

CONSTITUTION

OF THE

LAKE SHORE VOL. FIRE CO. INC.

ORGANIZED 1937

UPDATED 1/18/2023

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CONSTITUTION OF THE LAKE SHORE VOLUNTEER FIRE COMPANY, INCORPORATED INCORPORATED 1937

ARTICLE I Name and Object

Section 1. The organization shall be known and designated as the LAKE SHORE VOLUNTEER FIRE COMPANY, INC.

Section 2. The objects for which this corporation is formed are for the prevention and extinguishment of fires, and to provide emergency medical services for the community. The performance of such duties as shall properly belong to a Fire Company and shall be specifically authorized by law in connection therewith for the mutual and moral advancement of its members and their social welfare and entertainment.

ARTICLE II

Officers

Section 1. The officers of this Company should be as follows: President, Vice President, Comptroller, Recording Secretary, Corresponding Secretary, Financial Secretary, Treasurer, Sergeant-at Arms, and Chief.

Section 2. The Board of Directors shall consist of the President, Vice President, Comptroller, Recording Secretary, Corresponding Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, Chief, and seven (7) members to be elected as Directors.

Section 3. There shall be two (2) Administrators charged with the administration of the Service Awards Program.

ARTICLE III Duties of the Officers and Directors

Section 1. It shall be the duty of the President to preside at all meetings of this Company and the Board of Directors; preserve order and enforce the articles of the Constitution. The President shall decide all questions, subject to the Lake Shore Constitution and guided by the parliamentary rules of "Robert's Rules of Order". The President shall sign all orders drawn of the Treasury for sums of money as shall be ordered paid by the Company at any meeting, or by the Board of Directors. The President shall have power to call meetings of the Board of Directors whenever deemed necessary. The President shall have the power to call special meetings of the Fire Company whenever he deems the same necessary. The President shall have the authority to suspend any motion determined to be of significant change to the membership or Corporation, referring such to a special meeting.

Section 2. It shall be the duty of the Vice President to assist the President to preserve order at all meetings; assist the President in the discharge of duties; preside during the President's absence and perform during such absence all duties usually devolving upon the President. The Vice President shall oversee to use all advances and ensure reporting of the same in a timely fashion.

Section 3. It shall be the duty of the Comptroller to originate, supervise and/or maintain all financial records of the Company. The Comptroller shall present to the Company, not later than the first meeting in March of the year, a statement reflecting the accounts for the preceding year. The Comptroller shall present to the Company, through the Board of Directors, not later than June 30th of each year a budget for the ensuing calendar year.

Section 4. It shall be the duty of the Recording Secretary to keep a record of the minutes of the Company and the Board of Directors meetings; a roll call of the membership Active, Associate and Life; and to call the roll of the Active members at every meeting.

Section 5. It shall be the duty of the Corresponding Secretary to attend to all correspondence of the Company and to notify all Active members of all annual and special meetings.

Section 6. It shall be the duty of the Financial Secretary to collect all dues, fines, or other monies due to the Company and to keep a record of the same. All monies collected shall be deposited in a bank designated by the Company. The Financial Secretary shall also issue a report at every regular scheduled Fire Company meeting on all deposits as well as those members who have outstanding fines and assessments.

Section 7. It shall be the duty of the Treasurer to pay all bills on a timely basis. The bills are to be paid by check or other Board approved online banking methods. Two signatures will be required, whenever possible, on all checks, the signatories being the President, Comptroller or Treasurer. The Treasurer shall report all financial transactions and status of accounts at every regular Fire Company meeting for approval.

Section 8. It shall be the duty of the Sergeant at Arms to assist the President in keeping order at meetings and perform such duties as required.

Section 9. It shall be the duty of the Chief to take command of the Company at every Fire call, EMS call, drill, inspection or parade; to observe that each members do their duty, to grant leave of absence to a member at a fire training and other firematic activities, except social functions, when the Chief deems it proper and to see that the apparatus and equipment are kept in good order, ready at all times for active duty. The Chief shall submit written standard operating procedures/guidelines to the Board of Directors for their approval. It shall be the duty of the Chief to appoint from the active members in good standing Firematic Line Officers consisting of a 1st Assistant Chief, 2nd Assistant Chief, Captain, Junior Captain, First Lieutenant, Second Lieutenant, also an EMS Chief and two (2) EMS Lieutenants which shall be known as the EMS Officers. In the Chief's absence the Line Officers will assume command according to rank. The Chief may appoint up to the following firematic support officers two (2) Rescue Lieutenants, Safety Officer (s), Drivers, EMS Drivers, two (2) EMS Lieutenants, Fire Police Captain, two (2) Fire Police Lieutenants, Secretary to the Chief, Junior Firemen's Supervisor, Fire Inspector, two (2) Mechanics, two (2) Electricians, Parade Marshall(s), and Communications Officer(s). All appointed officers shall be approved by the Board of Directors and will be under the direct jurisdiction of the Chief. In addition, the Chief may recommend additional officers as found necessary for Board approval. The Chief shall keep a proper record of member attendance at incidents, drills and training and shall regularly report same to the Fire Company. Each year the Chief shall present to the Board of Directors a member fire training requirement program and a minimum call response requirement to be approved by the Board.

Section 10 The Board of Directors shall have supervision over personnel matters brought before them, equipment, and real property of the Fire Company. The Board shall act as an investigating/grievance panel and shall act on such matters as provided for in the Constitution. It shall meet on the call of the President at least once every calendar month. Members of the Board of Directors may be assigned specific duties or to serve on Committees for the Board of Directors by the President. The Board of Directors shall have the authority to establish guidelines, set policies, approve Standard Operating Procedures/Guidelines and a Code of Conduct, for which the membership will be required to abide by. The Board of Directors shall approve all contracts.

Section 11. It shall be the duty of each member of the Board of Directors to attend all regular and/or special meetings of the Board, and any member of the Board of Directors failing to attend two successive meetings, without reasonable excuse, or absent from six (6) regularly scheduled meetings, will be required to appear before the Board to answer their absences. A two-thirds (2/3) vote shall be required to administer appropriate action up to and including expulsion from the Board.

Section 12. It shall be the duty of the two (2) Service Awards Administrators to compile and secure all records in accordance with the adopted program. They shall be under the direction of the Board of Directors and make quarterly reports to the members regarding individuals' progress. They will not be considered as a member of the Board of Directors. They shall be elected to two (2) year terms with one (1) elected on even years, and one (1) elected on odd years.

Section 13. The Officers and Directors of the Company shall hold office to which they have been elected for the term of one year, or until their successors shall have been elected or appointed as provided for in the Constitution except as otherwise provided.

Section 14. Any appointed officers shall hold office for the term of one year, or until their successors have been appointed as provided for in the Constitution, except as otherwise provided.

Section 15. The Fire Company shall secure proper insurance for all officers to protect against theft, loss, or error.

ARTICLE IV

Nominations and Elections of the Board of Directors and Officers

Section 1. At the first regular meeting in November, nominations shall be made for each of the following officers: President, Vice-President, Comptroller, Recording Secretary, Corresponding Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, and Chief, also Seven (7) Directors, and one (1) Service Awards Administrator, provided however;

A. A nominee for the office of Chief shall come from the active list of Board approved drivers. A nominee for the office of Chief must also meet the requirements set forth in any Board of Directors approved policies. Such requirements shall have been in effect no less than six (6) months prior to nominations.

B. In accordance with Article IV, Section 1, nominees for the office of President and Chief shall reside within the boundaries of the Lake Shore Vol. Fire Co., Inc., or an adjoining fire district, and shall have served at least one (1) year on the Board of Directors.

C. Active member nominees, shall at the time of nominations, be members in good standing and shall verbally commit to the nomination. Members absent from the meeting who are nominated will be required to acknowledge the nomination before the election.

D. Nominations may not be reopened at the election meeting unless there is an unexpected vacancy, or a member has declined their nomination leaving the office open. Reopened nominations will only apply to the vacant positions.

Section 2. An active member, to be eligible to hold an elected office in the Fire Company, must have successfully completed the probationary period as described in Article V, Section 5.

Section 3. The Annual Election shall be held utilizing the approved on-line voting applications following the regular meeting in December, at which time the President, Vice-President, Comptroller, Recording Secretary, Corresponding Secretary, Financial Secretary, Treasurer, Sergeant-at-Arms, Chief and seven (7) Directors shall be elected in that order for a term of one year. When elected, each of those officers shall automatically become a duly elected member of the Board of Directors for a term of one year. In addition, one (1) Service Awards Administrator shall be elected each year to fill a two-year term. When elected, the Officers and other members of the Board of Directors shall assume the duties of their respective offices January 1st. Once an Active member has successfully been elected to an office, their names will be automatically removed as a nominee from all pending offices.

Section 4. The Annual Election shall be by secret ballot; ballots shall be completed utilizing the approved on-line voting application. The Recording Secretary shall be responsible for submitting the approved list of nominees for each office and the Board of Directors.

Section 5. Before an officer or other member of the Board of Directors can be declared elected, it shall be necessary that each receive a majority of the ballots cast.

Section 6. Vacancies in any elected office caused by death, resignation or any other reason shall be appointed by the Board of Directors. Such appointee shall hold office until December 31st or until their successor is elected.

ARTICLE V

Voting

PROLOGUE

When possible, voting for elections, applications, Constitutional Amendments and Life Membership, acceptance, shall be done by a Board of Directors approved electronic on-line methods. All other votes requiring 2/3 purchasing approval may be done by traditional methods. The company may approve electronic on-line methods if extenuating circumstances require it.

Section 1. Only Active and Active Life members in good standing shall be entitled to vote on all matters at any regular or special meetings of the Fire Company.

Section 2. Voting at any regular and/or special meetings of the Fire Company shall be conducted as follows:

- A. All votes regarding membership shall require a two-thirds (2/3) vote.
- B. If a vote calls for a majority or two-thirds (2/3) vote of the members, only the members voting or casting a ballot in the affirmative or negative shall be counted in determining a two-thirds (2/3) or majority vote.
- C. A member may vote present or refuse to vote or cast a ballot, but such members shall not be counted in determining a majority or two-thirds of the voting body.
- D. Voting for membership, Constitutional Amendments, and purchases over \$10,000 will occur using the approved On- Line Voting Application.

Traditional

E. *A member unable to attend a regular or special meeting may assign, by name, a proxy to vote for them at that particular meeting. The assignment must be in writing to the company and must indicate the date of the meeting to which it applies and must be signed by the member making the assignment. A vote when cast by proxy shall be counted in determining a majority or two-thirds (2/3) vote in accordance with Section 2B of this article. A vote may be cast by proxy when:*

- 1. Voting for Officers at the Annual Election Meeting as noted in Article IV, Section 3.
- 2. At a special meeting when the member assigning a proxy has been advised of the nature or reason for the meeting by a Corresponding Secretary's notice issued in accordance to Article VIII, Section 1.
- 3. On any business, motion, or proposition which has been presented to the Company at a previous meeting, and is by record, scheduled to be acted upon at the meeting on the date designated in the proxy assignment.

Section 3. Any expenditure or transaction involving the sum of \$1,000 or more shall be decided by two-thirds (2/3) of the members voting in the affirmative or negative at a regular and/or special meeting. A majority of the Board of Directors at a meeting of the Board of Directors after such a decision is made shall have the right to reject such a decision and shall report their reason for rejection to the Fire Company at their next meeting.

Section 4. Whenever a motion is made at a Fire Company meeting to purchase or make a commitment in the amount of \$10,000 or more, the motion shall automatically be tabled to the next Fire Company meeting or Special meeting (if so requested). In the case of a Special meeting, notice to the membership shall be made per Article IX, Section 1. If the purchase is deemed to be an emergency expenditure by the

President, the Board of Directors shall be contacted by whatever means practical and notified of the situation. If a majority of the members of the Board express concerns about the purchase, a meeting of the Board of Directors shall be called.

ARTICLE VI **Membership**

Section 1. The Fire Company shall consist of the following Active Memberships: Fire only, EMS only, Fire and EMS, Fire Police only, and Administrative only. In addition, the following In-Active Memberships: Life, Honorary Life, Honorary, Associate, Exempt Benevolent, Junior, and Ladies Auxiliary.

Section 2. Candidates for Active Membership must be at least seventeen (17) years of age, in good health and of good moral character. They must reside within the Lake Shore Fire Protection District or an adjoining fire district at the time of their election.

Section 3. Candidates for Associate Membership must be twenty-one (21) years of age and of good moral character.

Section 4. Applications for Active, Associate and Junior membership shall be presented in writing and be given to the Sub Investigating Committee for action. Only an active applicant will be required to appear before the Sub-Investigation Committee for orientation and review of their application. The Sub-Investigating Committee will make a recommendation to the Board of Directors. The Board of Directors shall meet with the active applicant at its next regular meeting and vote on a recommendation to the Fire Company. This vote shall be by secret ballot and shall require a two-thirds (2/3) majority. All required documentation must be completed before the Fire Company hears the reading of the application and recommendations. The application shall be voted on by the Fire Company by using the approved, On-Line Voting Application and shall require a two-thirds (2/3) favorable majority to be accepted to membership. The Corresponding Secretary shall notify the applicant of the results in writing. Once an applicant is approved as an Active member, the Fire Company shall notify the Hamburg Town Board in writing of the acceptance. Pending official written approval from the Hamburg Town Board, the applicant shall be entitled to the privileges of an Associate member.

- A) Upon the affirmative vote by the Board of Directors, a copy of the Applicants application and a picture of the proposed member will be emailed to All members in Good Standing for their information prior to the next Regular meeting of the Fire Company.

Section 5. Any application (having applied) for membership; Active, Associate or Junior having been rejected, may not again be submitted and voted upon for six (6) months thereafter.

Section 6. Candidates for Life Membership shall be granted Life membership status automatically, upon reaching twenty (20) years of service to the Lake Shore VFC. The company President will announce the membership change and a list of their accomplishments at the next regularly scheduled company meeting.

Section 7. When a member of the Fire Company is elected to Life Membership, the Active roster of the company shall be increased accordingly.

Section 7A. A Life Member may apply to the Board of Directors requesting administrative membership. Administrative membership is for an Active Life Member who no longer wishes or is unable to answer calls. The member must attend a minimum of four (4) meetings in the prior year and must attend

mandatory in-house training. The member shall have all privileges of an Active Life member but must complete 60 work hours and participate in the service awards program. The member can run for an elected office but must serve on committees appointed by the President.

Section 8. Candidates for Honorary Life Membership may be presented from the floor by any member of the Fire Company in good standing, at any regular Company meeting. The nomination will be referred to the Board of Directors for investigation at its next regular meeting. The Board of Directors shall report to the Company with a recommendation at the next Fire Company meeting after the Board meeting. Honorary Life membership is specifically for the purpose of recognizing appropriately, members of the Fire Company, who have served a minimum of ten (10) years and who having served it well, find it necessary for various reasons, to resign their membership. The candidate must be elected to this membership by a two-thirds (2/3) majority vote in the affirmative of the members voting.

Section 9. Candidates for Honorary Membership may be presented from the floor by any member of the Fire Company in good standing, at any regular Company meeting. The nomination will be referred to the Board of Directors for investigation at its next regular meeting. The Board of Directors shall report to the Company with a recommendation at the next Fire Company meeting after the Board meeting. The candidate must be elected to this membership by a two-thirds (2/3) vote in the affirmative of the members voting. Honorary membership is specifically for the purpose of recognizing appropriately, non-member's exceptional contributions to the Lake Shore Volunteer Fire Company or the volunteer fire service

Section 10. There shall be an Exempts Fireman's Benevolent organization to be known as the Lake Shore Vol. Fire Co. Exempts Benevolent Association. They shall submit a Constitution and By-Laws for the approval of the Board of Directors. They shall have the use of the Fire Company Clubrooms for a meeting once a month on such a night as shall be mutually agreed upon. They shall have entrance to the Clubrooms on the same basis as an Active member of the Fire Company. Members of the Exempt Benevolent Association shall be entitled to attend any regular and/or special meetings of the Fire Company. They shall have a voice at the meetings but no vote. They may serve on any committee with the exception of the Investigating or Grievance committees. The Exempt Benevolent Association shall be entitled to have a representative at all Fire Company Board of Directors meetings with a voice but no vote.

Section 11. The membership of the Fire Company shall not be limited by number and can include one (1) Chaplain each from St Mary's, Wayside Presbyterian, and St. Francis, respectively, or other District religious groups. These designated Chaplains to be non-paying active members with all rights and privileges. These three members are to be excused from responding to incidents, all mandatory details, work hours and attendance at meetings.

Section 12. A former Active Member of the Lake Shore Vol. Fire Company Inc. who wishes to return to active service and having left in good standing, may request a return to Active membership. The applicant shall follow the normal application process as defined in Article VI, Section 4. The previous member shall receive credit for all past service time, provided they have past service of two (2) years and shall be required to wait one (1) full year before they can be eligible for any elected position.

Section 13. Any change in membership status shall be submitted in writing to any regular meeting of the Board of Directors. The member will then be summoned (if necessary) to appear before the next regular

Board of Director's meeting for review of the request. A two-thirds (2/3) majority vote in the affirmative of the Board Members in attendance will be required for approval.

ARTICLE VII

Duties of Members

Section 1. All members must follow written guidelines and Standard Operating Procedures as presented by the Chief and approved by the Board of Directors. Each member will receive a written copy of all Standard Operating Procedures, as they become effective. It is the responsibility of each and every member to update their manual immediately and familiarize themselves with the contents.

Section 2. All written or typed communications submitted to the Fire Company for action shall be required to have the signature of the requestor.

Section 3. The dues of this organization for Active and Associate members shall be Five (5.00) dollars per year, payable in advance, in full. These dues become effective January 1st of each year.

Section 4. A new Active firefighter only must serve a probationary period of a minimum of six (6) months and must complete a course in basic fire training as required by New York State and approved by the Board of Directors, within two (2) years of becoming a member. The member will also be required to complete a basic First Aid/CPR/AED course within one (1) year. The members' probationary period shall end when the Chief is satisfied by their performance and upon their completion of all requirements. The Chief will then notify the Board of Directors of the firefighter's change of status.

Section 4A. An Active member wishing to be Fire Police only, must request permission from the Chief. The member must have taken a NYS Fire Police course and other requirements as prescribed by the Chief. The Chief shall notify the Board of Directors of the assignment.

Section 5. A new Active EMS only member, who wishes to only participate in EMS responses, must serve a probationary period a minimum of six (6) months, during which time they must have taken a fire ground support class as presented by the Chief and approved by the Board of Directors. The EMS only member shall achieve a minimum certification of basic Emergency Medical Technician within one year of becoming a member. Emergency Medical certification at that level or higher must be maintained through the duration of their membership. The members' probationary period shall end when the Chief is satisfied by their performance and upon their completion of all requirements. The Chief will then notify the Board of Directors of the firefighter's change of status.

Section 6. Any member who fails to appear to receive their membership materials and equipment within one (1) month of approval shall be automatically dropped from the rolls.

Section 7. When a member, Active or Associate, fails to pay their dues by February 1st of the current year, the Financial Secretary shall notify such member in writing. In the event dues are not paid by the third regular meeting of the year and after such notification and reasonable excuse therefore is not made to the Board of Directors, such delinquent member shall be dropped from the rolls without further notice.

Section 8. Active members present and available in the Fire Company district at the time of an alarm are required to respond. After responding, they shall obey all orders and commands of the Chief or Officer in charge. They shall be orderly and circumspect in their conduct at incidents. They shall remain with the apparatus until all equipment is picked up and shall report back to the Fire Hall with the same for Roll- Call. Active members not reporting back to the Fire Hall will not be included in the Roll- Call unless excused by the Chief or Officer in charge

(A.) All active members responding to Fire or EMS incidents, orders for inspection, parades or drills, must appear promptly and shall be considered on duty until released by the Chief or Officer in charge, and shall render such reasonable duties as shall be required by the Chief or Officer in charge.

(B.) It shall be the duty of all Active members to attend all regular and special meetings of the Fire Company and further to perform such proportionate share of work as prescribed by the Board of Directors.

(C.) They shall attend an annual Fire or EMS training course based on their membership classification presented by the Chief and approved by the Board of Directors annually.

Section 9. All Active members shall be subject to fines for failures to perform duties as assigned by the Chief, President, or the Board of Directors. These assignments shall include but not be limited to; mandatory drills called by the Chief or President, engine room cleanups, and driver checks. Any Active member failing to respond to these assignments at the time designated shall be subject to a fine of Five Dollars (5) for each failure unless they present an acceptable excuse.

Section 10. To be in good standing an Active member shall have all dues, fines, assessments, and unapproved debts paid before the beginning of the company and Board of Directors meeting. An Active member in good standing is one who is current in their dues, fines, assessments, and approved debts and not under any suspension from the Fire Company.

- A. The Financial Secretary shall notify the Board of Directors of any member who has failed to pay their fines or assessments within thirty (30) days of the levy. The members shall be advised by a post or their mailbox advising them that they must pay the funds due to the Fire Company before the next regular meeting of the Board of Directors or face suspension.
- B. Members owing the Fire company monies other than fines or assessments will be given thirty (30) days to satisfy the debt or meet with the Board of Directors to set up an agreeable repayment plan. Failure to mitigate the debt in the ascribed manner will result in dismissal from the Fire Company.

Section 11. Active members who wish to participate on approved Fire Company athletic teams, specialized Fire or EMS teams including Water Rescue, Haz-Mat, etc. shall be required to receive approval from the Board of Directors before the member can participate. The President shall make administrative recommendations and the Chief shall make firematic recommendations as to the current status of the member. If during their participation with such teams, a member fails to continue to

participate with the Fire Company to the satisfaction of the President or Chief, complaint thereof maybe brought before the Board of Directors for such action as deemed appropriate including suspensions.

Section 12. An Active member who finds it necessary to change their residence, they shall notify the Fire Company in writing within thirty (30) days of changing residence. For purposes of this section, the term “residence” refers to where a member lives and not necessarily where their official mailing address is. All changes of addresses shall be read at a company meeting and if the change is out of the Lake Shore Fire Protection District, it will require company approval. Members who fail to notify the Board shall be open to reprimand, suspension or dismissal as the Board deems appropriate and approves.

Section 13. Immediately upon the death of an Active Member and/or upon the death of a former Active member, who had been Active for at least five years, and whose honorable separation from the Fire Company has not been in excess of one year, there shall be paid to their family, the amount of one thousand (\$1,000) dollars raised by an assessment of ten dollars (\$10.00) from each surviving Active member, and the balance, if any taken from the funds of the Fire Company.

Section 14. A member who resigns, goes inactive, or is dismissed, shall be responsible to return all Fire Company issued equipment within thirty (30) days or the matter will be turned over to the lawyer and or police for a timely resolution.

Section 15. Associate member’s application fees shall be considered as their first year’s dues. They shall pay dues or be subject to dismissal for non-payment of dues; and shall have the following privileges; they may attend meetings and have a voice, but no vote. They may serve on any committee other than the Investigating or Grievance Committee. Associate members shall not be allowed to answer any alarm of fire, take part in any Fire or EMS, nor take part in any incident, training or drill, and shall not ride on any Fire Company apparatus. Associate members may earn the privilege of keyed entrance to the hall and invitations to social events by completing 100 work hours per year. They will not be eligible for the Service Awards Program.

Section 16. An Active Life Member shall have all the privileges and duties of an Active Member except they shall not have to pay dues. Active Life Members must participate in (fifty) 50% of the work hour program.

Section 17. Active Life members, who no longer wish to participate, other than in a social aspect, may request the Board of Directors to be categorized as an Inactive Life member. Once approved, the Inactive Life Member shall have all the privileges of an Active member, pay no dues; have no requirements such as work hours, drills, etc... They shall have a voice at a meeting, no vote and will not be allowed to be an elected or appointed officer and shall not participate in the Service Awards program.

Section 18. Honorary Life members shall have no Fire Company privileges except the privilege of the floor at a Fire Company meeting and to participate in social activities only. They shall pay no dues or be obligated to regular Fire Company requirements.

Section 19. Honorary members shall be limited to participating in social activities only. They shall not pay dues or be obligated to Fire Company requirements.

ARTICLE VIII
Exemption of Members

Section 1. Active members, who have served five (5) years with the Lake Shore Volunteer Fire Company Inc. and desire exemption, may apply in writing to the Board of Directors of the Company. If applicants qualify, the proper exemption papers will be issued as prescribed by law.

Section 2. Any exempt member of the Lake Shore Volunteer Fire Company Inc. may continue in Active status upon written request at the time of applying for exemption. If granted, he shall abide by all rules and regulations covering Active members.

ARTICLE IX
Junior Fire Company

Section 1. There shall be a Junior Fire Company which shall be known as the Lake Shore Junior Volunteer Fire Company. Candidates for Junior membership must be twelve (12) to eighteen (18) years of age and must live in the prescribed limits of the Fire Company or its immediate vicinity, or from a Town District that does not have a Junior Firemen program. The Junior Fire Company shall be under the authority of the Chief and the Chief shall report all matters of the Junior Fire Company to the Board of Directors.

Section 2. Junior Firefighters may attend Fire Company meetings but will have no voice and no vote. Junior firefighters shall not answer any alarms of Fire or EMS or drill. They shall not ride on any Fire Company apparatus except when participating in a Junior Fire Company activity or training.

ARTICLE X
Meetings

Section 1. Regular meetings shall be the third Wednesday each month, except in the month of December in which the meeting will be held on the third Friday of the month. Special meetings may be called by the President or on written request of ten (10) Active members in good standing. In the event of a refusal by the President to call a special meeting upon such a request, it may be called by the Petitioners. All members shall receive a minimum of ten (10) days' written notice of any special meeting. Such notice shall be forwarded by regular mail to the address of each member as listed on the current roster of the Fire Company.

Section 2. Fifteen (15) Active members in good standing shall constitute a quorum for the transaction of any business that may properly come before the Fire Company at any regular or special meeting.

Section 3. Seven members of the Board of Directors shall constitute a quorum for the transaction of any business that may properly come before it.

Section 4. The Recording Secretary shall read at each meeting a list of absentee members for the last preceding 3 meetings and the last 4 preceding meetings. This shall constitute notification to the President who shall, not later than the second meeting, thereafter, report the action taken in each case.

Section 5. Any member absenting themselves from three consecutive regular and/or special meetings, without reasonable excuse, shall be fined \$5.00.

Section 6. An Active member absenting themselves from four consecutive regular and/or special meetings, without reasonable excuse, shall be (automatically) suspended as an Active Member until such time as they appear before the Board of Directors at a regular or special meeting of the Board, pays all fines and dues accrued and gives satisfactory evidence of their desire to have the suspension lifted. Then upon favorable vote of two-thirds (2/3) of the members of the Board of Directors, they shall be reinstated to good standing. Failure to receive a favorable vote of two-thirds of the members of the Board of Directors, said member shall be removed from the Active roster and be so notified in writing by the Corresponding Secretary.

ARTICLE XI- Leave of Absence

Section 1. An Active member may, upon written request, be granted a leave of absence by a majority vote of the Board of Directors. Their name shall remain on the roster of active members, but shall not be counted in the membership figures during their absence

- A. **Military leave** - Notice of enlistment will be provided in writing to the Board of Directors, no action will be required. When on approved military leave from the service a member may vote, attend meetings, social functions, and trainings. They may answer alarms providing their training is current and approved by the Chief.
- B. **Regular leave** – All requests for regular leave must include a beginning and ending date and must not exceed six (6) months. No leave greater than six (6) months shall be granted, however additional extensions may be approved by the Board of Directors upon written request. The leave of absence shall be terminated upon expiration of the specified period of time. A member on regular leave may attend meetings with a voice but no vote. A member on regular leave cannot participate in any incident, drill, detail, social function and cannot earn any credit for attendance or participation. Earlier reinstatement from leave may be requested in writing to the President. The President shall be authorized to grant temporary reinstatement until it is submitted to the Board of Directors for approval. The members' obligations to the Company will be prorated according to the time on leave.
- C. **Medical leave** – All requests for medical leave shall be submitted in writing to the Board of Directors for approval. However, the Chief or President will have the authority to verbally place members on medical leave. This action must be reported to the Board of Directors for their information or approval. Members on medical leave must notify the Chief, President or a Safety

Officer of their intent to return to active duty. The member will be required to submit proper documentation to the Fire Company Physician for approval to return to active duty. Upon receipt of a written approval of the Fire Company Physician, the Chief shall have the authority to reinstate the member to active duty. The Chief will subsequently report the reinstatement to the Board of Directors. Members on medical leave shall be able to attend meetings with a vote, training with no physical participation, social functions and other non-physical activities as approved by the Board. The members' obligations to the Company will be prorated according to the time on leave.

D. Educational Leave –

Active members requesting Educational Leave must submit a request to the Board of Directors for approval. The purpose of Educational Leave is for members enrolled in finishing high school, enrolled in an accredited higher learning institute, trade school and Paramedic training.

The member shall be exempt from call minimums and fire school requirements, with the exception of the four mandatory classes. They shall be exempt from work hour requirements but must have a yearly company physical.

They will remain in the LOSAP program.

Collegiate members must be enrolled in 12 credit hour programs and notify the Board after each semester.

ARTICLE XII

Amendments

Section 1. A proposed Amendment to this Constitution may be proposed at any regular meeting by an Active or Active Life member in good standing. A copy of the proposal shall be forwarded to the Constitution Committee who shall review the proposal for correctness and shall report at the next meeting. The proposed amendment shall automatically lay on the table until the next regular meeting when it shall be read by the Recording Secretary and voted upon. No meeting shall be held on the proposed amendment at that meeting. It can be amended at the last reading only and must be adopted by two-thirds (2/3) of the members voting in the affirmative or negative. A member(s) may vote present if they desire, but such member shall not be counted in determining the two thirds (2/3) vote.

Section 2. A Constitutional amendment proposed in accordance with Article XII, Section 1 shall be provided in duplicate by the member(s) proposing the change. It shall be signed and dated by the member(s) making the proposal and one copy shall be retained by the Recording Secretary for the Company records, and the other copy shall be posted on the Company bulletin board until voted upon. The proposal shall include the purpose for requesting the change along with an overview of the change

and must include a complete writing of the current Article(s) and section(s) as well as exactly how the proposed change(s) would read.

Section 3. A Constitutional amendment can be withdrawn at any time until a vote is taken. If a proposed amendment fails to be approved, the amendment cannot be re-proposed for sixty (60) days from the time it had failed to achieve approval.

ARTICLE XIII

Discipline

Section 1. The purpose of this Article shall be to ensure that all Fire Company members are dealt with in a fair and equitable manner, while maintaining the highest level of discipline in order to effectively and safely perform its function. The Board of Directors shall preside over all matters in this Article.

A. Members will be referred for disciplinary action when:

- . Lake Shore Volunteer Fire Company Inc. Constitution is violated.
- . Policies, written rules, standard operating procedures, or guidelines are not followed.
- . Convicted of a felony.
- . Accused of conduct unbecoming a member.
- . Accused of acting in a manner which jeopardizes the safety of others.

B. When formal disciplinary action is anticipated, the Fire Company Attorney can and should be consulted.

Section 2. Any member, officer or the Board of Directors as a whole can file a complaint of misconduct. The complaint must be in writing and specify the details of the misconduct.

- A. When a written complaint is filed, the President, Chief or Board of Directors shall determine if further action is required. Every attempt should be made to resolve the complaint without the need for formal charges. If it is warranted, a special meeting of the Board of Directors shall be convened within ten (10) calendar days.
- B. The President and/or Chief shall be empowered to temporarily suspend a member violating Article XIII, section 1A. Board members will be advised of the suspension as soon as possible and the suspended member will be required to appear before the Board of Directors at a time convenient to both parties.
- C. A member has the expectations that allegations against shall not be made except by charges brought on reasonable grounds. If a member is thus accused, they have the right to be informed of the charge and given time to prepare their defense.
- D. If the Board of Directors, determine that formal disciplinary action should be taken, the formal charge shall be placed in writing and the accused shall be notified in writing by the Corresponding Secretary, by either personal delivery or by certified mail. The letter shall include the nature of the charges, the date, time and location of a meeting to be held by the Board of Directors at which time the charge(s) will be reviewed with the accused member.
- E. The accused member shall receive written notice by the Corresponding Secretary of the formal charges and the date of the formal hearing with the Board of Directors with not less than five (5) days' notice. The accused member will be notified that they can speak in their own defense or by representation of an attorney and be able to provide witnesses or evidence. Other members with knowledge of the incident shall be requested to attend this formal hearing or submit written

testimony to the Board. Signatures will be required on all documents. The resolution of this meeting shall be one of the following:

1. The charges shall be dropped with no further action required.
 2. The charges shall be resolved with a formal written reprimand and retained on record in the member's personnel file, with no further action against or recourse by the member involved.
 3. The charges shall be resolved with formal suspension for whatever time is fixed by the Board of Directors. The Board may also establish conditions governing the member's return following any suspension.
 4. The charges shall be resolved with expulsion of the member, subject to the provisions of Section 3 of this Article by a two-thirds (2/3) majority in the affirmative by the Board.
 5. The charges shall be resolved with an Officer being reduced in rank or removed from office.
 6. Any disciplinary action will require a two-thirds (2/3) vote in the affirmative by the Board of Directors.
- F. If, after receipt of written charges from the Board of Directors, the member fails to attend the scheduled formal hearing, the Board of directors shall decide for resolution which shall be agreed by a majority vote in the affirmative of the Board of Directors. The charges and the Board's determination shall then be read at the next regular meeting of the general membership.
- G. The Board of Directors must make a final decision on a member or officer that has had charges presented against them within sixty (60) days of notice of suspension or the matter shall be automatically dropped with no recourse to the member.

Section 3. Members under suspension

- A. For the purposes of this section, a suspension will be defined as follows: full, response, or social. Additional restrictions may be added by the Board of Directors by a vote in the affirmative.
1. A full suspension shall include no call participation, drills, trainings, meetings, standbys, social functions or entry to the stations or property.
 2. A response suspension shall include no participation in alarms of Fire/EMS, drills, trainings, and standbys.
 3. A social suspension shall apply to all company approved social functions.
 4. Suspended members shall not have their duty requirements prorated according to the length of their suspension.

Section 4. Expelled Members

- A. Any person expelled from this Fire Company shall not be eligible to reapply for membership for a period of one (1) year from the time of dismissal.
- B. Removal of a member shall commence immediately upon the action of the Board of Directors and will be followed up by written notice by the Corresponding Secretary

Section 5. Mailings

- A. Any mailing done under this Article shall be done by certified mail; return receipt requested and shall be posted to the address of the member maintained by the Recording Secretary. Mailing to such address shall be presumptively received by the member based upon certification of mailing plus three (3) calendar days.

Section 6. Appeals

- A. A member may appeal the findings of the Board of Directors. The member shall be required to file notice of appeal in writing within ten (10) days from the time of the Board action and must act within thirty (30) days of the Board action. The President shall appoint an Appeals Board from the membership which shall not be made up of a majority of members of the Board of Directors.
- B. The Appeals Board shall review the transcripts of all sessions used by the Board to make their decision. The Appeals Board has the authority to request the accused member and any other witness to attend a meeting to discuss the appeal. The Appeals Board shall report their recommendation and how they came to that recommendation to the Board within thirty (30) days. The Board will then review the recommendation and make a new determination or uphold the original decision with a majority vote in the affirmative.

Section 7. Impeachment

The Fire Company shall have the power to request impeachment and removal from office, any Officer or Director. It shall require a two-thirds (2/3) in the affirmative of the members voting. Such action will be presented to the Board of Directors who shall follow this Article regarding a removal of a member. If the Board of Directors fail to impeach an accused Officer or member, the Fire Company shall have the power by two-thirds (2/3) vote in the affirmative, to impeach or remove the Officer from office following the procedures in this Article.

This Constitution shall become effective and enforceable as of October 1, 1938 .

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