

DECATUR-HAMILTON FIRE DEPARTMENT



DHFD BYLAWS

July 27, 2020

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1. ARTICLE I - NAME AND PURPOSE

Section 1 - Name

This department shall be known as the Decatur-Hamilton Fire Department, located in the Village of Decatur, County of Van Buren County, State of MI. The department may also be referred to or operate as DHFD.

Section 2 - Purpose

The purpose of the Decatur-Hamilton Fire Department (DHFD) shall be the preservation and protection of life and property from and during such fires and emergencies as may occur in the area protected by the said fire department.

2. ARTICLE II - MEMBERSHIP

Section 1 - Membership Requirements

1. Any person eighteen (18) years or older and meeting statutory requirements, may apply for membership in the Department.
2. All applicants must have resided in the Department's geographical area for one (1) year prior to applying for membership. The majority of the membership present at any regular monthly meeting must approve exceptions.
3. All applicants must reside within the Department's geographical fire district. The majority of the membership present at any regular monthly meeting must approve exceptions.
4. All applications for membership shall be submitted to a member. The application shall then be referred to the Investigating Committee. Upon acceptance of a review report, the Committee by majority vote shall recommend acceptance or rejection of an application to the Fire Chief. The Fire Chief will then submit the approved applicant to the Fire Board.
5. All applicants are subject to a drug screening and background check.

Section 2 - Termination of Membership

Membership may be terminated by either resignation or expulsion.

1. The decision to present a vote for expulsion of an active member shall reside with the majority vote of the officers, pending a review of a written complaint, pursuant to Article VII.
2. Upon termination of membership for any reason, the member will return all issued equipment within fifteen (15) days. The equipment must be returned to an Officer or a Fire Administration Board Member. Failure to comply with this policy hereby authorizes the Fire Board to take any action deemed necessary to obtain the equipment or fair market value reimbursement.

Section 3 - Membership Classes

The membership of the Decatur-Hamilton Fire Department shall consist of five (5) classes: Probationary, Active, Life, Honorary, and Junior.

Section 4 - Probationary Membership

1. Probationary membership will be extended to those who are approved by the Fire Board.
2. New members must serve a probationary period of at least twelve (12) months. During the probationary period, a new member is required to attend at least twenty-four (24) hours of training, eight (8) monthly business meetings, and fifteen (15) percent of emergency calls and successfully complete Michigan Firefighter I and II. Any waiver of these requirements shall require the approval of the Fire Chief.
3. Upon completion of the above requirements and approval from the Fire Chief, the Probationary member shall be recommended for full membership.

Section 5 - Active Membership

1. Active members shall follow all established departmental Standard Operating Guidelines (SOGs) at all times. SOGs shall be established by a majority vote of all active members at a regular departmental meeting.

Failure to comply with either the SOGs or Bylaws may constitute disciplinary action, suspension and/or termination of membership, subjection to the provisions of Article 6.

2. When in the area protected by this Department and available for duty, it is the responsibility of all active members of this Department to respond to all alarms of fire or emergency that are transmitted to this Department. All members must use due diligence, caution and sound judgment in responding to the scene of an emergency.
3. Any active member responding to an alarm in a privately-owned vehicle without emergency lighting and/or a siren shall do so with caution and shall observe all Michigan State motor vehicle and traffic laws.
4. An active member, with the approval of the Fire Chief, may use emergency lighting and a siren on a personal vehicle while responding to emergency dispatches as defined under MCL 257.632.
5. All active members must attend a minimum of six (6) monthly business meetings, twenty-four (24) training hours, and ten (10) percent of applicable emergency calls annually. Active members are expected to attend special work sessions, training sessions, and emergency calls when available to do so. The Investigating Committee shall recommend moving members that have not met the requirements of active status to inactive status to the Fire Chief. The recommendation will then be discussed at the next scheduled officers meeting or at a specially called officers meeting.
6. Equipment issued to members is the exclusive property of the Department and shall be treated with the utmost care while in member's possession. This equipment is only to be utilized by members in support of the Department's duties/activities.

Section 6 - Life Membership

Any member who has served at least twenty-five (25) years as an active member of this Department shall be eligible for Life membership. The Investigating Committee may by majority vote nominate an active member to the membership as a Life Member in recognition of meritorious service. A majority of the members present at any regular monthly meeting may accept or reject such an application. If a Life member wishes to continue firefighting duties, they must attend a minimum of twenty-four (24) hours of training annually and will be designated as an Active Life Member. All other attendance requirements are waived. Such members shall be entitled to all rights and privileges as active members. Past members in good standing with the Department and meeting the above requirements are eligible for Life membership.

Section 7 - Honorary Membership

Any member who has served at least ten (10) years as an active member of this Department shall be eligible for Honorary Membership. Inactive members or members leaving the Department may request to be moved to Honorary Membership with less than ten (10) years. A majority of members present at any regular monthly meeting may accept or reject the request. Members no longer serving the Department will be considered Honorary Inactive. Honorary Inactive Members may be invited to any non-emergency event by request of Active Members. Honorary Inactive Members do not have any voting privileges on Departmental matters.

Section 8 - Junior Membership

The requirements for Junior firefighter membership are as follows:

1. Must be at least sixteen (16) years of age, but not more than eighteen (18) years old.
2. Must be willing and able to attend at least fifty (50%) percent of scheduled meetings and required training.
3. Must maintain a Grade Point Average (GPA) of 2.0 or higher per semester.
4. Subject to all rules and regulations contained within the Decatur-Hamilton Junior Firefighter Program guidelines. Upon turning eighteen (18) years of age, a junior firefighter becomes eligible for active membership within the Department. A junior firefighter requesting to become an active member must meet all requirements set forth in Article 2, Section 1 with the exception of section 1.4 of the same article.

Section 9 - Inactive Membership

1. Active members that can no longer fulfill the requirements of membership may request to be moved to inactive membership status. This request must be made to the Fire Chief with supporting information to warrant a change in status.
2. Active members that have not met the requirements set forth by the bylaws for active membership may be placed on inactive status by recommendation from the Investigating Committee to the Fire Chief. Said recommendation will then be presented at the next scheduled officers meeting or specially called officers meeting for decision.
3. Upon inactive status, said member will return all Departmental issued equipment to an Officer or a Fire Administration Board Member.
4. Inactive members may attend monthly business meetings, but do not have any voting privileges on Departmental matters.
5. A member may remain inactive for no more than twelve (12) months unless otherwise approved by the Chief Officers. After twelve (12) months, the member will be removed from the department. If the removed member would like to rejoin the department, he/she will have to reapply through the Investigating Committee.

Section 10 - Meeting of Members

1. The active membership shall hold regular business meetings on the first (1st) Monday of each calendar month to discuss departmental matters and issues. All regular meetings of the Department shall begin at 1830 hours unless otherwise specified by the Fire Chief.
2. The Fire Chief may call special meetings of the membership at any time with twenty-four (24) hour notice to members.
3. Meetings shall be conducted under Robert's Rules of Order insofar as practicable.

Section 11 - Absence from Department Activities

1. All probationary, active, and junior members must, to the best of their ability, try to attend all departmental activities. Notification of absence must be made verbally or electronically to the Secretary or a Command Officer.
2. Absences may be excused by any Command Officer due to the following:
 - a. Emergency or Undue Hardship
 - b. Work
 - c. Family Matters
 - d. Vacation
 - e. Other Municipal Meetings (Village Council/Township Board)
 - f. School or Training
 - g. Illness

3. ARTICLE III - OFFICERS

Section 1 - Officers

The Departmental Officers shall consist of three (3) classes: Clerical, Operational, and Command.

1. Clerical Officer(s) shall consist of the Secretary/Treasurer.
2. Operational Officers shall consist of Captain(s), and Lieutenant(s).
3. Command Officers shall consist of the Fire Chief and Assistant Fire Chief.

Section 2 – Clerical Officers

The Secretary/Treasurer shall be appointed at the discretion of the Fire Chief and approval from Fire Board. The Secretary Treasurer shall record and maintain the minutes of all meetings of the Department, which shall include regular and special meetings; call the roll at each meeting; and maintain attendance records. The

Secretary/Treasurer shall receive and/or forward all correspondence of the Department as directed by the governing body of the Department. The Secretary/Treasurer shall safeguard an official copy of the Bylaws of the Department in a locked designated area. The official copy shall be maintained and updated as needed, and shall be produced by the Secretary/Treasurer upon demand by any Officer or Member. The Secretary/Treasurer will maintain a roster of members, and provide copies to the membership. The Secretary/Treasurer shall receive all money and pay bills unless otherwise directed by the Fire Chief.

The Secretary/Treasurer shall keep an accurate accounting of all Department funds in a bound volume or electronic accounting software. He/she shall invoice and collect any money for the use of the department. He/she shall deposit all money except for those necessary to pay current expenses; funds for current expenses are to be deposited in a checking account. All money disbursed by the Department must be in the form of a check or purchase order and must conform to the SOGs. At the conclusion of his/her term, or upon resignation or expulsion, the Secretary/Treasurer shall deliver to his/her successor all documents, papers and correspondence belonging to the Department.

Section 3 - Operational Officers

Captain(s), Lieutenant(s), and the Safety Officer shall be appointed at the discretion of the Fire Chief and approval from Fire Board.

1. Captain(s) – The Captain(s) shall obey all orders of the Fire Chief, whether given directly or through the Assistant Fire Chief. In the event the Fire Chief and Assistant Fire Chief are absent, the Captain(s) shall take command of the Department and have all the duties, powers, and responsibilities of the Fire Chief.
2. Lieutenant(s) – The Lieutenant(s) shall obey all orders of the Fire Chief, whether given directly or through the Assistant Fire Chief. In the event the Fire Chief, Assistant Fire Chief, and Captain(s) are absent, the Lieutenant(s) shall take command of the Department and have all the duties, powers, and responsibilities of the Fire Chief. If all the Chief and Operational Officers are absent, the senior member present shall take command of the Department.
3. Safety Officer – The Safety Officer shall obey all orders of the Fire Chief, whether given directly or through the Assistant Fire Chief. In the event the Fire Chief, Assistant Fire Chief, Captain(s), and Lieutenants(s) are absent, the Safety Officer shall take command of the Department and have all the duties, powers, and responsibilities of the Fire Chief. If all the Chief and Operational Officers are absent, the senior member present shall take command of the Department.

Section 4 - Command Officers

There shall be one (1) Fire Chief and one (1) Assistant Fire Chief. The Fire Chief shall be appointed to a four (4) year term that shall run concurrently with the fiscal year. No member shall hold more than one (1) such office at the same time.

1. Fire Chief – The Fire Chief will be appointed by the Fire Administration Board and approved by a 2/3 vote of the Fire Administration Board in its entirety. The Fire Chief shall take full, total, and exclusive command of firefighting equipment and personnel upon the report of a fire or emergency, during drills, at inspections, reviews or parades. The Fire Chief shall have the final responsibility at all emergency scenes and shall take all proper measures for the extinguishment of fires and the protection of life and property. The Fire Chief shall also assume control and command of the Fire Station during such emergencies and drills. The Fire Chief shall designate the duties of all Chief and Operational Officers. The Fire Chief may from time to time establish rules or policies concerning the operating activities of the Department. These rules or policies shall be posted on the bulletin board, a copy of which must be given to each officer, and the new policy or rule must be read at the next regular meeting before such rule or policy becomes effective. The Fire Chief may appoint personnel to assist in the maintenance of the apparatus. The Fire Chief shall cause all firefighting apparatus and equipment to be maintained in good order and repair. The Fire Chief may suspend any member for just cause in accordance with Article VI. The Fire Chief shall serve as sole spokesman of the Department at all fires or emergencies unless otherwise authorized.
2. Assistant Fire Chief – The Assistant Fire Chief shall be recommended by the Fire Chief and approved by a 2/3 vote of the Fire Administration Board in its entirety. The Assistant Fire Chief shall report to the Fire Chief

and carry out the orders of the Fire Chief. In the absence of the Fire Chief, the Assistant Fire Chief has all the duties, powers, and responsibilities of the Fire Chief.

4. ARTICLE IV - REQUIREMENTS, QUALIFICATIONS, AND EXCLUSIONS

Section 1 - Officers

1. Any person seeking and holding any office in the Department must be an active member in good standing.
2. Any person seeking Clerical office must - have been an active member of the Department for at least three (3) years prior to his/her appointment, or have at least three years of relative experience as a firefighter with another Department.
3. Any person elected to a Command office must have been an active member of the Department for at least five (5) years, or have at least five years of experience as a firefighter with another Department .

Section 2 - Drivers

All drivers/operators of any Department vehicle must be qualified to fully operate the said vehicle and have a valid MI state operator's license. A member must be qualified by a truck captain and approved by the Fire Chief prior to driving any Department vehicle. A list of qualified drivers shall be posted and maintained by the Fire Chief in a conspicuous place at the fire station. Drivers must adhere to all driver requirements, qualifications, and responsibilities contained within the SOGs.

Section 3 - Leave of Absence

The Fire Chief may grant leave of absence, of more than six (6) weeks, with the reason for the leave request to be submitted in writing to the Fire Chief. The member will be placed on inactive status until they return from the leave of absence. Any officer seeking a leave of absence of more than 3 months must resign his/her office when such leave is granted. A member may request a leave of absence greater than six (6) months with a later six (6) month review. All requirements for active and/or probationary membership requirements will be prorated to the amount of time on active status for that year, with the exception of a minimum of twelve (12) hours of training. A member, upon completion of the said leave of absence, must submit a letter to the Fire Chief requesting reinstatement to active status.

Section 4 - Reapplication of Former Members

1. Expulsion - Expelled members may submit an application for membership not less than twelve (12) months from the date of expulsion. Such members shall not seek office for a period of six (6) months from the date of acceptance of such application.
2. Resignations - A member who has resigned while no disciplinary actions are pending against him/her shall be given credit for continuous service if an application for membership is received from such person within twelve (12) months from date of resignation and is accepted.
3. Former members reapplying must submit their application through the Investigative Committee and must meet the minimum requirements of new members as set forth in Article 2, Section 1.

5. ARTICLE V - COMMITTEES AND DEPARTMENTS

Section 1 - Committees

Each committee shall elect a Chairperson by a majority vote of the committee's members. It is the committee's responsibility to diligently undertake the task for which it has been charged and report its findings to the membership by the requested deadline.

6. ARTICLE VI - DISCIPLINARY PROCEDURES

Section 1 - Complaints

A complaint may be brought against a department member while operating during department business (i.e., responding to calls, at the fire station, during training, etc.) for:

1. Violating any principle of the Bylaws, Standard Operating Guidelines, or rules of order of the Department;

2. Any conduct which could or has subjected a member or members of the Department or the public to harm or danger;
3. Failure to obey the lawful command of a superior officer at a drill or emergency;
4. Conduct which may or has subjected Department property to damage or theft; or
5. An illegal act which relates to membership in the Department shall be made in writing to both the Fire Board and Fire Chief.

Section 2 - Disciplinary Hearings

Every member shall be entitled to a hearing for any complaint involving a recordable offense, not excluding possible suspension or expulsion (except for failure to complete the probationary period). Disciplinary hearings shall not occur unless the charges are so specified as to apprise him/her of nature thereof and enable him/her to prepare a defense. There must be a minimum of two (2) firefighter, two (2) officers, and the Fire Chief, in attendance at all disciplinary hearings. Decisions made at a Disciplinary Hearing shall be considered final, pending an appeal by the complainant as follows:

1. Decisions of the Disciplinary Hearing may be appealed to the Personnel Committee.
2. Decisions of the Personnel Committee may be appealed to the Fire Administration Board.

Section 3 - Suspension

The Fire Chief may suspend a member from the active membership. Such suspension, the terms of which will be determined by the Fire Chief but may not exceed thirty (30) days, may be made orally but must be confirmed to the accused by a written complaint within 7 days. All suspensions shall be referred for a Disciplinary Hearing to be held no later than 14 days from the date of suspension.

Section 4 - Expulsion

Failure to comply with a penalty shall be considered as contempt of the Department. Expulsion of a member shall be by a majority vote of the Fire Administration Board, in its entirety (5), at a regular monthly Fire Administration Board meeting.

Section 5 - Notification to Defendant

All notices required to be given to a defendant relating to disciplinary proceedings shall be by certified mail and a post office receipt shall be sufficient proof of service.

7. ARTICLE VII - AMENDMENTS

Any proposed addition or amendment to these Bylaws must be submitted in writing, to an Officer, and presented to the members during the next regularly scheduled monthly business meeting. A vote of the members present will be completed via roll call. Upon a majority vote of the membership, any proposed additions or amendments to the Bylaws would be referred to the Fire Administration Board with a vote to be held during the next Annual Meeting. Adoption of any proposed addition or amendment will require a 2/3 vote of the Fire Administration Board in its entirety.

8. ARTICLE VIII - MISCELLANEOUS PROVISIONS

Section 1 - Gender and Number

As used in these Bylaws, words of the masculine gender include the feminine and words in the singular include the plural and words of the plural include the singular where appropriate.

Section 2 - Bylaws Activation

The Bylaws contained herein shall take effect immediately upon approval by a 2/3 vote of the Fire Administration Board in its entirety at a regular monthly meeting.

Section 3 - Use of Alcohol and/or Drugs

Any member that is found to be under the influence of drugs or alcohol while responding to any Department emergency call, driving a Department vehicle, or participating in a training drill, will be placed on a 30-day minimum suspension for a first offense. Any subsequent offenses will result in the member's dismissal from the Department with no exceptions. All members should note that no warnings will be given.

Section 4. Financial Accountability

No purchases shall be made by any member, with exception to emergency situations. Any non-emergency purchase (not to exceed \$500.00) that may be necessary before the next regularly scheduled monthly business meeting must be approved by an Officer in advance. All purchases will be presented at the next scheduled regular monthly business meeting for discussion and approval. Approval will require a majority vote of the membership in attendance at the business meeting.

9. ARTICLE IX - REPEAL

All prior Bylaws and any guideline or procedure in conflict herewith are repealed to the extent necessary to give these Bylaws full force and effect.

10. ARTICLE X - SEVERABILITY

If any section, clause, sentence, or provision of these Bylaws is determined to be invalid, said invalidity shall not affect the validity of any other part of the Bylaws which can be given effect without such invalid part or parts.