 50% of monthly business meetings, work parties and fund raisers.

Section 4.06 Associate Members

Associate members shall be those who otherwise qualify, but who are not able to actively participate in corporate or firefighting activities, but who desire to support the Four Communities Fire Department through the gifts of goods or services. In order to be eligible to vote, an Associate member is required to be present to not less than 75% of weekly department training sessions, and 50% of monthly business meetings, work parties and fund raisers.

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Section 4.07 Lifetime Members

Lifetime members shall be those persons who are charter members or those who are voted in by a two-thirds majority of the membership at a regularly scheduled meeting, as lifetime members. Lifetime Membership will be eligible to those who have served actively for ten years. Lifetime Members are exempt from dues. On the death of lifetime member, their spouse automatically becomes a lifetime member and enjoys all benefits. In order to be eligible to vote, a Lifetime Firefighter is required to be present to not less than 75% of weekly department training sessions, and 50% of monthly business meetings, work parties and fund raisers.

Section 4.08 Fire Explorers

Fire Explorers shall be those who by reason of their age are unable to assist in active fire fighting functions, but who are desirous of supporting and actively promoting the civic, social, and welfare activities of this organization, as well as participating in certain training activities to prepare them for limited firefighting support roles. Explorers shall be at least 14 years of age, and not older than 18 years of age, and minors shall have the written consent of their parent(s)/guardian(s). Explorers are not eligible to hold a corporate or Fire Operations officer position. Explorers will only be allowed to join and/or participate while there is an active FCFD, or Boy Scouts of America Fire Explorer Advisor active and present. Application for Explorer Membership shall be made in a manner consistent with the policies and guidelines of the Boy Scouts of America Fire Explorer Program. Explorers who have reached the age of 18, and have been a member in good standing for at least 90 days, will be invited to apply as a Firefighter or Support member.

Section 4.09 Voting Privileges

Active firefighters, reserve firefighters, lifetime members, supporting members, and associate members, in good standing, shall be eligible to vote and enjoy equal rights and privileges under this constitution and by-laws. Explorers 18 years of age or older are eligible to vote. A member in good standing shall be one who has been present at not less than 75% of weekly department training sessions, and 50% of monthly business meetings, work parties and fund raisers over the past 90 days and/or not on suspension or is not otherwise indebted to this fire department, and has been a member for at least 90 days.

Section 4.10 Change of Membership Status

Members in good standing who elect to change Membership Classification must meet all of the application, dues and approval requirements of the new classification without exception.

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Article V. RESIGNATION OR FORFEITURE OF MEMBERSHIP

Section 5.01 General

Resignation of any office or membership shall become effective at the next regular business meeting, upon receipt of a written notice duly signed and presented to the President, or Chief, but only upon the returning of all issued equipment belonging to the Four Communities Fire Department and Brevard County Fire Rescue. Any member resigning in this manner and later requesting to rejoin the department will be required to go through the same procedure as a new member.

Section 5.02 Expulsion

All officers and members shall be responsible to the organization for the faithful discharge of their duties, and may be suspended or expelled for just cause, and after fair hearing proven incompetent or guilty, by a three-fourth-majority vote by the membership present at a regular or duly called meeting.

Section 5.03 Leave of Absence

Any member requesting a leave of absence in writing combined with the returning of all issued equipment belonging to the Four Communities Fire Department and Brevard County Fire Rescue to the President or Chief Officer shall be granted a leave of absence not to exceed 6 months. The member shall not have the right to vote, to hold an office, or run for an office either Operations or administrative while on a leave of absence, or until having been returned from the leave for a period of 90 days.

Members on an approved leave of absence must still keep the FCFD informed of any change in their contact information (address, telephone, etc), as well as any changes that may affect their ability to serve. In the case of medical leaves, a written doctor's note/memo that the member is fit to return to duty may be required, and firefighters may be required to undergo a departmental physical exam.

Failure to request a Leave of Absence in writing, or failure to notify the FCFD of any changes to your membership information within 30 days may result in the suspension and eventual termination of your membership.

If within 30 days of the end of your requested leave period you do not return to duty, or fail to contact the FCFD in writing, your membership may be suspended, and eventually terminated.

Section 5.04 Absence With Out Leave

Any active firefighter, firefighter candidate, or applicant that misses all of the trainings and meetings within any one month period, without permission or cause, shall be considered Absent With Out Leave (AWOL), and their membership shall be suspended. The suspension will be noted on the Firefighter Roster board, and the individual will be contacted to return any/all FCFD or BCFR equipment or property. If not contested by the

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AWOL firefighter within 30 days following the AWOL Suspension, his/her membership shall be considered forfeited. Failure to return all FCFD and or BCFR property will be dealt with to the fullest extent of the law.

Any reserve firefighter, supporting members, or associate members that miss all of the trainings and meetings within any six month period, without permission or cause, shall be considered Absent With Out Leave (AWOL), and their membership shall be suspended. The suspension will be noted on the Firefighter Roster board, and the individual will be contacted to return any/all FCFD or BCFR equipment or property. If not contested by the AWOL member within 30 days following the AWOL Suspension, his/her membership shall be considered forfeited. Failure to return all FCFD and or BCFR property will be dealt with to the fullest extent of the law.

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Article VI. OFFICERS

Section 6.01 Performance of Duties.

An officer or director shall perform his or her duties, including duties as a member of any committee of the Board upon which the director may serve, in good faith, in a manner such director believes to be in the best interests of the Corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

Section 6.02 President

The President shall be the elected Chief Executive Officer for Four Communities Fire Department Inc.

Section 6.03 Operations Division Officers

The Operations, or Fire Officers shall consist of the following elected positions, as the roster supports:

- 1 Fire Chief,
- 1 Deputy Chief
- 1 Assistant Chief
- 1 Lieutenant

Plus 1 Engineer that may be appointed by the Chief, and confirmed by a committee of the Operations Division officers.

Section 6.04 Corporate Officers

The Corporate Officers shall consist of the following elected positions:

- 1 President
- 1 Vice President
- 1 Secretary,
- 1 Treasurer,

Plus 1 Member At Large to be appointed by the President, and confirmed by a committee of the Logistics Division officers.

The President may act as the Registered Agent or appoint a member in good standing.

The President may also appoint an Assistant Secretary if needed.

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Section 6.05 Board of Directors

Board of Directors (B.O.D.) shall include all of the elected officers. The Chairman of the B.O.D. is the President. The members of the Board of Directors are:

Chairman:	President,		
Corporate:	Vice President,	Treasurer,	Secretary,
Operations:	Chief, Deputy Chief,	Assistant Chief,	Senior Lieutenant,

Section 6.06 Quorum

All regular or special meetings of the FCFD must have a quorum of elected officers in order to conduct business. In order to have a quorum, five (5) members of the Board of Directors must be present, with no fewer than two (2) representatives from either the Operational or Corporate side.

If a quorum of elected officers is not present, the appointed Member At Large may act as one voting member of the Corporate Division, and the appointed Engineer may act as one voting member of the Operations Division.

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Article VII. ELECTION

Section 7.01 Operations Officer Requirements

Operations officers shall meet the following requirements before being eligible to hold office, unless the roster does not warrant such conditions.

- 1) Shall be on the current active list as an officer or firefighter.
- 2) The Chief, Deputy Chief, and Assistant Chief shall have been an Operations officer for a period of two years or greater.
- 3) The Chief, Deputy Chief, and Assistant Chief can not hold any other position on the Board of Directors (they can run for election, but must resign the conflicting position prior to being sworn in).
- 4) Lieutenants shall have been an active firefighter for a period of one (1) year or more.

Section 7.02 Nominations for Operations Officers

The Operations Officers shall be nominated by the active firefighters and the active firefighters only. Nominations of Operations officers will be open in October and close in November at which time an election is held. No Operations officer shall be nominated from the floor at the normal general election held in November. The names of the nominees shall be posted by the Secretary in a conspicuous place in the fire station and function hall.

Section 7.03 Corporate Officer Requirements

Corporate officers shall meet the following requirements before being eligible to hold office, unless the roster does not warrant such conditions.

- 1) Shall be on the current active list as an officer or firefighter, or Support Member.
- 2) Must have been a member in good standing for at least 90 days prior to the election.
- 3) Be active over the previous 90 day, including being present to not less than 75% of weekly department training sessions, called at the direction of the Chief or highest-ranking officer and 50% of monthly business meetings, work parties and fund raisers.
- 4) The President must have been an active member, in good standing, with the FCFD for at least 3 years, if the roster supports it.

Section 7.04 Nominations for Corporate Officers

The Board of Directors shall constitute a nominating committee for *Corporate* officers only. The purpose the nominating committee is to propose the names of candidates for office and whose duty will be to meet and select those best qualified for the respective office; and make contact with persons selected and ascertain willingness to accept if elected and submit a complete slate at the regular October meeting. Notification may be made by announcement at a regular meeting or function, via mail, email, or phone message. At the

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October meeting, nominations for all administrative officers to be filled may also be made from the floor. The nominations will then be closed and the names of the nominees shall be posted by the Secretary in a conspicuous place in the fire station and function hall prior to the November Election Meeting.

Section 7.05 Election Schedule

The election of all officers will be held at the regular meeting in November, after nominations from the floor have been reopened and closed, for *Corporate* officers only. The Secretary shall notify the membership ten (10) days in advance of the date, time, and place of such meeting (the Secretary may elect to make notification via telephone, mail, email or personal contact, but at a minimum is required to post notice conspicuously in the main function hall, in the Firefighter Day Room, in the Fire Station Kitchen, and on any outside bulletin boards that are maintained). Each member attending, who is in good standing and has been a member for at least three (3) months, shall be entitled to one vote. The winner for each officer shall be decided by a simple majority (more than half) of all votes cast by secret ballot. In case no election is had on the Second ballot, the candidate receiving the lowest number of votes on each succeeding ballot shall be dropped, and an additional vote will be taken with the smaller slate. Installation of Officers shall occur at the December Meeting, to be held on the second Friday of December, unless other provisions have been made. Families are encouraged to attend the Installation of Officers, which may be followed by a social gathering.

Section 7.06 Terms of Office

All officers shall be elected for two years and shall take office when installed at a regular December meeting, to be held on the second Friday of December, and shall hold office for two years or until successors shall be elected and qualify. In the event that an officer is elected to fill a position vacated prior to the end of term, the term of the newly elected officer is the same as the original term.

Section 7.07 Compensation

No officer or member shall receive any compensation for any services rendered this organization.

Section 7.08 Premature Vacancy of a Corporate Office

In the event that a vacancy should occur in any elected *Corporate* office, the Board of Directors shall vote to appoint an acting officer for 30 days. The Secretary shall notify all members in good standing of the special election, at least 14 days prior to the election (the Secretary may elect to make notification via telephone, mail, email or personal contact, but at a minimum is required to post notice conspicuously in the main function hall, in the Firefighter Day Room, in the Fire Station Kitchen, and on any outside bulletin boards that

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are maintained). Nominations for candidates for the vacant position(s) will be taken from the floor at the special election meeting. Positions that are vacated by the election of an individual to a different position will be then open for nomination and election at the same special election meeting. Individuals elected at a special election are elected to serve out the period of the original term.

Section 7.09 Premature Vacancy of an Operations Office

In the event that a vacancy should occur in any elected Operations (fire) office, the Chief shall recommend a firefighter in good standing to temporarily fill the vacancy for a period of thirty (30) days until a special election can be held. In the event that the Chief's office is vacated, the Board of Directors shall vote to appoint an acting Chief for 30 days. The President will then call for a special election meeting, usually at the next regularly scheduled business meeting.

The Secretary shall notify all members in good standing of such election, at least 14 days prior to the election (the Secretary may elect to make notification via telephone, mail, email or personal contact, but at a minimum is required to post notice conspicuously in the main function hall, in the Firefighter Day Room, in the Fire Station Kitchen, and on any outside bulletin boards that are maintained).

Nominations to fulfill the remainder of the original term of office will be made at a special meeting of the Firefighters, at least ten (10) days prior to the special election. If the nominations made will create additional premature vacancies, additional nominations may be made at this meeting, or at the special election meeting. Nominations will be reopened and taken from the floor from firefighters in good standing at the special election.

Positions that are vacated by the election of an individual to a different position will be then open for nomination and election at the same special election meeting. (i.e. if a current Lieutenant is elected as Chief, the Lieutenant's position is vacated, and the nominations and election for that position will take place at the same special election). Individuals elected at a special election are elected to serve out the period of the original term.

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Article VIII. DUTIES OF OFFICERS

Section 8.01 Fire Chief

The Fire Chief shall

1. Have command and be responsible for all fire fighting functions and/or equipment, assisted by the Assistant Chief, who shall, also act in his absence or at his direction.
2. Supervise and issue calls for fire drills, training, meetings, both for individual and combined districts,
3. Keep a permanent record of duty-hours, attendance at calls and training, and make a monthly report to the membership of all accomplishments, fire calls, and requirements to aid in performance of the department,
4. Act as liaison between the department and the District Chief and/or BCFR Volunteer Coordinator.
5. Chair a committee, as needed, together with the Operations officers, to determine the equipment requirements and supervise or arrange for acquiring same either through the District Chief and/or BCFR Volunteer Coordinator, or by purchase if approved by the membership.
6. Be in full command at all emergency calls, training's, parades, firefighter meetings,
7. Ensure that the equipment is in good working order at all times
8. Perform all normal functions of an active firefighters,
9. Supervise, through the Operations Officers, the activities of the volunteer firefighters

Section 8.02 Deputy Chief

The Deputy Chief shall

1. Assist the Chief and President with all administrative duties.
2. Represent the Chief and/or Assistant Chief in their absence, or at the direction of the Chief.
3. Work with the Chief and President in the pursuit of equipment acquisition and funding for the improvement of firefighter health, safety and preparedness.
4. Perform all other duties as assigned

Section 8.03 Assistant Chief

The Assistant Chief shall

1. Act as the Chief in his/her absence, or at the direction of the Chief.
2. Assume command of any emergency occurring, pending the arrival of the Chief or ranking BCFR Officer.
3. Perform all normal functions of an active firefighters,
4. Ensure that an effective training program is maintained, either through direct involvement, or delegation.
5. Supervise, through the and Lieutenants(s) the activities of the volunteer firefighters
6. Perform all other duties as assigned

Section 8.04 Lieutenant

The Lieutenants shall

1. Assume command of any emergency occurring, pending the arrival of a ranking officer.
2. Perform all normal functions of an active firefighters,
3. Supervise the activities of the volunteer firefighters.
4. Perform other duties as assigned

Section 8.05 Engineer

The Engineer shall be an active firefighter responsible for the proper maintenance and care of all mechanical equipment and keep the Chief fully informed of the same. The Engineer shall perform other duties as assigned.

Section 8.06 President

The President shall

1. Be the chief executive officer of the organization
2. Preside at all meetings
3. Have the power to issue the call for special meetings
4. Appoint committees except the nominating committee, which shall be composed of the Board of Directors, and he shall act as ex-officio member of same.
5. Make other permanent and temporary appointments as authorized in the By Laws
6. Ensure that these committees function, cooperate with the committee chairperson toward that end and shall call for regular committee reports.
7. Ensure that regular elections are held
8. Ensure all activities are conducted in accordance with the constitution and by-laws.
9. Initiate activities designed to provide funds with which to conduct the business of the FCFD, and meet all objectives and expenses of the organization
10. Be empowered to sign checks, with other duly authorized officers.
11. Supervise the activities of the all members (support & firefighter) during fundraisers, and non-firefighting corporate activities/functions.

Section 8.07 Vice President

The Vice President shall

1. Assist the President in all matters when so requested and if, for any reason the President is unable to perform, or his absence, shall have the same authority as the President.
2. Assist the President in promoting the FCFD through publicity, public education and communications
3. Assist the President in supervising the activities of the all members (support & firefighter) during fundraisers, and non-firefighting corporate activities/functions.

Section 8.08 Treasurer

The Treasurer shall

1. Receive all monies and deposit same in a bank or banks, approved by the membership
2. Be empowered to sign checks against the accounts with other duly authorized officers
3. Pay out monies only upon authorization of the members or when first approved by the finance committee;
4. Prepare and submit financial reports to the membership, which the Secretary will record in the minutes.
5. Prepare and present an annual budget with the support of the Financial Committee.

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Section 8.09 Secretary

The Secretary shall

1. Be under the supervision and direction of the president
2. Ensure that an accurate record is kept of all business meetings.
3. Keep a record of all members according to classification and attendance at meetings
4. Keep records of members resigned or dropped and changes in address
5. Ensure records are kept of all receipts and disbursements from reports provided by the Treasurer.
6. Handle all correspondence as directed
7. Keep all files, records, etc., in his/her control, excepting those papers kept in the bank safety vault.

Section 8.10 Member At Large

The Member At Large shall

1. Assist the President and Corporate Division with duties as assigned
2. See that, in cooperation with the Property and Grounds Committee, the fire department is kept clean and presentable;
3. Ensure that the meeting place is properly prepared sufficiently in advance, arranging the tables and chairs, flag and gavel
4. Preserve and/or restore order at a meeting, under the direction of the presiding officers.
5. See that the flag is flown and taken down on legal holidays.

Section 8.11 Board of Directors

Board of Directors shall be comprised of the elected officers (President, Vice President, Treasurer, Secretary, Chief, Deputy Chief, Assistant Chief, and Senior Lieutenant.)

The Board of Directors shall

1. Meet promptly after their election and make recommendations regarding standing sub-committee membership and chairmanship, and conduct such other business as may regularly come before them.
2. Regularly meet each month prior to the regular business meeting.

In compliance with the article of incorporation of Four Communities Fire Department dated October 21, 1952, they constitute a body politic under the laws of the state of Florida, as a corporation not for profit, shall have perpetual existence unless dissolved by legal methods.

Subject to the will of membership, the Board of Directors is empowered, in the name of the corporation, to take a gift or devise to do all things necessary or essential thereto.

Members and Directors shall not have any vested rights, interest or privileges of in or to the assets, functions, affairs, or franchises of the corporation; nor any right, title or privileges after his/her membership ceases or when he/she is not in good standing, provided that before his/her membership shall cease against his/her consent, from Brevard County where this corporation is located, the corporation shall have all the powers, rights and privileges conferred under the laws of the state of Florida to corporation organized for social, benevolent, and fraternal purposes and not for profit.

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Article IX. MEETINGS

Section 9.01 Meeting Location

This organization shall meet regularly on FCFD property at 4870 North US Highway 1, Cocoa, FL 32927 on the last Tuesday of each month. The function hall will be used for meetings, unless it is unavailable due to rental or maintenance, in which case the meeting may be held in the Fire Station. In years when elections have taken place, the December meeting may be held on the second Friday of December at which time the elected officers for the ensuing years shall be officially installed.

Section 9.02 Meeting Time

The Board of Directors will meet at 6:30 pm (1830) on the last Tuesday of each month. The Business meeting will start at 7:00 pm.

Section 9.03 Meeting Attendance

The Business Meetings of the Four Communities Fire Department are open to the public. All members, visitors and guests are required to sign in on an attendance list, and to conduct themselves in an appropriate manner. Disruptive or improper behavior will result in removal from the meeting.

Section 9.04 Special Meetings

Special meeting may be called when considered necessary, by the President at his discretion, or by the written request of five members. The Board of Directors may direct that some corporate business is private or proprietary, and may vote to close a special meeting to the public. A closed meeting may also be called by the President to discuss sensitive or proprietary matters. Only active members in good standing may attend closed meetings. Notice of a Special Meeting will be made 10 days in advance, and said notice may be in person, via mail, email, phone call, and or by posting a meeting notice in a conspicuous location in the Fire station Day Room, Kitchen, and Function Hall.

Section 9.05 Unexcused Absences

Any elected officer being absent for three (3) regularly scheduled consecutive meetings, without acceptable cause being shown, shall be subject to removal upon a two-thirds vote of the members present at the regular meeting.

Section 9.06 Meeting Minutes

Minutes of all regular and special meetings shall be recorded and kept for at least 3 years. Minutes may be recorded via audiotape, hand written, or typed notes, or a combination of methods.

Article X. PARLIAMENTARY PRACTICES

Section 10.01 Robert's Rules

In the absence of rules in this constitution or by-laws, the proceedings shall be conducted in accordance with established parliamentary procedure according to **Robert's rules of order**.

Section 10.02 Agenda

The normal Business Meeting Agenda is as follows:

1. Meeting called to order by the President.
2. Pledge of allegiance to the flag.
3. Secretary's count of officers and members present (Quorum).
4. Remarks by the President (recognition and introduction of new members & guests).
5. Review and approval of minutes of previous meeting.
5. Reading of communications and bills.
6. Report of Treasurer.
7. Report of Chief.
8. Report of committees.
9. Unfinished business.
11. New business.
12. Adjournment.

Any and all requests for items to be placed on the agenda shall be made to the President, Deputy Chief or Secretary at least 5 days in advance.

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Article XI. COMMITTEES

Section 11.01 Creation of Committees

The President shall appoint temporary or standing committees, as he deems necessary. The Secretary shall post the names of all appointees, together with the chairperson and the name of the committee in a conspicuous place at the fire station.

Section 11.02 Committee Chair Selection

The President may appoint the chairperson on any committee or leave the selection of chairperson to those named on the committee.

Section 11.03 Appointment of Standing Committees

The President elect shall be prepared to announce the appointment of standing committees at the January meeting.

Section 11.04 Standing Committees

The following shall be appointed by the President as required for the execution of FCFD business, and shall serve concurrently with the new officers for up to two years.

1. Membership and Attendance
2. Resolutions, Constitution, and By-laws,
3. Entertainment and Social Activities,
4. Finance.
5. House and Properties
6. Emergency Management
7. Publicity
8. Scouting and Explorers
9. Auditing
10. Disciplinary Review Board

Subsection 11.04(1) Membership and Attendance Committee

This committee will keep itself constantly alert and cognizant of newcomers in the communities, make them fully aware of this organization and its various activities, extend an invitation and see that they join, sponsor membership team contests and drives, see that new members are properly introduced and made acquainted, see that the President immediately assigns incoming members to active committees, preferably of their own choice, contact directly all would be absentees by telephone, personal visit, letter, bulletin, "buddy system", etc., to encourage and build up attendance.

Subsection 11.04(2) Resolutions, Constitution and By-Laws Committee

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This committee shall see that a copy of the constitution and by-laws is in the hands of every member. Keep a copy up to date and see that all are furnished with amendments and additions, shall receive all proposed changes and/or additions in writing, to the Constitution and By-laws, as all, resolutions, for consideration and investigation and make it's recommendations at the next regular meet.

Subsection 11.04(3) Entertainment and Social Activities Committee

This committee shall cooperate closely with the President and Finance committees and be in charge of fund raising affairs such as fish fries, barbecues, dinners and other social affairs and shall see that all expenses are paid and financial report made at the regular meeting.

Subsection 11.04(4) Finance Committee

This committee shall help the entertainment committee formulate plans for raising money to promote their activities and those of the organization and in general, see that funds are available to carry on the objects and purposes of the organization, oversee prompt Collection on dues and other revenues and orderly prompt payment of bills. Where liability might arise, it shall be their duty to see that adequate insurance protection is provided.

Subsection 11.04(5) House and Properties Committee

This committee shall be composed of not less than three (3) members. It shall be their duty to keep an inventory, current of all the organization properties, furnishings, tools, etc., not including fire fighting equipment, and see to it that nothing is allowed to be removed from the premises, unless specifically authorized.

It shall be responsible to work with the Emergency Management Committee to establish and maintain plans and resources to protect all FCFD property from any reasonable hazard, such as Hurricanes, Storms, or any foreseeable threats.

It shall appoint one of its members to act liaison with similar committee of the Ladies Auxiliary (if active) and both of these committees shall meet upon call to discuss and investigate and establish policy and/or handling of all matters pertaining to their respective properties. Both of these committees shall also have the responsibility of seeing that grounds and planting are kept in acceptable order and properly maintained.

Subsection 11.04(6) Emergency Management Committee

This committee shall obtain information and keep the members informed as to methods of local emergency management, cooperate with Emergency Management authorities, promote disaster and rescue planning, promote and conduct public education, and work with the House and Properties Committee to establish and maintain plans to protect FCFD property from any reasonable hazards, such as Hurricanes, Storms, or any foreseeable threats. Members of this committee shall be appointed only with the approval of the Chief.

Subsection 11.04(7) Publicity Committee

This committee shall keep the public and membership informed of all activities of the organization and/or groups it sponsors, by means of press, radio, bulletins, etc., it will keep

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the name of the organization in the public eye by announcing meeting nights, fund raising affairs, entertainment, proposed plans announcing and welcoming new residents and members, etc., it shall promote the use of uniforms, caps, badges, etc., for the firefighters, car emblems, or name plates for all members. It shall also maintain the department's Web site.

Subsection 11.04(8) Scouting and Explorer Committee

This committee shall work to advance the Scouting and Explorer programs sponsored by the FCFD. The Chair of this committee shall act as a primary liaison with the Scouting Leadership. This committee shall be responsible for establishing procedures and practices for such activities as Explorer Advisor recruitment and screening, and Scout Leader screening; as well as for developing and supporting youth training programs and fire prevention awareness.

Subsection 11.04(9) Auditing Committee

The President will appoint an auditing committee to audit the books of the organization at regular intervals, and report the results to the membership. The Auditing Committee shall include the Treasurer, Secretary and Deputy Chief, in addition to at least two other members.

Subsection 11.04(10) Disciplinary Review Board

The Disciplinary Review Board shall be made up of the President, Vice President, Deputy Chief, Secretary, Chief, Assistant Chief and the Senior Line Officer (Captain or Lieutenant). This standing committee is established to ensure a fair, equitable, and appropriate application of the policies, regulations, and rules of the FCFD and BCFR. A member may request a hearing in front of a Disciplinary Review Board to request action or to contest any documented disciplinary action, and the Disciplinary Review Board will regularly review disciplinary records. The Disciplinary Review Board is overseen by the full Board of Directors.

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Article XII. FINANCE

Section 12.01 *Fiscal Year*

The Fiscal Year shall be the same as the Calendar Year, beginning on 1 January and ending on 31 December.

Section 12.02 *Federal Tax Exempt Status*

The Corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. Notwithstanding any other provisions of these Bylaws, the Corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that do not further the purposes of this Corporation and shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code or by a corporation contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code.

Section 12.03 *Deposits*

All monies received in the name of Four Communities Fire Department Inc., from any source shall be deposited in a primary bank account in the name of Four Communities Fire Department in a timely fashion.

This account shall be known as the general fund, and the Treasurer or his designated representative shall deposit these monies in either checking or savings accounts, at the Discretion of the Board of Directors.

Section 12.04 *Special Accounts*

Any special accounts established for Four Communities Fire Department Inc., must be approved by two-thirds majority vote at a regular meeting. The Treasurer shall report the status of all special accounts as part of the regular financial report at each regular meeting, and the Audit Committee will include special accounts in all scheduled audits. Any special account may be dissolved by a two-thirds majority vote at a regular meeting. Any residual funds from a dissolved special account shall be deposited in the general fund.

Section 12.05 *Investments*

The Board of Directors, on behalf of the Corporation, may elect to invest funds in Certificates of Deposits, Stocks, and other interest bearing accounts with the two-thirds majority approval of the members at a regularly scheduled meeting. All certificates/documentation of such investments shall be kept in the Safety Deposit Box. Investments made by the Corporation must be made in accordance with these By-Laws, as well as State and Federal regulations and law.

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Section 12.06 Debt and Cash Reserves

The highest amount of indebtedness or liability which this corporation may at any time subject itself, shall never be greater than one half (50%) of the value of the property & assets of the corporation.

The Board of Directors may enact further restrictions applicable for their term of office regarding the minimal cash reserves that must be kept available.

Section 12.07 Signature Authority

The authority to sign/authorize checks or bank transactions for payment of FCFD debts services or for purchases shall, at a minimum, be granted to the President and Treasurer. The Chief and/or Deputy Chief may also be given signature authority with the approval of the Board of Directors. This signature authority does not empower any officer or member to have any authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable monetarily for any purpose or in any amount, unless specifically approved in accordance with these by-laws.

Section 12.08 Petty Expenses

Petty cash is not normally kept on hand. Expenditure totaling less than one hundred dollars (\$100) per month from any of the regular or special funds of the organization may be incurred or assumed by the Chief, Assistant Chief, President or Deputy Chief. The aforementioned officers may designate how the \$100 can be allotted (predetermined shares, or first come first served). Any such expenses must be documented to the Treasurer, accompanied by a receipt, and reported as part of the monthly Treasurer's Report. In the event that more than \$100 total in petty cash is expended in any given month, the first \$100 in receipts presented to the Treasurer will be reimbursed, and the remainder must be deferred for approval as a Special Expenditure. Monthly petty cash unused funds cannot be rolled over from a previous month, or into a coming month. Expenditures in excess of one hundred dollars (\$100) from any of the regular or special funds of the organization are considered Special Expenditures, and are covered in another section.

Section 12.09 Special Expenditures

No expenditure in excess of one hundred dollars (\$100) from any of the regular or special funds of the organization shall be incurred or assumed by any officer, board, committee, or member, on behalf of the organization, without the approval of a majority the Board of Directors. No expenditure in excess of five hundred dollars (\$500) from any of the regular or special funds of the organization shall be incurred or assumed by any officer, board, committee, or member, on behalf of the organization, without the majority approval of those attending a regular or duly called meeting. The exception to these expenditure rules, is the payment of regular bills for utilities, and services, such as power, telephone, or property or vehicle insurance, which has been properly budgeted for.

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Section 12.10 Execution of Instruments.

The Board of Directors, except as otherwise provided in these Bylaws, may by resolution authorize any officer or agent of the Corporation to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authority may be general or confined to specific instances. Unless so authorized, no officer, agent, member or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable monetarily for any purpose or in any amount.

Section 12.11 Gifts

The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest, or devise for the charitable or public purposes of this Corporation.

Section 12.12 Budget

The Treasurer, with the assistance of the Finance Committee, shall prepare an annual budget for the Four Communities Fire Department. The budget shall be used as a planning and guidance tool, and may include:

1. Normal, recurrent, expected expenses, such bills as electrical, water, waste removal, insurance, and similar expenses (with an appropriate adjustment for inflation)
2. Routine and non-routine facility and property maintenance
3. Fire Operations expenses, including uniforms, gear, training, recruitment, and miscellaneous equipment
4. A reserve fund or long term savings plan
5. Fundraising expenses & income for special events, property rental and direct solicitations
6. Income from contract service
7. Any/all other planned income or expenses

The draft proposed budget shall be presented to the membership at the January meeting, and voted upon at the February meeting. The budget is not binding, nor does it grant the authority to expend corporate funds or resources without the approvals detailed in this section.

Article XIII. AMENDMENTS AND ALTERATIONS

Alterations or amendments to this constitution or by-laws may be made only in the following manner,

1. A resolution in writing shall be submitted at any regular meeting
2. The resolution shall be referred to the Resolutions, Constitution and By-Laws Committee, who shall make recommendation at the next regular meeting.
3. If then adopted by a majority vote of the members present, all of the membership will be notified in by the Secretary that a final reading and vote will be taken at the next regular meeting.
4. A two-thirds majority vote, on final reading will be required to pass.

Article XIV. GENERAL PROVISIONS

Section 14.01 Neutrality

This organization shall at no time endorse or recommend any candidate for political office, nor shall politics nor political candidates be discussed at the business meeting. Also no religious discussions shall be tolerated at the meeting. This does not preclude the use of the Fire Hall for meetings of public interest that do not involve partisan politics or religion. This also does not prohibit renting the hall to any person, group or organization that may be political in nature, so long as care is taken to ensure the application of standard rental rates, and the avoidance of any preferential treatment.

Section 14.02 Ethics

No officer or member shall use the organization as a means for furthering any personal, political or other aspirations, nor shall this organization take part in any movement not in keeping with its purpose and objects. Solicitation of funds for purposes other than our objectives, at any meeting, by nonmembers, is prohibited; neither shall the organization's funds be used for purposes not in keeping with the objectives set forth in the By Laws. The organization's standard operating procedures outlines additional restrictions and guidance as it applies to purchasing and interacting with vendors and/or contractors.

Section 14.03 Improper Conduct

Any member who shall appear at any meeting or any fire or dress parade while under the influence of either alcohol or drugs, or any member refusing to obey the lawful orders of the officer in charge, or in any way interfering with the duties of the officer shall be subject to immediate suspension, and after a hearing before the Disciplinary Review Board, may be subject to dismissal. Any member who shall be guilty of using abusive or obscene language to any officer or member while in session, or on duty, or for incompetence, or neglect of duty, shall be subject to expulsion, but only after a hearing before the Disciplinary Review Board. Further rules and or guidelines of conduct and discipline may be set forth in Standard Operating Procedures.

Section 14.04 Remembrances

The purchase of floral pieces (or donations to charitable organizations) in remembrance of members (or family of members) who have died, or for members who are seriously ill, is at the discretion of the President, Deputy Chief, Chief or Assistant Chief, but shall not exceed \$75 without the approval of the Board of Directors.

Article XV. APPROVAL

Submitted and Adopted this Date: June 30, 2009

Resolutions, Constitution, and By-laws
Revision committee

<original signed by>

Jack Norman

6/30/2009

Jack Norman, President

Date

John Ward

6/30/2009

John Ward, Vice President

Date

Brian Claudius

6/30/2009

Brian Claudius, Chief

Date

Tony Berg

6/30/2009

Tony Berg, Assistant Chief

Date

Andy Gillis

6/30/2009

Andy Gillis, Deputy Chief

Date