

YARDLEY-MAKEFIELD FIRE COMPANY

CONSTITUTION & BYLAWS

As Revised June 2010

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CONSTITUTION

PREAMBLE

Whereas the strict observance of order constitutes the basis of all improvements, and is the only guarantee of prosperity of the company, and it is the duty of every member to respect and obey the officers when on duty; therefore be it RESOLVED that we solemnly pledge ourselves to sustain our officers in the discharge of their duties, and hold ourselves bound in honor to conform and abide by, in every respect, the following Constitution and Bylaws.

ARTICLE I

Title and Objective

Section 1 This Company shall be known by the name and title of the Yardley-Makefield Fire Company.

Section 2 The object of this company is the protection of life and property, through the public education of our residents, prevention and suppression of fires, and to assist in the mitigation of all other emergencies to the best of our professional abilities, when called upon to do so.

Section 3: Non-discriminatory practices. Should any reference to sex or gender occur within this document it shall be interpreted to mean any gender male or female. This corporation shall provide for the equal opportunity of any person or persons who desire to enhance its operations in any manner within the constitution and by-laws.

Section 4 This Company shall at no time tolerate any harassment (sexual or otherwise) to, or of, any member by an other member(s) of this Company. Any member who believes he or she has been a victim of harassment is expected to privately and individually inform the offending member(s) that his or her said actions were of an offensive nature and to please refrain from doing so again. While it is reasonable to believe that any member so informed by another, would no longer continue the offending acts, should they not cease, the offended member may confidentially inform any member of the Board Trustees, who will immediately and confidentially investigate the alleged act(s) and seek a resolution in counsel with the Board of Trustees and the guidelines established under ARTICLE XI.

ARTICLE II

Officers

Section 1 The business officers of the company shall consist of a President, Vice President, Secretary, Membership Secretary, Treasurer, Assistant Treasurer, and a Board of Trustees,

consisting of six members, two of whom shall be elected per year at the annual meeting in December. These officers shall hold their offices until a successor is elected or appointed, and installed.

Section 2 The Chief shall be elected at the annual meeting in December for a one year term and shall hold office until a successor is elected and installed. All candidates elected at the December fire company annual meeting will assume their office on January 1, at 0001 hours.

Subsection 2.1 The Chief shall appoint the following Fire Line Officers: one (1) Deputy Chief for the department. One (1) Assistant Chief for each station; and as a minimum, one (1) Captain and one (1) Lieutenant for each station.

The Chief may appoint the following Support Officers: Safety Officer, Chief Engineer, Fire Marshall, Marine Rescue Team Captain, Fire Police Captain, Fire Police Lieutenants(s), and Designated Health Officer.

Additionally, at the Chief's discretion, he or she may appoint the following Support Officers: Assistant Engineer(s), Deputy Fire Marshall(s), Training Officer, and Public Information Officer.

Any appointed Fire Line or Support Officer must be active by fire calls for the calendar year prior to their appointment. All Fire Line Officers are required to attend 25% of the scheduled drills and complete 16 hours of "out of house" training during their tenure.

Subsection 2.2 The Chief shall use the following minimal educational criteria for appointing the officers for the following positions listed below,

Lieutenant	1	Fire Fighting I
	2	Haz-Mat Awareness
Captain	1	Fire Fighting I
	2	Ladder Company Operation
	3	Haz-Mat Awareness
Assistant Chief	1	Fire Fighting I
	2	Fire Fighting II
	3	Vehicle Rescue Technician (V.R.T.)
	4	Arson Investigation
	5	Haz-Mat Awareness
Deputy Chief	1	Fire Fighting I
	2	Fire Fighting 11
	3	Ladder Company Operation
	4	Incident Command
	5	Vehicle Rescue Technician
	6	Arson Investigation

	7	Haz-Mat Awareness
Fire Marshal	1	Fire Fighting I
	2	Fire Fighting II
	3	Ladder Company Operation
	4	Haz-Mat Awareness
	5	Hazardous Materials Operations
	6	Arson Investigation given by PA State Police

Equivalent educational courses may be substituted for the above requirements.

Section 3 Any vacancy, with the exception of President and Treasurer, that may occur in any elected office shall be filled by ballot at any regular monthly meeting of the company after such vacancy may occur.

Subsection 3.1 The offices of President and Treasurer shall be filled by the next assistant until the end of their current term.

Subsection 3.2 The position of Chief shall be temporarily filled by the Deputy Chief until the next regularly scheduled meeting of the company after such vacancy occurs.

Section 4 No member shall be eligible to hold any office unless they are an active member in compliance with ARTICLE VII Section I and ARTICLE XVI Section 2.

Section 5 All elected and appointed officers shall be installed and sworn into office at the January meeting by a District Magistrate or equivalent.

ARTICLE III

Membership

Section 1 The members of the company shall be divided into the following categories: Active, Inactive, Junior Member, Probationary Member, Senior Member, Life Member, Emergency Member, and Honorary Member. All members shall be responsible for meeting the qualifications or abiding by the limitations of their individual categories as defined in Article V. Any person residing in the vicinity, of good moral character, and is sixteen (16) years of age or more, whose name shall have been proposed at a previous regular monthly meeting and has paid the required dues for the current year, may be elected as a Probationary Member of the company. No citizen shall be denied an application due to race, creed, color, sex, or national origin.

Section 2 All new members are to be classified Probationary (subject to the qualifications outlined in ARTICLE V Section 6).

ARTICLE IV

Proposition for Membership

Section 1 All applicants for membership shall complete the membership application provided by the fire company. Upon completion of the form the applicant shall then appear at a regularly stated meeting where they shall be introduced to the general membership. The form at that time shall be turned over to the Membership Committee for their investigation. The Membership Committee at the next stated monthly meeting will present their findings to the general membership for their approval or disapproval of the applicant. The member, if approved by 75% of the votes cast, shall then become a Probationary Member for a period of one year. During this one year period the applicant shall be reviewed by the Membership Committee every four months, and if found not active in the fire company functions, and after consultation with the Membership Committee concerning the matter, the Probationary Member may be dropped from the fire company at the recommendation of said Committee. After the one year probationary period, the Membership Committee shall make a final recommendation to the fire company. The general membership shall then vote on the Membership Committee's findings. If rejected, the applicant shall not be eligible for proposition for one year thereafter. No membership election shall take place during the December annual meeting.

Section 2 All propositions must be accompanied by the initiation fee of \$10.00 and dues of \$5.00 for the year. In the case of rejection, said fees will be returned to applicant.

Section 3 Ballots shall be printed ahead of time with a "YES" and "NO" and available at all times. A box shall be placed in front of each "YES" and "NO" where an X may be inscribed to indicate the member's vote.

Section 4 In the election to active membership, seventy-five percent (75%) of the votes cast must be in the affirmative in order to be promoted from probationary to senior membership. The ballots must be inspected by any three elected officials of the fire company to determine acceptance or rejection of the Probationary member.

Section 5 Proposition for membership of an individual who continuously works at a gainful employment during the regular meetings as outlined in ARTICLE IV Section I may be made without attending the meeting as long as all of the rest of ARTICLE III Section I are complied with.

ARTICLE V

Classification and Duties of Members

Section 1 To be an Active Member of the fire company an individual must comply with all the provisions stated in ARTICLE VII Section 1.

Section 2 On every alarm it shall be the duty of every fire fighter, circumstances permitting, to respond and dispose of said alarm to the satisfaction of the officer in charge and return to the fire station to prepare the apparatus for the next alarm, unless excused by the officer in charge at the scene.

Section 3 In order to qualify as an authorized driver a member must first be a member of the company for a minimum of one year, and request permission from the Chief and Chief Engineer to begin driver training. They then must pass an examination specified by the Chief and Engineer conducted by three different qualified instructors on each apparatus. The instructors shall be appointed by the Chief. An up-to-date list shall be kept posted at all times. Said list shall be revised monthly by the Chief and Chief Engineer.

Subsection 3.1 Driver training will be conducted in accordance with NFPA guidelines, and will incorporate applicable insurance restrictions. Details of the Driver Training Program will be included in the YMFC Standard Operating Guidelines

Subsection 3.2 The Yardley Makefield Fire Co. will provide an Emergency Vehicle Operator course for its members.

Section 4 Any member who has served 25 years as a member in good standing may become a Life Member. They must have had 15 years as an Active Member and the remaining ten years being an Active or Inactive Member. Life Members shall not be required to pay yearly dues. To be considered for Life Membership the individual must submit a written request to the membership at any regularly scheduled meeting. Life members will be governed by the same active and inactive rules that pertain to a senior member for meetings, debate, voting, and holding office.

Section 5 Any member who does not comply with ARTICLE VII Section 1 will be an Inactive Member. Inactive Members shall have privileges to attend meetings and debate, however, they shall not be eligible to hold any elected or appointed office and shall not be eligible to vote.

Section 6 A newly elected Probationary Member shall hold that status for a period of one year from the date of election. It shall be the probationary member's obligation to attend a basic Firefighter I course conducted by the Bucks County Fire School, or by a certified state instructor to the satisfaction of the chief and comply with Article VI Section 3, Section 6 and Section 8. Prior to completion of the above FF 1 course requirement, the minimum requirements to ride the apparatus will consist of the following:

1. Successful completion of the In-House basic firefighter course.
2. Be approved for riding the apparatus in accordance with Company SOG's.
3. Comply with all other applicable By-Law requirements.

Until the successful completion of a basic Firefighter I class, said member shall not;

1) enter a burning building, 2) operate or climb an aerial ladder, 3) operate any rescue equipment, or, 4) respond on apparatus to covers or assists. The Fire Officer in charge in cases of extreme emergency may waive the above stipulations.

Due to conditions beyond the control of the probationary member to comply with the above, the Chief and Fire Officers shall make certain recommendations on an individual basis to qualify the member for fire fighting status.

Any person who desires to become a Sr. Probationary member but does not wish to participate in fire fighting activities does not have to comply with the above, but must show initiative in other activities of the company. They must not ride the apparatus or participate in fire fighting unless previously approved by the Chief

Section 7 Honorary Members - Any person may be made an honorary member of the Yardley-Makefield Fire Company with a two thirds majority vote of the membership at any regular meeting. An Honorary member may sit in on meetings, but will have no right to debate, or have any voting privileges of the fire company.

Section 8 Any person having been elected a member of this fire company shall have their name entered upon the rolls of the Membership Secretary. Once elected, the applicant shall be given a general membership card, a copy of the Constitution and Bylaws and a copy of the Standard Operating Guidelines of the fire company. The new member shall be classified as a Probationary Member. After one year probation, the member shall be given a membership badge indicating the status of Active or Junior Membership.

Section 9 Any Probationary member having successfully completed the first year's requirements of all active members and has not yet reached the age of eighteen (18) shall be considered a Junior Member and restricted in the manner(s) cited in ARTICLE XVIII.

Section 10 **Emergency Memberships** - An Emergency Membership status shall be bestowed upon any member of the public at large when requested to assist in mitigating any emergency by the officer in charge. These members shall have no voice at, or requirement to attend meetings. In the event an injury or illness occurs during an emergency duty, this membership shall exist dues free and entitle the member to all benefits due an active member of this company, until full payment of all benefits due the member for any injury, illness, or death.

Emergency Members must conform to the regulations regarding Junior Members in ARTICLE XVIII, unless the officer in charge recognizes them as a skilled firefighter.

ARTICLE VI

Requirements of All Members:

Section 1 A member may be excused from three regular monthly meetings for any reason. A member, who becomes disabled, due to a prolonged illness or incapacity, may submit a request

to the President for an exception to the monthly meeting attendance requirement. If approved by the President, the request will be submitted to the Board of Trustee's for final approval. The approved exception will be limited to the calendar year in which it is received. The Board of Trustee's will determine documentation required to support an exception request.

Section 2 Any fire company member, upon request of a letter signed by the Fire Chief or the President, has ten days in which to return fire company property. If any member does not return fire company property within the ten days, the Chief or President may request the Board of Trustees to collect the property through whatever legal means is necessary. A member is responsible for any negligence, loss, or destruction of said property and will reimburse the fire company for such negligence, loss or destruction. Failure to return equipment within the specified ten days will result in immediate dismissal and subject to the potential arrest for theft of company property.

Subsection 2.1 Any member who is expelled from the company for infractions of the Bylaws, as listed in ARTICLE XI, Section 1 or 2, shall not be eligible to make re-application for membership for a period of three years from date of expulsion.

Subsection 2.2 Any member who is expelled from the company for Infractions of the Bylaws, as listed in ARTICLE XI Section 3, shall never be eligible to make re-application for membership.

Section 3 The Yardley-Makefield Fire Company requires any member who responds as a Firefighter or Fire Police Officer to complete a Company provided physical examination according to the time frame listed below. The intent of the physical is to establish base line health data and monitoring as well as testing for illegal substances. This will ensure the greatest level of protection for the health and welfare of fire company members. The physical will be at a fire company designated facility and will be guided by NFPA standards. The following requirements relate to completion of a fire company designated physical examination.

<u>AGE</u>	<u>TIME FRAME</u>
18 to 29	every 3 years
30 to 49	every 2 years
50 & over	every year

For new members, a physical must be completed within 6 months of joining the fire company or the next scheduled physical, whichever comes first.

Subsection 3.1 Any current member who wishes to be an active Firefighter or Fire Police Officer must complete a fire company sponsored physical in accordance with requirements of a new member.

Subsection 3.2 Any member scheduled for the last physical in any calendar year and who cannot complete the physical due to reasonable extenuating circumstances, must notify the chief and health committee chairperson prior to the date of the physical. If excused, the member must

complete the next scheduled physical. Failure to comply will result in removing the member from participating in any fire fighting or fire police activities until a physical is completed.

Subsection 3.3 Any member testing positive for illegal drug use shall be temporarily suspended from duties and required to undergo drug counseling. Upon providing successful written evidence of completion and negative testing, a temporary suspension shall be lifted. All testing shall be at the expense of the Company Relief Association and any counseling shall be at the expense of the member.

Subsection 4 No one is to respond to an alarm when a known condition will hinder their performance or potentially jeopardize the safety of others. Any deviation from this requirement necessitates written authorization from the chief or designee.

Subsection 4.1 When a known disabling condition is resolved, written confirmation from a physician must be submitted to the chief or his designee. Permission must be granted prior to resuming fire fighting activities.

Section 5 At each January meeting, or as soon as practical thereafter, all members shall render a copy of their driver's licenses and proof of insurance for the vehicle(s) they use to perform duties for the Company. Any member found to be operating a personal vehicle on behalf of the Company, in violation of the Commonwealth Financial Responsibility Law shall be immediately suspended from all duties, until satisfactory proof of insurance is obtained. Annually, every person who responds to an alarm and / or operates apparatus will have a driver background investigation conducted. The Company will utilize the Request for Driver Information form (DL 57) from the Commonwealth of Pennsylvania to request the data.

Section 6 Effective January 1, 2010, in order for a Firefighter to be eligible to ride the apparatus, or Fire Police member to respond to an alarm, they must meet the minimum qualifications of the position and have current certification for First Aid, CPR for adult/child/infant and AED.

Subsection 6.1 The YMFC will provide a First Aid, CPR and AED course.

Subsection 6.2 Members whose average falls below the required minimum of 15% of all alarms for a period of 3 consecutive months may have their turnout gear and/or pager pulled by the Quartermaster.

Subsection 6.3 Junior Members must comply with established requirements for Junior Firefighters or Fire Police

Section 7 In order for a currently qualified apparatus driver to maintain qualified status, they must drive at least once per year to an alarm, at either emergency or reduced speed. In addition, they must attend the 16 hour EVOC course provided by the Fire Company, every three years, and the annual EVOC refresher course.

Section 8 To be considered SCBA qualified, as a minimum, all are required to meet the

following:

- Be fit tested and “Qualified” by an MSA qualified representative
- Demonstrate proficiency in use of the SCBA equipment

In December of each year, the Training Officer will arrange for fit testing, qualifying or recertification by a qualified MSA representative. At least two such sessions will be scheduled.

Any firefighter not SCBA qualified will have an appropriate designation affixed to their helmet.

ARTICLE VII

Nominations and Elections

Section 1 Beginning January 1, 2010, to be eligible to vote in the Fire Company annual election a member must be present for nine (9) of the twelve (12) monthly meetings or twenty-five percent (25%) of the fire calls or other company emergencies. Members meeting these requirements shall be known as Active members of the fire company.

For purposes of this requirement, the calendar year begins December 1st and ends the following November 30th.

A list of members meeting these minimum qualifications shall be posted in all fire stations.

Section 2 The Nominating Committee shall be appointed at the regularly scheduled October meeting. They shall submit their list of candidates for each elected office at the regularly scheduled November meeting. At the November meeting additional candidates may be nominated from the floor, after which the nominations will be closed. The election shall be held by secret ballot at the annual meeting in December. All nominees must comply with ARTICLE II Section 4.

Subsection 2.1 Candidates nominated for the office of Chief from the Nominating Committee, as well as additional candidates that may be nominated from the floor at the November meeting, shall have the following educational requirements listed below, and be active by fire alarms, to be considered for the office of Chief.

Education Requirements of the Fire Chief

1. Fire Fighting I
2. Fire Fighting 11
3. Ladder Company Operation
4. Vehicle Rescue Technician (V.R.T.)
5. Arson Investigation
6. Incident Command
7. Haz-Mat Awareness

Equivalent educational courses may be substituted for the above requirements, which become effective with the adoption of these By-Laws.

Section 3 For the election of any office except the Board of Trustees (as covered under ARTICLE IX Section 6, Subsection 6.1) a simple majority of the votes cast, 51 percent, shall be required. No write-in ballots will be accepted. If no majority is obtained in any office a runoff election between the two candidates receiving the highest number of votes must be conducted during the same meeting.

In the event of a runoff election, any absentee ballot(s) that was cast for a candidate not involved in the said election shall be declared null and void. The absentee ballot(s) that was cast for candidate(s) who is in the tie breaking election shall be resubmitted for the same. No votes shall be tabulated until the polls are officially and finally closed.

Subsection 3.1

Absentee ballots shall be available from the Membership Secretary to members who are classified as “Active”. The ballot must be returned to the Membership Secretary no later than two hours prior to the commencement of the meeting.

Section 4 Any vacancy which may occur during the year requiring a ballot election shall be filled at the regular monthly meeting after such vacancy may occur. Eligibility to run for said vacancy and vote in the election shall be determined by the requirements set forth in ARTICLE II Section 4.

Section 5 Previous to entering into the election, the President shall appoint one Judge and two Tellers to conduct the balloting. The Tellers shall keep a correct list of votes cast and count the same. The Judge shall report the results of the election to the President who shall announce the same to the fire company.

Section 6 In order to obtain an absentee ballot a member must be an Active member in accordance with ARTICLE VII Section 1 and be legally excused from the meeting in accordance with ARTICLE VI Section 1. The absentee ballot shall be obtained from the Membership Secretary no sooner than one week prior to the election, and returned to the same no later than two hours prior to the commencement of the meeting. The ballot shall be clearly identified as being absentee. The ballot shall be in a sealed plain white envelope with a signed letter of excuse stapled to the outside. At the beginning of the balloting the Membership Secretary shall make known to the Judge of Elections who has submitted an absentee ballot, turning all envelopes, without the letters of excuse, over to the same. The Judge shall immediately inspect any envelopes for signs of tampering. Any absentee ballot envelope found to have been tampered with shall be considered null and void and destroyed at once. An absentee ballot shall be mixed in, unopened, with the regular ballots, then opened and counted only while the entire vote is being tabulated once the polls have been closed. Absentee ballots shall be available only for the election of officers.

Section 7 In the event there is a call to duty for an emergency situation the night of the election, and members eligible to vote are involved and therefore cannot cast a ballot, the Judge of Elections shall hold the election open for 24 hours in order for the absent members to exercise that right. The Judge and Tellers shall be at the fire station to receive the ballots at a time stated and decided upon by the membership. No votes shall be tabulated until the poles are officially and finally closed.

ARTICLE VIII

Audits and Committees

Section 1 At the annual December meeting the membership shall employ the services of a local, independent Certified Public Accountant (CPA) who, along with the outgoing Assistant Treasurer, shall audit the financial records of the fire company. Said audit shall be reported to the membership at the next May meeting.

Section 2 All other committees deemed necessary for the proper administration of the affairs of the fire company shall be appointed by the President.

Section 3 At the beginning of each year the President shall appoint a Membership Committee to consist of a minimum of three members. These members shall investigate the school, business, police and military records, and any previous fire experience of each senior applicant. The committee shall then act in accordance with ARTICLE IV Section 1.

Section 4 A facility committee shall be appointed for each station and oversee the property and belongings of the fire company in all areas except fire-pneumatic areas of such property.

ARTICLE IX

Duties of Officers

Section 1 The President is the Chief Operating Officer of the Company. As such, all financial, administrative and community relations functions will reside within his or her purview. The President will also oversee non-operational activities of the Company. He or she will have jurisdiction covering all complaints or disciplinary incidents not related to Fire / Rescue operations. The President shall either individually, or at the request in writing of seven members call special meetings. Any disciplinary action reported to or taken by the President will be in keeping with procedures outlined in Article XI, and Article XII

Section 1.2 Should an absence of the Secretary occur at any meeting, the President shall appoint a member to serve pro-Tempore.

Section 1.3 The President shall serve as an ex-officio member of all committees that may be appointed to lend guidance and assistance as may be needed.

Section 2 The Vice President, in the absence of the President, shall preside at the all meetings and perform the duties of the office.

Section 3 It shall be the duty of the Secretary to keep correct records of proceedings of the fire company and notify every committee of its appointment through its chair. Also, there shall be a duplicate sets of records; One set to be kept at the Secretary's home and the other set kept at the fire house. In event of the absence of the President and Vice President the Secretary shall assume the duties of the President.

Subsection 3.1 It shall be the duty of the Secretary to keep a ledger of motions made at each meeting for quick and easy reference.

Section 4 It shall be the duty of the Membership Secretary to receive all monies and keep a financial account of all transactions between the fire company and its members, turning all funds received to the Treasurer and taking a receipt for the same. In addition, the Membership Secretary shall notify all members who are in arrears, allowing 30 days for the correction of same and reporting all delinquent members to the fire company after such time. Furthermore, this office shall notify all proposed members of the outcome of their election. At every official fire company meeting the Membership Secretary shall take note of every member present and keep a record of the same. It will be the responsibility of the Membership Secretary to post an up-to-date meeting attendance for all members at all stations within 2 weeks following each monthly meeting. The Membership Secretary shall keep a duplicate sets of records; one set to be kept at the Membership Secretary's home and the other set to be kept at the fire house.

The Membership Secretary will forward, after the January meeting, one postcard, advising that dues are payable by those members who have not paid their dues by meeting night. The Membership Secretary will prepare a list of those who have not paid dues, and read list, at February general meeting. Membership Secretary will make a second attempt, by postcard or phone, to contact member. The Membership Secretary will prepare a list, of those who have not paid dues, and submit to membership at March general meeting.

Section 5 The Treasurer shall keep a current account of all receipts and disbursements of money in a book provided for that purpose. All disbursements must be signed by two of the following three officers, President, Treasurer, Asst. Treasurer. The Treasurer shall make a written report of all financial transactions and give explanations from time to time as may be required.

At the end of each year, the Treasurer shall submit the accounts and vouchers of the office to the auditors for examination, or at any time that the fire company may request. The Treasurer shall immediately, at the expiration, termination or resignation of the office, transfer all monies and belongings of the office to the successor. In addition, the Treasurer shall file a bond covering that office and the offices of President and Assistant Treasurer at the expense of the fire company in an amount designated by the body.

Subsection 5.1 In event of the absence of the Treasurer the Assistant Treasurer shall assume the duties of the office.

Section 6 The Board of Trustees shall be the governing body of this fire company. The President and Chief will review all business and operations policies, practices and financial matters annually with the Board.

The Board shall also annually elect their Chairperson and Secretary to serve until the next annual election.

The Board shall review all business / financial, disciplinary actions, leaves of absences and membership reinstatements. The Board will review their action(s) with the membership at a regular monthly meeting. All disciplinary actions will be in accordance with Article XI.

No later than August 30th of each calendar year, the Treasurer shall provide the Board with a copy of the final budget review from the prior fiscal year. In addition, as soon as available, a copy of the annual audit report will be provided to the Board. The Board will take whatever action is deemed necessary. On all official acts a majority of the Board shall be in accord. They shall have the authority to secure the services of legal counsel when necessary. The Secretary of the Board shall record the minutes of all meetings of the Board and make an official record of all actions of the body.

No property or equipment of the Fire Company (other than fire fighting equipment) shall be loaned to anyone without the consent of at least one Trustee. Any member taking property belonging to the Fire Company from the premises without permission of a Trustee shall be subject to the following minimum disciplinary actions; first offense shall be a written warning and the second offense shall be forfeiture of membership.

The Chief, or designee, shall have sole authority to loan fire fighting equipment and shall maintain a written record of such occurrences. The Board shall have charge of the real and personal property of the Fire Company and shall require the Chief to submit, in writing, an inventory of firefighting equipment upon request.

In addition, any asset that requires disposition with a value in excess of \$100 will be turned over to the Board for Auction. All other assets can be disposed of by either the President or the Chief.

Subsection 6.1 At the annual meeting two Board members shall be elected to a term of three years each, thus allowing for a total Board membership of six.

Subsection 6.2 Neither the elected Fire Chief, nor any appointed Chief Officer, may simultaneously hold an elected office in the Yardley-Makefield Fire Co. If the Fire Chief or appointed Chief Officer is so elected, he or she must resign the Chief Officers position or decline the elected office. Any vacancy occurring due to the resignation of the elected office shall comply with ARTICLE VII Section 4. No Business Officer shall hold more than one elected office within the Yardley-Makefield Fire Co.

Subsection 6.3 The Chief or his designated "Officer" shall make and keep an accurate and current inventory of all personal safeguard equipment as per P.L.149, #84, said inventory shall be presented to the Yardley-Makefield Fire Company Relief Association annually, or as requested by the officers of the Association.

Section 7 Annually the President shall appoint a Chaplain. The Chaplain shall serve for a period of one calendar year. The Chaplain shall act as the moral and spiritual advisor of the company.

Section 8 The Chief shall have full control of the fire apparatus and apparatus rooms of this fire company in and out of service, subject to the control of the Board of Trustees. The Chief shall also make a report of the condition of the apparatus and conduct of all members at the regular meetings. The Chief, Deputy Chief, and Assistant Chiefs shall be responsible for the overall care, operation, and maintenance of all equipment. All supplies necessary to the above shall be made known to the fire company. Payment for said supplies shall be made upon the approval of the membership.

Subsection 8.1 The Chief shall make appointments in accordance with ARTICLE II Section 2, Subsection 2.1.

Subsection 8.2 The Chief shall be responsible for the appointment of, or delegating his authority to another officer, for approving the experience of, training of, and final appointment of all apparatus drivers of this Company, per the Pennsylvania Motor Vehicle Code Title 75. All drivers shall also be responsible for maintaining the apparatus and equipment thereon.

Subsection 8.3 The Chief and his appointed officers, in his or her absence, shall maintain the sole discretion of the drivers and firefighters in attendance at any emergency, at any time. If there shall be any justified suspicions or reasons to believe any member of this Company should no longer maintain the responsibilities of a firefighter or, apparatus driver, due to the reasonable belief that a member's continued participation may jeopardize the health or safety of themselves or other members, they shall maintain the authority to temporarily suspend or otherwise, relieve said member(s) of those emergency duties and shall make a report of those beliefs and decisions made, to the Board of Trustees. The decision to reinstate duties or, sustain the activities of any said member will be made by the Board in accordance to the rules governing the Board in Article IX Section 6.

If the Board finds the Fire Chiefs or his appointed officers beliefs or, reasons for temporary suspension of emergency and/or driving duties, to be justified, the requirements of reinstatement shall be determined by the Board with recommendations of the Chief, being heavily considered, as each case shall individually occur.

Section 9 The Deputy and Assistant Chiefs shall assist in the discharge of the Chief's duties, and in the absence of the Chief, shall assume the powers of the office.

Section 10 The Designated Health Officer shall be responsible for maintaining confidential discussions and information regarding any potential exposure of members to chemicals and infectious diseases. The Designated Health Officer shall be the person, any member who has a reasonable belief that he or she may have been exposed to any infectious disease(s), may go to seeking guidance, and counseling regarding the potential exposure. The Designated Health Officer shall upon receiving any personal request of information regarding a fire or accident victim, within 48 hours, write to the health care facility's infectious diseases control officer, who provided medical treatment to the victim and properly identifying him or herself, inquire of the health of the person who may have exposed a Yardley Makefield Member, under the Federal Law known as the Ryan White Act. The Designated health Officer should expect an answer from the medical provider within 48 hours plus mailing time. He or she, will then privately meet with and inform the member of the results and the recommended procedures, if any, to follow.

The Designated Officer shall upon official notice from any member, also be responsible for immediately notifying the fire company's relief association and worker's compensation insurance companies to seek guidance and instruction from them.

Section 11 The Safety Officer shall be responsible for the over all emergency scene safety to all members involved. The Safety Officer shall immediately stop any operation that appears to place a member in eminent jeopardy of injury. The Safety Officer shall have the minimum qualifications of having attended a Safety Officers Class as provided by or equivalent to the Bucks County Fire Training School or the Pennsylvania State Fire Academy.

ARTICLE X Chain of Command

Section 1 The chain of command shall be as follows: Chief, Deputy Chief, Assistant Chiefs, Captains, Lieutenants. In the event that none of the above is immediately present at the fire station or the fire scene, The first arriving apparatus officer shall act as the officer in charge. Upon the arrival of one of the Senior Line Officers said member shall relinquish command to that officer.

ARTICLE XI Conduct of Members and Suspensions

Section 1 It shall be incumbent upon all members to conduct themselves in an orderly manner at all times. No member shall knowingly bring disrepute upon this fire company at any time. Furthermore, all members, being on call at all hours of the day and night, shall accept the responsibility of conducting themselves, at all times, in a manner that shall not, at any time, be damaging to the real, assumed, or perceived public image of this Company. Any violation of this theory causing public embarrassment or damage to the honorable image of this company shall be punishable by temporary suspension and investigation by the Board of Trustees.

Section 2 Any member who, in time of fire, other emergency, or drill, shall disobey a reasonable order given by a Senior Line Officer shall be in violation of the Conduct of Members as contained herein, and subject to disciplinary action by the Chief and/or the Fire Line Officers. Such disciplinary action shall be limited to any and all emergency situations including the rooms that pertain to emergency operations. In addition, any fire fighter who engages in any altercation or act of conduct publicly embarrassing or detrimental to the welfare of the fire company while on fire company property, or in any emergency situation, or any activity in which the company is participating, shall suffer disciplinary action by the Fire Line Officer(s) as stated below.

If no action is taken by the Fire Line Officer(s) within a period of 30 days, all information shall be forwarded to the Board of Trustee by any offended person(s). The first offense shall be punishable by a suspension of not less than 30 days; the second action shall be up to the discretion of the Chief, but for a period of not less than 60 days; the third offense shall result in immediate expulsion from the fire company, subject to a review by the Board of Trustees. All infractions by a member shall be entered on the records of the Membership Secretary.

Subsection 2.1 In order for the Board to take action on any offense, a letter of complaint must be addressed to the Chairman of the Board stating the offense, the date, place and approximate time of said offense, and any witness(s) or aggrieved person(s) present. Such letter is to be signed and forwarded to the Chairman within 30 days of the offending incident. The Board, in turn, must take the disciplinary action required within 30 days of the receipt of the letter(s).

Subsection 2.2 All suspensions shall be posted on the approved bulletin board of each station. The suspension notice shall state the beginning and the ending dates of said suspension. The Board of Trustees shall post this notice.

Subsection 2.3 After three years of unblemished service, previous offense(s) shall not be considered if any disciplinary action is necessary.

Section 3 Any member found to be willfully tampering with, destroying or stealing any and all fire company property, or the personal property of another fire fighter shall be expelled from the fire company and prosecuted to the fullest extent of the law.

Section 4 Members shall not respond to emergency calls or participate in other fire company activities while under the influence of alcohol or illegal drugs. Any member suspected of being under the influence of alcohol or illegal drugs will be directed by the OIC to cease fire / rescue operations and / or participation in activities. A written incident report will be prepared for or by the Chief and/or President in keeping with Article XI. Any 2 members may request that any member suspected of being under the influence of alcohol or illegal drugs be directed to cease fire operations and/or participation in fire company activities.

A second such occurrence shall result in an indefinite suspension, subject to a review panel consisting of the Board of Trustees, Chief and President of the Fire Company. Subsequent action will be in keeping with Article XI.

A third occurrence shall result in immediate expulsion from the Yardley-Makefield Fire Company.

Any member found to possess a blood alcohol level of 0.08 or higher; or any driver found to possess a blood alcohol level higher than .04 shall be subject to the rules and regulations of the fire company.

A second such occurrence shall result in an indefinite suspension, subject to review by a panel consisting of the Board of Trustees, the Chief and President of the fire company and then only after the member has provided written documentation of successfully completing a substance abuse or, rehabilitation program at the member's own expense. Reinstatement to active status is at the discretion of the panel.

A third such occurrence shall result in immediate expulsion from the fire company and the member so expelled shall never be readmitted to membership in this fire company.

ARTICLE XII

Infractions and Penalty Determinations

Section 1 Any infraction of the rules and guidelines of this Company by a member found to have been made in a potentially criminal manner shall be reported to local authorities. The offending member shall be placed in a temporary suspension of all public emergency duties, until said member shall legally clear his or her name or be convicted of a crime. If convicted of any crime, the suspension shall be upgraded to expulsion for a period of not less than three years. Additional years of suspension shall be determined by the Board of Trustees and governed by the nature and severity of the crime. All infractions and resulting penalties of the above shall be entered into the member's personal files and upon the records of the Membership Secretary.

ARTICLE XIII

Meetings and Quorum

Section 1 All meetings, whether annual, monthly, or special, shall be held in a fire company meeting room or in such place as designated by the officers.

Section 2 Seven members shall constitute a quorum for the transaction of any business at any stated or special meeting.

Section 3 All monthly meetings will begin at 7:30 p.m. unless the President deems it necessary to begin earlier or later.

Subsection 3.1 Any member who enters the monthly meeting after 8:00 p.m. or leaves prior to roll call shall not receive credit for the meeting. Valid exceptions for being late or leaving early shall be governed by work, school, sickness, death in the family and authorized fire company business, and is subject to approval by the presiding officer.

Subsection 3.2 It will be the responsibility of the Membership Secretary to post an up-to-date meeting attendance for all members at all stations within 2 weeks following each monthly meeting.

Section 4 All members shall be notified of special meetings at the regular monthly meeting or by a notice placed upon the bulletin board of all stations stating day, time, and reason for said meeting no later than one week before said special meeting.

Section 5 Any motion made and adopted at regular monthly or annual company meetings shall be effective for only one year from date of adoption and no such motion shall be in violation of any Article of this constitution and by-laws.

ARTICLE XIV

Government

Section 1 The meetings of the fire company shall be governed by parliamentary rules as cited by the latest edition of "Robert's Rules of Order".

ARTICLE XV

Dissolution

Section 1 This fire company shall not be dissolved by its own motion so long as seven members wish to continue. In the event of the dissolution of this institution, the fire company prohibits the use of any surplus funds for private investment of any person.

ARTICLE XVI

Dues

Section 1 The initiation fee for every candidate for membership shall be \$10.00. The fire company dues shall be \$5.00 per year whether an Active or Inactive Member. All initiation fees and dues are to be paid in advance.

Section 2 All dues shall be paid by the March meeting. Dues will be paid in person, or by check or money order. Dues payments for multiple years will not be accepted.

Section 3 At the February meeting, members will be solicited for information on the whereabouts of those who have not paid dues and a list will be posted at each station. A motion must be made during the March meeting, by the general membership, to drop those members who have not paid dues..

Section 4 Any member of the Yardley-Makefield Fire Company who has not paid his or her dues by the March meeting will be dropped from the rolls of the Department. The Membership Secretary will advise, in writing, those who have been dropped from membership. In order for their membership to be re-established, the individual must complete and submit a new application in accordance to ARTICLE IV Section 1.

ARTICLE XVII

Amendments

Section 1 Amendments to the Constitution may be made at any regular meeting by a two-thirds yea vote of the members present, notice of such amendments having been given in writing at the previous monthly meeting. The proposal shall be read, a copy given to the By-Laws committee chairperson and a copy posted at all stations until the next monthly meeting. All amendments shall be presented in writing.

Subsection 1.1 The duties of the By-Laws committee are as follows:

1. Recommend or review proposed changes / amendments to the existing YMFC Constitution or By-Laws.
2. Make recommendations regarding the proper placement of proposed amendments or additions within the Constitution or By-Laws.
3. Review proposals for potential conflicts with existing Articles and/or governmental laws and regulations. If the addition or modification appears in conflict with existing law or regulation it may be referred to legal counsel for review prior to adoption.
4. Report to the membership on each specific suggested change/modification to a given Article. The report will be given at the Company membership meeting at which a membership vote on the proposed change is scheduled to take place.

Section 2 If any part of this constitution is in violation of any applicable Federal, State or Local law, regulation or ordinance, then that part of the constitution will be inoperative, but the remaining provisions shall nevertheless remain in full force and effect.

ARTICLE XVIII

Junior Membership

Section 1 Any person residing in the vicinity, between the ages of 16 and 18, may apply for Junior Membership in the fire company. The applicant must have written consent of their parent(s) or legal guardian(s), with the application being notarized by a Notary Public or District Magistrate. In addition, the applicant must have obtained working papers, or a document indicating their release of school requirements, prior to and in conjunction with the application. All expenses will be borne by the Junior applicant.

Section 2 The approval of Junior applicants will be subject to the investigation of the Membership Committee with a personal appearance before said committee. Upon the completion of the investigation of the Junior Applicant, the Membership Committee shall present their findings to the full membership for approval or disapproval. Said approval shall be by a vote of the fire company, 25 percent nay votes constituting disapproval of the applicant.-Once approved to Junior Membership the new member will attend Fire Fighter 1 or equivalent conducted by the Bucks County Fire School or by a certified state instructor, completing said course to the satisfaction of the Chief. Until the completion of basic fire fighting the Junior Member will not respond to any emergency scene, either in a private vehicle or on apparatus. The Junior Member will, however, respond to the firehouse to assist with any preparation for any subsequent alarms.

Section 3 A Junior Member will be governed by the following Commonwealth and fire company regulations: they shall not operate or climb an aerial ladder or aerial platform or use hydraulic equipment; they shall not use life nets, acetylene cutting torches, or operate pumps at the scene of a fire; they shall not enter a burning structure or drive any fire apparatus or official fire company vehicle.

Also, the Junior Member shall not respond on any apparatus to standbys or assists. In addition, they may not hold any regular office or have a vote in the affairs of the fire company. They may, however, have a senior member express their desires. The limit of Junior Membership shall be 20 in number.

Section 4 Upon successful completion of Fire Fighting I or equivalent, and a fire company physical, the Junior Member may ride the apparatus and participate in all fire fighting activities excepting those stated in Section 3 of this Article. A Junior member may enter a building for salvage and overhaul once the fire has been declared under control and safe by the officer in charge. All junior members headgear should be easily distinguishable and recognizable from that of any senior member headgear.

Section 5 A Junior Member shall be considered to be on probation from age 16 until the age of 18. Any applicant approved for Junior Membership after age 17 shall have a minimum probationary period of one year from date of acceptance even though they have passed the age of 18. Said member, at the age of 18, shall become a Senior Probationary member for the remainder of the 1 year probation period.

Subsection 5.1 A Junior member shall be reviewed by the junior membership committee every four months. If at any time the junior member is found to be lax in any area of training or

attitude to the fire company, and after due consultation with the junior membership committee concerning the non activity, the junior member may be dropped from the fire company rolls by a vote of the membership.

Section 6 In addition to a Fire Fighting I or equivalent course for juniors, the junior member shall also attend drills of this fire company. The fire company officer in charge shall oversee all training of the junior fire fighter. At the age of eighteen (18), the said member must attend a structural burn course at Bucks County Fire School or any equivalent certified school to complete their full Fire Fighter I certification.

Section 7 Upon completion of Junior Membership, or the one year minimum active member probationary period, the fire fighter shall be eligible for Senior Membership. Such status shall be attained through the affirmative vote of the fire company, 75 percent yea votes constituting approval.

Section 8 No Junior Fire Fighter shall be on the fire company property during school hours. A Junior Member caught on fire company property during school hours, and not found to be legally excused from classes, shall be suspended by the Chief or President for a period of not less than 30 days. The Board of Trustees shall act only after receiving a written complaint of said violation(s).

Section 9 When elected, Junior Members will be given a membership card and a Junior member badge, which shall be exchanged for a Senior badge upon acceptance to Senior Status.

BY LAWS - ARTICLE 1

Section 1 The regular stated meeting of this fire company shall be held upon the second Wednesday of the month, the annual meeting shall be held the second Wednesday of December of each year, at which time all officers shall be elected.

Section 2 Seven members shall constitute a quorum for the transaction for business, and a majority convened and entitled to vote shall govern.

Section 3 The order of business shall be as follows, except at special meetings:

- 1 Reading of the Minutes of the Previous Meeting
- 2 Report of Officers
- 3 Financial Business
- 4 Report of Committees
- 5 Propositions of Members
- 6 Election of Members (no other business to be transacted)
- 7 Written Communications
- 8 Unfinished Business (election of officers when necessary)
- 9 New Business
- 10 Roll Call
- 11 Collection of Dues
- 12 Adjournment

Section 4 The club room shall close for social purposes not later than 1:00 o'clock a.m. of each day, except upon special occasions when the time of closing shall come under the jurisdiction of the House Committee.

Section 5 Loud, boisterous, or profane language shall not be permitted. Games are allowed in the club room on the Sabbath subject to the control of the House Committee.

Section 6 Any member bringing friends or guests on fire company property shall be responsible for their conduct, and, while this company wishes to make the club room the social center for its members, it must discourage the inviting of friends and guests beyond the jurisdiction of the House Committee, and their ruling upon this shall be final.

Section 7 Any violation of the above rules shall be dealt with in accordance with ARTICLE XI Section 2 of the Constitution.

Section 8 Amendments to the Bylaws may be made at any regular meeting by a two-thirds yeas vote of the members present, notice of such amendments having been given in writing at the previous monthly meeting. The proposal shall be read, a copy given to the By-Law committee chairperson and a copy posted at all stations until the next monthly meeting. All amendments shall be presented in writing.

Section 9. All purchases in excess of \$1,000 will be made in accordance with 2nd class township requirements as they relate to the Yardley-Makefield Fire Company. Said requirements are contained in Article XXXI of the municipal purchasing procedures for 2nd class townships, as amended from time to time. A summary as of June 2003 is attached below.

- Purchases under \$4,000.
 - Advertised bids are not required.
 - Three written or verbal quotes must be obtained for each purchase.
 -
- Purchases between \$4,000 and \$10,000.
 - Three written quotes must be obtained, the record of which must be kept by the Treasurer for three years.
- Purchases in excess of \$10,000.
 - Must be advertised in at least one newspaper of general circulation in the township.
 - Notice for bids shall be published at least two times at intervals of not less than three days in daily newspapers or once a week for two successive weeks in a weekly newspaper. The first advertisement shall be published not more than forty-five days and the second not less than ten days before the date set for the opening of bids.

Purchases made for the purpose of emergency repairs need not follow the procedures outlined above. Those purchases can be made through the most appropriate, responsible vendor. Emergency expenditures of more than \$5,000 must be approved by two of the following officers: President; Treasurer, Asst. Treasurer, and the Treasurer shall keep a record of such purchases.

Section 10 It shall be the duty of all members to notify the Membership Secretary of any change of address within 30 days.

Section 11 All facilities and apparatus room of the fire company shall be posted as Non Smoking areas.

Updates to the Constitution & Bylaws since June 2002

July 2003 – Added Article XVII Section 1.1 detailing the duties of the By-Law committee. Changed Article V Section 3.1 to remove specific driver requirements, and place training under NFPA guidelines. Changed Article 1 Section 9 of the By-Laws to make them in accordance with 2nd class townships.

January 2004 - Article XI, Section 4 paragraph 4 was amended to reflect a new blood alcohol level of 0.08%.

February 2004 - Article VII, Section 1 was amended to change the percentage of fire calls required for active service from 30% to 20%.

April 2004 - Article VII Sec 2 and 2.1 and Article X Section 1 were amended to move the nominating process from September & October to October & November, require that candidates for Chief be active by Fire Calls, and names the First Arriving Apparatus Officer as the officer in Charge instead of the first due apparatus driver when no officers from the normal chain of command are available.

May 2005 – Article II Section 1 and several others updated to change the title of the Financial Secretary to Membership Secretary. Added Article XIII Section 3.2 to require Membership Secretary to post up to date meeting attendance records within 2 weeks of each monthly meeting.

November 2005 – Article II Subsection 2.1 and Article IX Subsection 6.2 were modified to eliminate the term “Staff Officers”, and designate various offices as either “Fire Line Officers” or “Support Officers”.

February 2006 – Article II Section 2, subsection 2.1 added a paragraph requiring Fire Line and Support Officers to be active by fire calls the year prior to their appointment.

May 2006 – Changes to Article II Subsection 2.1 to require all Fire Line Officers to attend 25% of the scheduled drills and complete 16 hours of “out of house” training during their tenure, and to Article VI, new Section 6.1 to require members to have at least Firefighter I and have a current First Aid, CPR and AED certification (to be provided by the Fire Company) in order to ride the apparatus and new Section 6.2 authorizing the Quartermaster to pull turnout gear and pagers from those whose average falls below 15% for 3 consecutive months.

August 2006 – Added Article VI subsections 6.2, 7 and 8, setting rules for junior firefighters and fire police, requiring apparatus drivers to drive at least once per year, and setting out SCBA qualification requirements.

November 2006 – Modified Article VII Section 3 to eliminate write-in ballots. Modified Article IX Section 6.2 to prohibit the Chief and appointed Chief Officers from also holding an elected office. Modified Article XIII Section 3.1 to require meeting attendees to arrive by 8:30 pm to receive credit for the meeting.

February 2007 - Bylaws –Article II changed to give the chief the discretion to appoint the Support Officer positions he believes necessary each year, instead of requiring that all positions be filled. The change to Article IX calls for the Treasurer to provide the Board with a copy of the final budget review from the prior fiscal year no later than August 30th of each calendar year, and to provide a copy of the annual audit report as soon as it is available.

December 2007 - Article VI Section 7 modified to require drivers to attend EVOC courses.

February 2008 - Article XVI Section 2 modified to require that dues be paid in person or by check or money order, and may only be paid for one year.

May 2009 - Article IX Section 6 modified so that articles to be disposed of with a value over \$100 must now be turned over to the Trustees for disposition. All lesser valued items can be disposed of by the President or the Chief.

October 2009 - changes were approved to Article II Subsections 2.1 and 2.2 to remove Rescue Team Captain from list of Support Officers and add Haz-Mat Awareness and Article VII, add Haz-Mat awareness course.

January 2010 - change to Bylaws Article V Section 6 and Article VI Sections 6 and 8 which define the requirements for members to ride the apparatus and be SCBA qualified was approved.

February 2010

change to Article XIII changing the monthly meeting time to 7:30 pm and setting roll call at 8 pm

change to Article VII changing the requirements to vote to be either attend 9 of 12 monthly meetings or participate in at least 25% of fire calls or other company emergencies.

change to Article VI Section 1 changing the rules concerning members being excused from monthly meetings.

change to Article IV removing section 6 as it is redundant with the change to Article VI Section 1

June 2011

Modifications to Article VI, Section 3, 3.1 and 6 were approved, which implements our current policy of requiring Fire Police as well as Fire Fighters to take NFPA standard physicals and to require regular First Aid and CPR training to all responders.