

Crosby Volunteer Fire Department

Bylaws Rev. 09/2016

ARTICLE I – Name and Purpose

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

ARTICLE II – Organization

- Section 1 The organization of CVFD shall be as follows:
- A. The department shall be composed of one or more companies.
 - B. The number of regular members in the CVFD shall not exceed one hundred fifty (150) regular members.
 - C. Regular members shall have all voting rights and privileges after successful completion of the department's probationary period.
 - D. The number of non-regular members in the CVFD shall be determined by the membership. Non-regular members are those persons possessing specialized skills that are required to maintain, promote, or assist in furthering the objectives and purpose of the CVFD. Non-regular members shall have no voting rights and privileges are to be determined by the Executive Board.
 - E. The executive officers of CVFD shall be a Chief, two (2) Assistant Chiefs, Fire Marshall, Safety Officer, and one (1) District Chief for each district within the protected area. These officers shall serve as the Executive Committee.
 - F. Other officers that shall hold Rank but are not members of the Executive Committee shall be one (1) Captain for each station within the protected area and one (1) Training Captain.
 - G. There are additional officer positions that have functional duties and hold limited rank as set by the SOP's. These positions consist of Certification Coordinator, Lieutenant Fire Marshall, two (2) Training Lieutenants (which shall include the Certification Coordinator), Secretary, two (2) Safety Lieutenants, one (1) Logistics Lieutenant, one (1) Quarter Master (which may hold any other position within the department), and one (1) Lieutenant for each station within the protected area appointed by the Station Captain as needed.
 - H. There will be a Board of Directors that shall be composed of seven (7) Directors, at least three (3) of which, including the 2nd Asst. Chief, shall be regular members of CVFD.

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

- A. All collection and distribution of tax revenue shall be the responsibility of the Emergency Service District #80 Board of Directors. This board shall hereafter be referred to as ESD #80.
- B. Tax revenue collected by ESD #80 shall be distributed to the Executive Committee for the purpose of meeting the financial obligations and responsibilities of the CVFD. These distributions will be made in accordance with an annual service agreement and an annually prepared departmental budget, reviewed by CVFD's Board of Directors, and ratified by ESD #80. All expenditures from these distributions shall be made for the benefit of the protected area.
- C. The Executive Committee shall maintain final responsibility for determination of expenditures concerning the operational expenses of CVFD. All operational expenditures shall be made for the benefit of the protected area.
- D. Capital expenses will be determined jointly by the Executive Committee and ESD #80. All capital expenditures will be made for the benefit of the protected area.
- E. The distribution of additional funding obtained by CVFD such as donations, service billing, grants, etc. do not fall subject to review and/or approval of ESD #80. However, these funding sources shall be communicated to the Board of Directors and ESD #80 in good faith to assure sound understanding of CVFD's financial status for the good of the department and the community.

Section 3 Departmental Representatives

- A. Regular Members shall be appointed by the CVFD Executive Committee to represent CVFD at any association meetings, conventions, etc. as directed by the CVFD Executive Committee.
- B. The Regular Members who act as CVFD representatives shall be compensated by CVFD for mileage, travel or lodging expenses that have been pre-approved by the Executive Committee provided that supporting documentation of the expenses incurred is submitted.
- C. These representatives shall make a detailed report to the CVFD at the next regular business meeting or sooner if deemed necessary by the Executive Committee.

ARTICLE III – Amendments or Revisions of the By-Laws

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

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

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

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

- Section 3 If the By-Law Proposal Committee files a recommendation to reject a proposed change, then the proposed change and reasons for rejection will be made public to the CVFD membership at the next business meeting.
- Section 4 If the By-Law Proposal Committee has recommended that a change to the by-laws be made, the Executive Committee will evaluate the proposal and vote on whether to recommend a change or recommend that the change be rejected. Regardless of the recommendation of the Executive Committee, the 2nd Assistant Chief ensures that the proposal is brought before the membership for a vote at the next scheduled business meeting of the department. Before such a vote is taken the members present shall be informed of the Executive Committee's recommendations with respect to the proposed change. No proposal shall be declared adopted unless a majority of the votes cast is in favor thereof. If adopted, the proposal shall be signed by every member of the Committee and The Fire Chief, and also be filed by the 2nd Assistant Chief as a part of the permanent record of the By-Laws. Any proposal that is adopted will take effect immediately. The 2nd Assistant Chief shall post the adopted proposal for thirty (30) days on the department web page and at each station for informational purposes.
- Section 5 The version of the by-laws that reside on the CVFD web site, not titled as draft or proposed, shall be the official copy utilized for governing department business. A copy of the by-laws, with each page signed by the Fire Chief and another member of the Executive Board will be kept on file in the Chief's and the Second Assistant Chiefs office for verification purposes.

ARTICLE IV – Standard Operating Procedures

- Section 1 The First and/or Second Assistant Chief(s) shall be responsible for drafting Standard Operating Procedures (SOP's) as the need is identified.
- Section 2 All drafted SOP's shall be amended, approved, and communicated to department membership by the Executive Committee before they are enforced. The means of communication shall be open discussion under the topic of new business during scheduled business meetings.

ARTICLE V – Membership and Unauthorized Absences and Reinstatement

Section 1 Qualification for Membership

A. Regular Members.

Any person, at least eighteen (18) years of age of good moral character, in good mental and physical condition, residing within the township of Crosby, Texas and in the CVFD fire protection district, may place application during a regular business meeting, for membership in the CVFD as a regular member of the CVFD. Persons living outside of the CVFD fire protection district may petition the Executive Committee for special consideration of membership. Upon completion of their probationary period, a background check and physical provided by the CVFD, regular members shall be qualified and required to function in all rolls and with full responsibility of the firefighting profession.

B. Non-regular Members.

Those members who petition the department for membership and successfully complete their probationary period, but have no desire or expectations placed before them to participate in all rolls and with full responsibility of the firefighting profession (ie, E/O, HazMat Technician, Public Information Officer, etc.), shall be allowed to remain active in all chosen aspects of the fire department with the exception of holding a line office. Should a non-regular member chose to participate as a regular member after his probationary period has been completed successfully, he shall not be required to enter a second probationary period providing the participation is continuous (ie, any non-regular member who leaves the department after successful completion of his probationary period cannot return to the department as a regular member and bypass the application/probationary process). If the transition from non-regular member to regular member requires additional training not received during the non-regular member's probationary period, that member may not participate as a regular member until such training has been delivered and verified.

C. Probationary Members

Any person who has recently been voted or reinstated into the department, but has not yet attained the status of regular or non-regular member per a membership vote.

All probationary members will go through a probation period after being released to respond to fires/emergencies. At the end of this period, a minimum of twenty-four (24) hours of training towards state certification must be completed. If the applicant must receive training before starting the probationary period, they will be required to complete the equivalent of the CVFD Recruit Training Schedule as set forth in the recruit training program. Training will be arranged by the Training Captain, or his designee, in the case of excused absences. After conclusion of the probationary period a vote will be taken. A majority of the votes will accept or reject the applicant. The application, clearly identified as accepted or rejected will be filed.

D. Junior Members

Any person 16-17 years of age or still in High School of good moral character, in good mental and physical condition, residing within the township of Crosby, Texas and in the CVFD fire protection district may place application for membership as a junior firefighter. Junior membership is not brought before a membership vote, but left to the resources of the 2nd Assistant Chief. The junior membership period shall constitute the probationary period provided the junior membership period meets all criteria set forth for probationary members in part G of this section of these By-Laws.

E. Specialists and Honorary Members

Persons interested in becoming a specialist member should petition the Executive Committee. They will operate under a strict set of guidelines set up by the Executive Committee. Current positions that exist in CVFD for honorary members are Historian, Photographer, Communications Officer, Training Specialist, Medical Advisor, and Mascot. Specialist members are voted on by the general membership after review and approval by a majority vote of the Executive Committee. The Executive Committee has the authority to create and/or abolish any non-regular membership as dictated by department needs.

Past members that have resigned from active service or community members that have provided a long term special service to the betterment of the fire department may be designated as honorary members provided that their name is put on a ballot during the normal yearly election and during that election they receive majority votes in favor of the regular members voting during the normal election.

F. Associate Members

See SOP's

G. Procedure for applying to become a member

An application must be filed with the Training Captain or his designee. After an application has been filed it will be reviewed by the Executive Committee. The Executive Committee can request, at the applicant's expense a physical or drug/alcohol screen if their investigation determines that insufficient data is available for their analysis. If the Executive Committee application review report is favorable the application will be voted on by the members to accept the applicant as a probationary member at the next regularly scheduled business meeting. The majority shall rule. If the Executive Committee's report is unfavorable, or the application is denied by the membership, the applicant will be informed of the reasons by the Chief or his designee. A copy of the rejected application will be filed by the 1st Assistant Chief and retained in CVFD membership records for a period not less than one (1) year.

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

H. Lifetime Members

A member who, after at least 10 years of active participation in the department, may be appointed a lifetime member by the Executive Committee. A lifetime member who does not maintain status as a regular member does not maintain voting privileges, any departmental authority, or eligibility for nomination to a line office, but his/her name will remain on the permanent roster of CVFD.

Section 2 Unauthorized Absences and Membership Termination

The members of the CVFD may vote on dropping a member any time after sixty (60) days have elapsed from the date of such member leaving the township of Crosby, Texas, or the CVFD protection area without prior notification to the CVFD.

Membership may also be terminated based on cases referenced in Article VII, Section 1.

Section 3 Reinstatement of Membership

- A. Any member in good standing who is dropped from the rolls of membership, either by resignation or by vote of CVFD except those leaving for military duty or school, may place their application after determination by the membership, and shall be voted on before any new applications are considered. Members leaving for military service or school shall be carried on the rolls, but placed on a leave of absence, for the duration of their military service or school, and for ninety (90) days thereafter.
- B. Should an application for membership or reinstatement be rejected, six (6) months must pass before another may be filed, and the applicant's name will be added to the bottom of the waiting list.

ARTICLE VI – Meetings

Section 1 A business meeting of the department will be held on the first Tuesday of each month, except when Tuesday is a legal holiday. Three Executive Committee members plus the Regular Members present shall constitute a quorum. The remaining Tuesdays in the month shall be training meetings, unless otherwise specified by the Executive Committee. The Chief, on a case-by-case basis, shall reschedule business meetings that are canceled due to uncontrollable circumstances. The 1st Assistant Chief or his designee will chair business meetings. The Secretary, or his designee, will compile and file all meeting minutes for the business meetings.

Section 2 All special committee meetings of the department will be called by a member of the Executive Committee or the particular committee chairperson.

Section 3 The Board of Directors shall hold meetings once a month as set by the Board. The board will review the operations of the department and vote on business presented at these meetings. Four (4) members of the Board of Directors shall constitute a quorum.

Section 4 The Executive Committee shall hold meetings at least monthly. Any member of the Executive Committee can call a meeting, as they deem necessary provided that three (3) days notice is given to all committee members so that they can make arrangements to attend. The Executive Committee will set the dates for the year's scheduled monthly meetings at the first business meeting in January. The Chief shall serve as chairman of the Executive Committee. The 2nd Assistant Chief shall serve as secretary for compiling and filing all minutes of the meetings. Four (4) members of the Executive Committee shall constitute a quorum for these meetings.

ARTICLE VII – Attendance

Section 1 All Regular Members must attend three (3) standardized training meetings per quarter and (1) business meeting per quarter. If for any reason, other than a pre-approved or emergency absence due to work, sickness, sickness or death in the family, school, or military service, should a member not make this requirement they shall be subject to disciplinary action and shall be notified in writing by the 2nd Assistant Chief. Each member is responsible for ensuring that a member of the Executive Committee is informed as to why they missed the meeting or drill.

Section 2 Should a member become physically disabled or have personal business requiring more of their time and not be able to attend meetings, drills, fires or emergency calls, they may, should they so desire, submit a letter requesting a leave of absence detailing the reasons and the length of the anticipated absence, and turn in all fire department issued equipment at the request of the Executive Committee. School leaves shall be submitted with documentation of their enrollment and continued enrollment in the school activities. After a member has been on leave of absence for a period of six (6) months, he/she must resubmit for leave of absence not to exceed an additional six (6) months, or his/her membership may be terminated by vote of existing membership. If a majority of members voting are in favor thereof, the member shall be dropped from the rolls and so notified by the 1st Assistant Chief.

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

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

Section 3 After a member has been dropped from the rolls for any reason, should they desire to be reinstated, they shall be taken into the department the same as a new applicant on a case-by-case basis. All delinquent dues or any other monies owed the CVFD shall be paid before their application is considered.

ARTICLE VIII – Election of Officers

Section 1 All officers of the department shall be elected to serve for a period of two (2) years. They shall be nominated from the floor during the first two (2) meetings in November. Elections shall be by secret ballot at the first meeting in December. All persons that are nominated to any office or position in the department must meet the definition of Regular Member and be a permanent resident of the fire protection district. District 8, District 88, District 80, District 82, 8001, 8201, and 8401 offices shall be nominated in even numbered years. District 87, District 89, District 81, 8101, 8301, and 8501 offices shall be nominated in odd numbered years. Any person that has been nominated to a position of line officer or Executive Officer (Fire Chief, Assistant Chiefs, Fire Marshall, Safety Officer, District Chief, Training Captain, or Station Captain) will be required to reside within the response district and meet the following qualifications before being eligible as a candidate on the ballot:

- (1) Departmental membership as follows:
 - a. For nomination to the office of Fire Chief, the nominee must have been a member in good standing of the Crosby Volunteer Fire Department for a minimum of Nine (9) consecutive years.
 - b. For nomination to the office of Assistant Chief, the nominee must have been a member in good standing of the Crosby Volunteer Fire Department for a minimum of seven (7) consecutive years.
 - c. For nomination to the office of Fire Marshall, Safety Officer, or District Chief the nominee must have been a member in good standing of the Crosby Volunteer Fire Department for a minimum of five (5) consecutive years.
 - d. For nomination to the office of Station or Training Captain, the nominee must have been a member in good standing of the Crosby Volunteer Fire Department for a minimum of three (3) consecutive years.
- (2) Must have achieved or be in pursuit of state-approved studies leading to advanced firefighter certification.
- (3) Be of good moral character, attitude, and show a sincere interest in the betterment of our fire department and community.
- (4) Nominees can accept no more than one different nominations for line offices. By the close of nominations, all nominees must strike their names from all but one line offices.

The 1st Assistant Chief, Training Captain, Fire Marshal, and Certification Coordinator will certify that all nominees meet the above requirements before the election ballots are drawn up. The 1st Assistant Chief will remove all nominees who do not meet the requirements from consideration the night nominations are closed, the persons who's names are removed will be notified as soon as possible.

Any member who feels their name was unjustly removed from consideration may submit a written request to the Executive Committee to review their records and reassess their eligibility for nomination. Results of this review will be communicated to the member as soon as they become available. In the event that nominations have been closed and a requested eligibility review determines that a removed name is now eligible, that name will be added to the list of nominees by the 1st Assistant Chief without the need of reopening nominations from the floor. The decision(s) of the Executive Committee will be final.

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

Section 2 The 1st Assistant Chief on even numbered election years or the 2nd Assistant Chief on odd numbered years shall prepare the ballot in the following:

- A. Prepare an official ballot containing the name of all those nominated. The ballot shall be signed, stamped or marked in such a way to enable it to be certified by the 4th Assistant Chief to be an official ballot should any question arise regarding election results. Each ballot shall be enclosed in an unsealed, blank envelope, making certain that there is no marking either on the ballot or on the envelope, which could identify the voter. The ballot shall be mailed by certified letter or hand delivered to each Regular Member in good standing as of the last Tuesday in November.
- B. At the first meeting in December, the Assistant Chief shall appoint a committee of personnel not nominated on the ballot to unseal the envelopes and total the ballots received. Ballots not received before the count is begun will not be included in the total. All ballots must be turned in before the meeting is called to order.
- C. All ballots will be held for inspection by interested parties for a period of 14 days following announcement of election results.

Section 3 Vacated Offices

- A. In the event an Executive Office or Line Office becomes vacant for any reason, nominations from the floor will be taken and election conducted by secret ballot to fill the vacated office at the first business meeting during which the office in question is officially vacated.
- B. In the event that a lieutenant office becomes vacant, the office shall be filled by appointment by the officer over that office from the membership ranks.
- C. The procedure for elections to fill vacancies shall be as follows:
 - (1) Nominations will be made from the floor at the first meeting after an office is vacated.
 - (2) Balloting shall take place during the same meeting and shall be by secret ballot.
 - (3) All other election procedures shall be followed in accordance with the procedures set forth in this document.

ARTICLE IX – Duties of the Officers and Their Rank

Section 1 Duties of the Executive Committee

- A. The Executive Committee shall prepare a budget for each calendar year. This budget shall be reviewed by the Board of Directors before being presented to ESD #80 for approval.
- B. All decisions made by the Executive Committee in accordance to all operating parameters of CVFD shall be final.

Section 2 Duties of the Chief, the highest-ranking officer in departmental command structure, shall be defined by SOP 130.

Section 3 Duties of the First Assistant Chief, who ranks next under the Chief and is of equal rank to the Second Assistant Chief in departmental command structure, shall be defined by SOP 131.

Section 4 Duties of the Second Assistant Chief, who ranks next under the Chief and is of equal rank to the First Assistant Chief in departmental command structure, shall be defined by SOP 132.

Section 5 Duties of the Fire Marshall, who ranks next under the Assistant Chiefs and is of equal rank to the Safety Officer and the District Chiefs in departmental command structure, shall be defined by SOP 133.

Section 6 Duties of the Safety Officer, who ranks next under the Assistant Chiefs and is of equal rank to the Fire Marshall and the District Chiefs in departmental command structure, Reports directly to the Fire Chief, shall be defined by SOP 134.

Section 7 Duties of the District Chiefs, whom ranks next under the Assistant Chiefs and is of equal rank to the Fire Marshall and the Safety Officer in departmental command structure, shall be defined by SOP 135 and 136 respectively.

Section 8 Duties of the Certification Coordinator, who holds no rank in departmental command structure and will serve as one of the two (2) Training Lieutenants shall be defined by SOP 142.

Section 9 Duties of the Station Captains, who ranks next under the District Chiefs and are of equal rank to the Training Captain in departmental command structure, shall be defined by SOP 140, 141, 143, and 144.

Section 10 Duties of the Training Captain, whom ranks next under the District Chiefs and is of equal rank to the Station Captains in the departmental command structure, Reports directly the 2nd Assistant Chief, shall be defined By SOP(to be determined)

Section 11 Duties of the Station Lieutenants, whom rank next under the Station Captains and is of equal rank to all other appointed Department Lieutenants in the departmental command structure, Reports directly to their respective Station Captains, shall be defined by SOP144

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

ARTICLE XI – Impeachment of Officers

Section 1 Any officer, or member of the Board of Directors of the department may, for the abuse of his authority, misconduct in office or neglect of duty, be impeached and removed from his office by a majority vote of the members present at a regular business meeting of the CVFD. Any charge against any officer or board member shall be made in writing and signed by five (5) members of good standing and filed with one of the District Chiefs. A copy of the allegation shall be given to the party concerned, if possible, before the next meeting of the department. The District Chief shall take a vote by secret ballot at the next meeting of the department following receipt of the allegation in writing. Before voting is carried out, the parties involved shall have a chance to give each of their sides to the department, should they so desire.

ARTICLE XII – Disciplinary Problems

Section 1 The department will maintain a written disciplinary policy that will be used to manage disciplinary issues.

ARTICLE XIII – Board of Directors

Section 1 Composition of the Board of Directors

- A. The Board of Directors shall be composed of seven (7) Directors, at least three (3) of which, to include the 2nd Asst. Chief, shall be members of CVFD.
- B. The members of the Board of Directors shall be elected in the same manner as the other Officers of the CVFD as set down in Article VIII, Section 1 to a term of one (1) year.
- C. The 2nd Asst. Chief of CVFD will automatically be appointed to the Board by his election to the office of 2nd Asst. Chief.
- D. The Board of Directors shall, annually, elect a chairperson from amongst their membership.

Section 2 Duties of the Board of Directors

- A. These duties to be defined by an investigation of the departmental charter.

ARTICLE XIV – Duties of Committees

Section 1 Executive Committee

- A. Shall maintain and manage the department's written disciplinary policy.
- B. The Executive Committee shall consist of the following: The Chief, First Assistant Chief, Second Assistant Chief, Fire Marshall, Safety Officer, and District Chiefs.
- C. It shall be the duty of the Executive Committee to act in all internal matters concerning the CVFD. It shall also serve as a fact finding committee to present major community problems to the Board of Directors and ESD #80.

Section 2 Grievance Committee

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

ARTICLE XV – Rules of Order

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