

BUSINESS PHONE: 302.836.9336
FAX: 302.836.9126



ORGANIZED MARCH 17, 1887
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DELAWARE CITY FIRE COMPANY, No. 1, INC.
815 5TH STREET
P.O. BOX 251
DELAWARE CITY, DELAWARE 19706-0251

CONSTITUTION AND BY-LAWS





DELAWARE CITY FIRE COMPANY, No. 1, INC.

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ARTICLE I - COMPANY

Section 1:

This Company shall be known by the name, style, and title of the Delaware City Fire Company No. 1, consisting of persons of the age of eighteen (18) and upwards, classified as Active Fire, In-Active, Honorary, Administrative, Service, Active Ambulance, Life, Ladies Auxiliary and Cadet. Individuals fourteen (14) to eighteen (18) years of age may apply for the Cadet Program.

Section 2:

Robert's Rules

Delaware City Fire Company By-Laws govern the Company in all operations. In the event of a dispute not being covered by the By-Laws, Robert's Rules of Order will prevail.

Section 3:

Delaware & Federal Law

The Delaware City Fire Company follows state laws. If there is anything contained herein that is found contrary to Delaware State Law, it is stricken from the By-Laws and the remainder stays in full force. The company will be advised of said change at the next stated company meeting.

Section 4:

Administrative Documented Policy Development and Revisions

Objective: To establish a formal procedure on implementing, revising, and maintaining documented administrative policies within the Delaware City Fire Co. This procedure also outlines how By-Laws that may not be part of our official Constitution & By-Laws can be removed and implemented as a documented administrative policy.

- 4.1 Documented Administrative policies are intended to cover areas of managing the Delaware City Fire Co. on items that are not outlined in the by-laws.
- 4.2 Policies can either be initiated by the President or the By-Laws / Documented Administrative Policy Committee.
- 4.3 Rough drafts of new policies, after approved by the President, shall be presented to the Board of Directors for approval.
- 4.4 If approved by the Board of Directors, new policies will be immediately implemented following a favorable vote. Those policies will also be presented to the membership at the following company meeting for review. No vote will be required on the Company floor unless it involves a change of the current By-Laws.
- 4.5 Policy revisions, on established policies, will follow the same approval process as outlined above.
- 4.6 Item(s) identified in the By-Laws that can be removed and implemented as a Documented Administrative policy, after being initiated by the President or By-Laws



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/ Administrative Policies committee, will have three readings at the next consecutive company meetings. After approval at the third Company meeting, the item(s) will be removed from the By-Laws and inserted into the Documented Policy manual. Approval will consist of a two-thirds (2/3) standing vote of the Company voting members who are present.

4.7 The By-Laws / Documented Administrative Policy Committee will be responsible for routine reviews of these policies to ensure they are kept current. These policies will be treated as living documents and updated as necessary to ensure we are compliant with Local, State, and Federal Laws; along with an accurate reflection of how the Delaware City Fire Co. is being managed.

4.8 Fire Line policies will be administered by the Fire Chief through our Standard Operating Procedures. Those policies will mostly apply to the operation of emergency scenes and will not be incorporated into these Documented Administrative policies.

ARTICLE II - MISSION STATEMENT

The Mission of the Delaware City Fire Company is to provide the best quality of service to protect our community's life and property, be it involving fire, rescue and or emergency medical services. To conduct ourselves in a safe but professional manner when responding to the needs of the community, whatever the time of day or weather that prevails.

ARTICLE III - OFFICERS

The officers of this Company shall consist of the following categories:

Section 1: Administrative Officers:

President, Vice President, Secretary, Treasurer, Board of Directors

Section 2: Fire Line Officers:

Chief, Deputy Chief, First and Second Assistant Chiefs, Captain 1, Captain 2, Captain 2, Lieutenant, Chief Engineer

Section 3: Non-Fire Line Officers:

Marine Captain, Marine Lieutenant, Assistant Chief Engineers, EMS Supervisor, Assistant EMS Supervisor, Safety Officers, Assistant Treasurer and Assistant Secretary

ARTICLE IV - REVIEW BOARD

Section 1:

The Review Board has the responsibility for taking applications from prospective members. The Review Board shall be responsible for keeping accurate and up to date files and records of all applications. This includes applications received, accepted, rejected and under review.

Section 2:



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The Review Board shall be a committee of at least twelve (12) members including the Chairman. The committee shall elect a Vice-Chairman and Secretary. Each member of the committee shall serve a term of one (1) year. The committee shall meet once a month or at the discretion of the Chairman. Four (4) members present at a committee meeting shall comprise a quorum.

Section 3:

Each completed application shall be noted as of date received by the Review Board. The Review Board shall act on a completed application within three (3) months of the date noted on the application, but no sooner than one (1) month from the date noted on the application. No application may be acted on prior to the applicants' eighteenth (18) birthday for Active Membership and their fourteenth (14) birthday for the Cadet Program. A completed application shall consist of the following: all information completed, signed, criminal background and driving record received, affidavit signed and notarized. Completed Cadet Application shall consist of the following: all information completed, signed, affidavit signed and notarized and signature of parent/legal guardian.

Section 4:

Prior to the meeting of the Review Board at which an application is reviewed, the Chairman may approve one (1) or more Review Board members to perform a background investigation.

Section 5:

To accept or reject an applicant, the members of the Review Board shall consider the applicants qualifications as determined from his application, the investigation and the review, then compare their qualifications to the following criteria:

- A. Meet requirements of Article I.
- B. Completeness and accuracy of application and supporting documents.
- C. Character investigation.
- D. Objections of members.
- E. Each applicant shall meet the requirements of Title 16, Chapter 66, §6647 as outlined below.

Title 16, Chapter 66

§ 6647. Membership requirements for volunteer firefighters [Effective Sept. 15, 2007]

§ 6647. Membership requirements for volunteer firefighters.

(a) An applicant for membership in a Delaware volunteer fire department who has been convicted of or, had that applicant been charged as a juvenile, adjudicated delinquent of any of the following crimes is prohibited from serving as a firefighter in this State:



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- (1) A felony involving sexual misconduct where the victim's failure to affirmatively consent is an element of the crime, such as forcible rape;
 - (2) A felony involving the sexual or physical abuse of a child or of a person who is elderly or impaired, such as sexual misconduct with a child, sexual exploitation of a child, making or distributing child pornography, incest involving a child, or assault on a person who is elderly or impaired;
 - (3) A crime in which the victim is an out-of-hospital patient or a patient or resident of a healthcare facility, including abuse, neglect, or theft from or financial exploitation of a person entrusted to the care or protection of the applicant;
 - (4) Arson in the third, second, or first degree; reckless burning or exploding; cross or religious symbol burning; or any crime in which the applicant intentionally or recklessly started a fire or caused an explosion, or attempted or conspired to do so;
 - (5) A law of another state, territory, or jurisdiction which is the same or equivalent to the offenses described in paragraphs (a)(1) through (4) of this section.
- (b) Membership in a Delaware volunteer fire department must be denied if the applicant has been convicted or, if that applicant was charged as a juvenile, has been adjudicated delinquent of any of the following crimes, except in extraordinary circumstances:
- (1) Any crime for which the applicant is currently incarcerated, on work release, on probation, or on parole;
 - (2) Any crime in the following categories, unless at least 5 years have passed since the applicant's conviction or at least 5 years have passed since the applicant was released from custodial confinement, whichever occurs later:
 - a. A serious crime of violence against a person, such as assault with a dangerous weapon, aggravated assault, murder or attempted murder, manslaughter (other than involuntary manslaughter), kidnapping, or robbery of any degree;
 - b. A crime involving a controlled substance or designer drug, including unlawful possession or distribution of, or intent to unlawfully possess or



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distribute, a controlled substance in Schedules I through V of the Uniform Controlled Substances Act of Chapter 47 of this title;

c. A serious crime involving property, such as burglary, embezzlement, or insurance fraud;

d. Any crime involving sexual misconduct;

e. A crime of another state, territory, or jurisdiction which is the same or equivalent to the offenses described in paragraphs (b)(2)a. through d. of this section.

(3) In extraordinary circumstances, membership may be granted under subsection (b) of this section only if the applicant establishes by clear and convincing evidence that the applicant's membership will not jeopardize public health or safety.

(c) An applicant for membership in a Delaware volunteer fire department who knowingly provides false, incomplete, or inaccurate criminal history information, or who otherwise knowingly violates a provision of this subchapter, is guilty of a class G felony. In addition to a term of imprisonment of up to 2 years, the court shall impose a fine of no less than \$1,000 which may not be suspended.

(d) The State Fire Prevention Commission shall adopt regulations to implement the provisions of this subchapter. The regulations must include, as part of the application form for membership in a Delaware volunteer fire department, a dated and signed statement by the applicant swearing to or affirming the following, if the following is true. If it is not true, the applicant must explain in writing what is not true and why it is not true.

"I have never been convicted of an offense that constitutes any of the crimes set forth in 16 Del. C. § 6647 or any similar offense under any federal, state, or local law. I hereby certify that the statements contained in this application are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statement in this application, I am subject to penalties prescribed by law, including denial or revocation of membership in the volunteer fire department and a mandatory fine of at least \$1,000 or a term of imprisonment of up to 2 years, or both."

(e) An applicant for membership in a Delaware volunteer fire department who is denied membership or whose membership is revoked because of the requirements of this subchapter may appeal the denial or revocation to the State Fire Prevention



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Commission within 15 days of written notification of the denial or revocation by the volunteer fire department. An appeal under this subsection must be held in accordance with the appropriate provisions of the Administrative Procedures Act, Chapter 101 of Title 29, and is subject to judicial review under subchapter V of Chapter 101 of Title 29. 76 Del. Laws, c. 157, § 1; 70 Del. Laws, c. 186, § 1; 77 Del. Laws, c. 444, § 3; 78 Del. Laws, c. 179, § 233.;

Section 6:

The Review Board shall interview each applicant being considered. Applicants fourteen (14) to eighteen (18) years of age must be interviewed by the Review Board with their parent(s) or legal guardian(s) present. After applicant has been interviewed, the Review Board shall consider applicant for acceptance or rejection. If any questions have been raised on an applicant as a result of the interview, action on that applicant can be deferred thirty (30) days for further investigation.

Section 7:

The Review Board shall present their findings and bring the respective applicant to the next scheduled Company Meeting for a vote by the membership.

Section 8:

The Review Board shall review each probationary member after their first year. If the Review Board finds that the member is not fulfilling the necessary requirements, that member shall be brought before the Company for action.

Section 9:

The Review Board must review transfer Members. They must have a completed application; signed affidavit and letter of recommendation form the President and/or Chief of the Company transferring from. They will be on a 1-year probationary period.

ARTICLE V - MEETINGS

Section 1:

Stated meetings of this Company shall be held on the first Wednesday of each month, except in November, when the Company shall also meet on the third Wednesday of the month at 7:30 PM for nominations only, and all special meetings as the by-laws may direct. Nine (9) members eligible to vote shall constitute a quorum and a simple majority of the convened shall govern.

Section 2:

If a meeting falls on the date of a national holiday, it will be rescheduled for the following Wednesday.

Section 3:

The President, for the good of the Company, may change a specific meeting night after notifying



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the Company of said change. The notice of the changed meeting shall be posted on the Company bulletin board and all information technology sources used by the company at least forty-eight (48) hours before the scheduled start time for the special meeting.

Subsection a:

Special exception to the forty-eight (48) hour notice of change of date and/or time of the Company meeting shall be made by the President or his/her designee for Declared States of Emergency or any incident affecting the department within the forty-eight (48) hours prior to the stated Company meeting (including death, injury, building failure or equipment failure).

Section 4:

In the event of an alarm requiring the response of more than one piece of apparatus prior to a meeting or causing a delayed start of a meeting or the interruption of a meeting for a period of sixty minutes, the meeting shall be recessed and rescheduled for the following Wednesday at 7:30 PM.

Section 5:

If an alarm comes in during a company meeting where elections are being held or during any normal company meeting in which by-laws changes are being voted on, and eligible voters are responding to the call, the vote will be suspended until the eligible voters have returned or an hour has lapsed. After an hour, the vote will be suspended to the following meeting.

ARTICLE VI - BOARD OF DIRECTOR MEETINGS

Section 1:

The Board of Directors shall meet on the 3rd Monday of each month at 7:30pm.

Section 2:

The Chairman of the Board, for the good of the Company, may change a specific meeting night after notifying the Directors of the change. The notice of the changed meeting shall be posted on the Company bulletin board and all information technology sources used by the company at least forty-eight (48) hours before the scheduled start time for the special meeting.

Subsection a:

Special exception to the forty-eight (48) hour notice of change of date and/or time of the Board of Director meeting shall be made by the Chairman of the Board or his/her designee for Declared States of Emergency or any incident affecting the department within the forty-eight (48) hours prior to the stated Board of Director meeting (including death, injury, building failure or equipment failure).

Section 3:

Eight (8) Directors shall constitute a quorum.



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Section 4:

The Board of Directors meeting is open to all membership to attend.

Section 5:

Any proposed purchases shall be brought up and acted upon by the Board of Directors. The Board of Directors shall have the power to incur debt on behalf of the company. The Board of Directors shall authorize proper Officer(s) to sign any documents for any debt incurred. All proposed purchases shall have a Purchase Order Request Form filled out and signed by the Officer and either the Chief, Chief Engineer and or President approval. Members wishing to make any type of purchase(s) should be in attendance to answer any questions by the Board of Directors.

Section 6:

The Board of Directors Meeting Agenda

- A. Meeting called to order by the Chairman
- B. Approval of previous Company Meeting Minutes
- C. Approval of previous Director Meeting Minutes
- D. Membership Comments
- E. Unfinished Business
 - i. Executive Session (if required)
- F. Review of Proposed Purchases
 - i. Executive Session (if required)
- G. New Business
 - i. Executive Session (if required)
- H. Miscellaneous Items
- I. Adjournment

ARTICLE VII - SPECIAL MEETINGS

Section 1:

At the request of one voting member and eight other voting members signing the same request, the President shall order the Secretary to post a notice of the special meeting. The notice of the special meeting shall be posted on the Company bulletin board and all information technology sources used by the company at least forty-eight (48) hours before the scheduled start time for the special meeting.

Section 2:

The President shall be seated at the hour appointed and call the special meeting to order. The President shall announce the purpose for which the meeting was called. Nine (9) members eligible to vote shall constitute a quorum and a simple majority of the convened shall govern.

ARTICLE VIII - MEMBERSHIP

Section 1:



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All applications shall be turned over the Review Board Chairperson and investigated by the Review Board and shall present themselves for an interview before a quorum (4 members) of the Review Board. The Review Board shall post applicant's picture, name and pertinent information.

Section 2:

If the Review Board rejects an applicant, this must then be affirmed by a two-thirds (2/3) vote at the next stated Company meeting. If an applicant is found by the Review Board to meet all requirements, The applicant shall then be brought up for membership at the next stated Company meeting and must receive a two-thirds (2/3) affirmative vote. The applicant shall become a probationary member for a one (1) year period.

Section 3:

Election to membership to this Company shall be on a basis as set forth by the Review Board. Election to membership to this Company shall be by standing vote, and the majority vote shall decide. Election of members to the elected offices shall be by secret ballot and the majority or plurality of the ballots cast shall decide the candidate elected.

Section 4: Indemnification

The Company shall indemnify any person who by reason of the fact is or was a director, an officer, employee or agent of the Company or is, or was, serving at the request of the Company as a director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise. The Indemnification shall be to the fullest extent allowable under Section 145 of the General Corporations Law of the State of Delaware. The Board of Directors of the Company shall authorize the Indemnification.

Section 5:

The membership of this Company shall consist of nine (9) classes: Active Fire, In-Active, Honorary, Administrative, Service, Active Ambulance, Life, Ladies Auxiliary and Cadet.

Section 6: - Active Fire Member:

Active fire members will have to attend six (6) stated Company meetings, unless a reasonable excuse is presented and accepted by the Company and respond to 10% of the alarms or attain 288 hours per year for Active & Staff Members to be eligible to vote. Active fire and some in-active members (designated by the Chief) shall be entrusted with the handling of the apparatus and tools of the Company. All active fire members voted into the Company must attend the first Basic Fire Fighting Skills, CPR/AED course by the Delaware State Fire School and complete the New Member Orientation Program in their first year of probation, unless a reasonable excuse is presented and accepted by the Review Board and if not accepted, membership shall be terminated. Active Fire members are expected to take part in work parties, clean-ups and maintain a valid CPR/AED card.



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Section 7:– Administrative Member:

An applicant for Administrative membership shall be someone who does not want to have active status as Fire or Ambulance Member but wants to support all areas of the membership and must be eighteen (18) years of age or older. Administrative members to vote for or hold Administrative office shall have attended six (6) stated Company meetings, unless a reasonable excuse is presented and accepted by the Company and must meet and complete the qualifications for staff member's pension points or attain 288 hours per year to be eligible to vote. Administrative members shall have all privileges of the membership, except in the election process of line officers. Administrative members are encouraged to participate in the CPR/AED course. Administrative members wishing to become an active member will declare this in writing to the Chief.

Section 8: – Service Member:

Members who are in the armed forces while on active duty shall be service members. Service members shall be exempt from paying dues, but shall not be appointed to any committee or elected or appointed to office. Service members while assisting at alarms shall be governed by the same rules as active fire members.

Section 9: - Active Ambulance Member:

Persons applying for Active Ambulance EMT or Ambulance Driver membership into the Company and wishing to be active only as an ambulance member must meet the following requirements:

- a. Active Ambulance EMT's must attend and complete the EMT Course and the New Member Orientation Program within the first twelve (12) months of membership after attaining age eighteen (18) and pass the exam for the EMT Course within a two (2) year period. If applicant is under eighteen (18) years of age they are required to attend and complete the Emergency Responder Course (EMR) and Intro to Emergency Services courses.
- b. Active Ambulance Drivers must attend and complete the Emergency Responder Course (EMR) and Intro to Emergency Services and EVO courses. Active Ambulance Drivers must maintain a valid CPR/AED card.
- c. Attend nine (9) hours in-company EMS training courses, which shall include a vehicle rescue course.
- d. Attend six (6) stated Company meetings, unless a reasonable excuse is presented and accepted by the Company or attain 288 hours per year to be eligible to vote.
- e. Respond to 2% of ambulance runs and participate in 48, four (4) hour shifts / night crews or participate in 72, four (4) hour shifts / night crews.
- f. All members voted into the Company under the active ambulance classification shall complete all of the above within in their 1-year probationary period and must complete c, d, and e of the above Section 9 annually.
- g. Active ambulance members are expected to take part in work parties and clean-up details.
- h. Active ambulance members shall not respond to emergencies on the fire or rescue



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apparatus, except under authorization of the officer-in-charge.

- i. Active ambulance members will not be eligible to vote for fire line officers but will be eligible to vote for administrative and ambulance officers if all other qualifications have been met.

Section 10: – Honorary Member:

Honorary membership may be conferred on any person who has performed an exceptional service to our organization and receives a majority vote at a Company meeting.

Section 11:– Life Member:

- A. **Active Life Member** - An active fire or ambulance member who has performed their duties for fifteen (15) years shall be extended the privilege of being a life member. Members who have 15 years of active service, within this Company, shall have the same privileges as active members. Life members shall be exempt from paying dues and shall be eligible to hold office if all other qualifications have been met. Any Life Member who has not attained 25 years of service must qualify each year for the pension plan to be paid for by the company.
- B. **Administrative Members** - Members who have 25 years of combined active and Administrative, within this Company, shall have the same privileges as Administrative members. At any time after a member has reached life membership as a Administrative member, said member may request to the President to be made an active life member, after the member has made up the active years missed from becoming an active life member.

Section 12: - Ladies Auxiliary Member:

All members in good standing and meeting the requirements of the Ladies Auxiliary of the Delaware City Fire Company shall be considered members of the Delaware City Fire Company. The Ladies Auxiliary shall

- a. Be exempt of all requirements of membership of the Company.
- b. Have no right to vote, hold office, except were allowed by the Constitution and By-laws.
- c. Ladies Auxiliary members may drive Fire Company Class D Vehicles providing they hold a valid driver's license, an EVO card and their name appears on the Fire Company Drivers List.
- d. Be under direction of the Chief/President or Officer in Charge at all times when they may respond to perform auxiliary functions during an alarm or Fire Company function.
- e. Ladies Auxiliary members are encouraged to attend the CPR/AED course.

Any member of the Ladies Auxiliary wanting to transfer membership into the Fire Company shall apply to the Fire Company via application. All previous Ladies Auxiliary years will be credited as social.

Section 13: - In-Active Member:

In-Active members are those who are over the age of eighteen (18) that have met the



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requirements to be an active fire, ambulance or Administrative member in their first year of membership and have since then failed to maintain the requirements to maintain an active or Administrative pension status. Those who do not meet active or Administrative pension status will be put on the in-active list by the President. In-Active member's dues for the next year will be doubled their current dues. For in-active members to re-obtain active or Administrative status they must meet active or Administrative status requirements and the President will change their status for the next year. While on the in-active list members will be treated like Administrative members.

Section 14: - Cadet Program:

An applicant in the Cadet program must be between fourteen (14) and eighteen (18) years of age, be recommended by the Review Board and have written permission of parent(s) or legal guardian(s) to take part in the application process.

- a. A Cadet will complete the CPR / AED course, attend in-house fire school, attend Cadet Meetings, participate in fire house clean up activities and complete the new member orientation program.
- b. Membership status will be based on the above criteria and further defined in the Cadet Handbook.
- c. After the age of sixteen (16) a Cadet will be required to complete Delaware State Fire Schools as specified for active membership.
- d. Within a 3-month period of turning eighteen (18) years of age, a Cadet with satisfactory status as specified in the Cadet Handbook, must obtain Driving Record [if applicable], a background check and sign the Affidavit before they are voted into full membership.
- e. Any years of service completed before the age of eighteen (18) will be counted towards a person's one (1) year probationary period. A Cadet being designated a Senior Cadet and all qualifications met shall be able to vote on company matters.
- f. To be eligible to vote for officers, Senior Cadets must have attended six (6) stated company meetings and 10% of the alarms or attain 288 hours per year to be eligible to vote.
- g. The Cadet Coordinator and Cadet Advisors have the authority to discipline any Cadet Member. Any appeal process shall follow the Discipline Board Procedures.

ARTICLE IX - PENSION PLAN QUALIFICATIONS

Section 1:

All life members with 25 years vested service will be exempt from the pension plan point totals.

Section 2:

The company will continue to contribute to the pension plan for all life members who have not attained 25 years in the plan as long as they maintain their pension point totals for the year in question or they are old enough to apply for their pension.

Section 3:



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All other members must meet point totals and or incentive program totals as specified by the Pension Committee and approved by the Company.

Section 4:

No one will be eligible to pay their own way into the Pension Plan.

Section 5:

Members will be vested after ten (10) years of qualifying for the Pension Plan.

Section 6:

Members not reaching ten (10) years and not qualifying by the point system may be dropped from the Pension Plan.

Section 7:

Members attaining the age of sixty (60) will be requested to apply for pension money (if vested).

Section 8:

The Pension Plan only pays for up to 25 years of service, member will be vested until they are able to collect the pension at age 60.

Section 9:

Probationary members will not be eligible for the Pension Plan.

ARTICLE X - DISCIPLINE

Section 1:

The President shall appoint a committee on an annual basis that will be known as the Disciplinary Board. The Disciplinary Board shall consist of Twelve (12) members; the Chairman who is appointed by the President (Exclusive of the President), one (1) Fire Suppression Officer (exclusive of the Chief), and Ten (10) members at large (active members). A Vice Chairperson and a Secretary shall be elected from within the committee. At least four (4) members of the Disciplinary Board must be present to conduct a hearing. The President shall be allowed to appoint a member to fill a vacancy on the Disciplinary Board. No member of Disciplinary Board shall also be a member of the Board of Directors.

Section 2:

It shall be the duty of the Disciplinary Board to hear any and all charges placed against a member(s) of the fire company.

- a. Charges may be placed against any member for breach of trust, improper conduct, breaking of any Company rules, etc., provided always that an opportunity shall be given to the member for making a defense.
- b. Officers have the right to suspend any member.
- c. Any member has the right to prefer charges against any member.
- d. If an Officer suspends a member, said member is not allowed in the building, or to



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respond to calls, or on the premises unless attending a non-fire company sponsored function in the building. The only other exceptions will be for the member to attend their hearing at the request of the chairperson and/or to retrieve personal belongings under the supervision of an officer. Time between suspension and hearing will apply towards the final ruling.

- e. Member having charges preferred against them by another member shall maintain privileges of membership until the date of the hearing.
- f. The proper procedure for placing charges against a member shall be as follows:
 - a. A written statement specifying which rule, by-law or article of the Constitution the Accused member is charged with violating, shall be hand delivered to the President (or his/her designee in the absence of the President) within seventy-two (72) hours of charges being filed.
 - i. If the President is the Accused member, then the charges shall be hand delivered to the Chairman.
 - b. Upon receipt of said charges, the President (or his/her designee in the absence of the President) **has seventy-two (72) hours to notify the chair of the Disciplinary Board** that they must schedule a hearing of the Disciplinary Board member to review the charges and determine the validity of the charges.
 - c. Upon receipt of the charges from the President, **the Disciplinary Board chair will schedule a meeting of the Board within seventy-two (72) hours to review the allegations.** The person filing the charges may be asked to attend this meeting to answer questions. **The Disciplinary Board**, if they determine the charges are valid, will schedule a meeting date and time with the accused for that person to present their version of the incident.
 - i. The date of the hearing must fall within fourteen (14) days of the President's receipt of the initial charges. Holidays are excluded from all notification and scheduling time frames. The following holidays are excluded:
 - 1. New Year's Eve
 - 2. New Year's Day
 - 3. Easter (**Good Friday, Saturday and Easter Sunday**)
 - 4. Memorial Day Weekend (Friday thru Monday)
 - 5. Fourth of July (If the fourth falls on a weekend, Friday-Monday will be excluded)
 - 6. Labor Day Weekend (Friday thru Monday)
 - 7. Thanksgiving
 - 8. Black Friday
 - 9. Christmas Eve
 - 10. Christmas Day
 - d. The Accused Member shall be notified of the scheduled hearing by Certificate of Mailing and information technology sources used by the company. The notification shall include the Date, Time and Location of the scheduled hearing



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and charges placed against the Accused. The Accused Member shall also be told in the notice that they have the right to representation.

Section 3:

When the Disciplinary Board convenes at a formal trial, charges shall be heard in the following manner:

- a. The Chairperson of the Disciplinary Board shall read the charges that were placed against the Accused Member and shall ask the Accused Member how they plead: guilty or not guilty. If a plea of guilty is entered, the Disciplinary Board shall immediately caucus and make a decision as the punishment in one of the following forms:
 1. Reprimand (verbal or written)
 2. Work details and/or curfew
 3. Suspension from all company activities for a period not to exceed twelve (12) consecutive months for each offense.
 4. Expulsion from the membership
- b. The Disciplinary Board shall reconvene the hearing after having reached a decision and read their decision to the Accused Member at which time they shall advise the Accused Member that they may appeal said decision before the floor at a special Company meeting, not later than thirty (30) days from the day of the trial.
- c. If the Accused Member is found guilty by the Disciplinary Board and punishment is given out, said punishment will commence immediately.
- d. Any appeal of the Discipline Board decision shall be in writing to the President.
- e. If a plea of not guilty is entered, the Disciplinary Board shall first hear any evidence presented by the accuser(s) (the Accused Member shall be permitted to be present during presentation of all evidence and testimony) and shall then, after all evidence has been entered, hear the presentation of the defense of the Accused Member. After all testimony and evidence of each side has been heard, the Disciplinary Board shall caucus, consider the evidence and shall reach a decision. They shall reconvene the hearing and read their decision to all parties. If they find the Accused Member not guilty, the Disciplinary Board shall adjourn and no further action shall be taken. If they find the Accused Member guilty, they shall impose punishment within seventy-two (72) hours of the hearing as follows:
 1. Reprimand (verbal or written)
 2. Work details and/or curfew
 3. Suspension from all company activities for a period not to exceed twelve (12) consecutive months for each offense.
 4. Expulsion from the membership
- f. **After having found the Accused Member guilty, and imposing the punishment, the Disciplinary Board shall advise the Accused Member that they have the right to appeal their decision before the Company at a special Company meeting, not later then thirty (30) days from the day of the trial. The Company may extend this period by a majority vote should circumstances warrant such action.**



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Section 4:

The Accused Member appealing a decision of the Disciplinary Board shall do so before the Company at a special Company meeting within the aforementioned time frame.

- a. At the appeal before the Company, the President (or his/her designee in the absence of the President) shall ask the Chairperson of the Disciplinary Board to read their decision.
- b. Once all evidence has been presented, the Accused Member or his/her representative may make a defense.
- c. Cross-examination shall be allowed by the Company and, after all parties are heard, the President (or his/her designee in the absence of the President) shall ask the Accused Member to leave the meeting while a decision is made by the Company.
- d. The Company's decision shall be in one of the following forms by two-thirds (2/3) of the Company vote:
 1. to uphold the decision of the Disciplinary Board
 2. reject the decision in total, thereby acquitting the Accused Member,
 3. find the Accused Member guilty but reduce the punishment.
- e. However the Company may amend the decision by adding stipulations to the decision.
- f. The decision of the Disciplinary Board and if appealed, the decision of the Company shall be immediately posted.
- g. The President shall advise the Defendant that the decision of the Disciplinary Board was upheld by the Company, that they may appeal the Company's decision to the Board of Directors not later than thirty (30) days from the date of the appeal hearing by the Company (the Board of Directors may extend an appeal beyond the thirty (30) day period by a majority vote of the Board of Directors if circumstances warrant such action).

Section 5:

When an appeal of the Company's decision is brought before the Board of Directors, they shall hear any and all evidence pertaining to the case and hear testimony from any additional witnesses deemed necessary.

- a. Cross-examination shall be allowed by the Board of Directors and, after all parties are heard, the Chairman (or his/her designee in the absence of the Chairman) shall ask the Accused Member to leave the meeting while a decision is made by the Board of Directors.
- b. After all evidence is heard and a defense made, the Board of Directors shall caucus and make a decision to either uphold the Company's decision in total or in the case of expulsion only, reduce the sentence.
- c. The Board of Directors may amend the decision by adding stipulations to the decision.
- d. The Board of Directors may acquit the Accused Member.
- e. The decision of the Board of Directors is final and binding on all parties and there shall be no further appeal there from.
- f. The decision of the Board of Directors shall be immediately posted.
- g. No member of the Board of Directors shall be present during the appeal to the Company.
- h. The President and the Disciplinary Board Members [present at the initial meeting] may



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be present at the hearing but do not have a vote.

- i. The Defendant and/or their representative shall present their case to the Disciplinary Board and, if appealed, at each appeal. **THE DEFENDANT WHO HAS BEEN EXPELLED OR WHO HAS RESIGNED FROM THE FIRE COMPANY RATHER THAN FACE A HEARING IS PROHIBITED FROM APPLYING FOR MEMBERSHIP AT ANY TIME IN THE FUTURE.**
 1. All hearings and any information pertaining to such hearing shall be held in confidentiality and kept private. The matter shall not be discussed outside the Disciplinary Board to assure the individual a fair appeal, if deemed necessary.
 2. The Defendant who has been notified that charges have been placed against them has an obligation to permit these charges to be heard by the Disciplinary Board. In accordance with Section 2F of the by-laws, the Defendant will make their self-available at the time prescribed for the hearing proceedings.
 3. If the Defendant fails to do so, the President (or his/her designee in the absence of the President) will immediately place the Defendant in a suspended status until such time as the Disciplinary Board reconvenes to hear the case. The provisions of Section 2F of this by-law will be repeated regarding scheduling and notification of the Defendant.
 4. If the Defendant again fails to show for the scheduled hearing, the Disciplinary Board will be permitted to hear the case "IN ABSENTIA" and the Disciplinary Board will proceed without the Defendant. A plea of not guilty will be automatically entered on behalf of the Defendant.
 5. All other hearing proceedings shall remain as described in this by-law.
 6. Any findings of the Disciplinary Board during an "IN ABSENTIA" hearing will be equally binding as if the Defendant had been present.
- j. All discipline for cadets shall be reviewed by the Cadet committee first and if necessary the review will be turned over to the Disciplinary board for review if not the Cadet committee will do the review and judgment if needed.
- k. If a cadet member has a hearing, and he/she cannot find a senior representative, a representative shall be appointed by the President (or his/her designee in the absence of the President).

ARTICLE XI - RULES OF ORDER

Section 1:

This order of business shall be followed at the stated meetings unless otherwise ordered by the majority of the members present

- a. Officer presiding (If neither the President or the Vice President are present at the time of the stated meeting, the members present shall select a presiding officer.)
- b. Call to order.
- c. Pledge of allegiance to the flag.



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- d. Moment of silence (if required).
- e. Special Presentations
- f. Reading of the minutes of the previous meeting, both regular and special. If the minutes are in written form, a motion may be made to accept them.
- g. Reading of Directors' minutes.
- h. President's Report
- i. Vice President's Reports
- j. Secretary's Report.
- k. Treasurer's Report.
- l. Report of committees.
- m. Payment of dues and reinstatements.
- n. Old or deferred business.
- o. New business.
- p. Nominations and election of officers.
- q. Good of the Company.
- r. Adjournment.

Section 2:

The presiding officer shall pronounce the decision of the Company on all subjects of order without debate.

Section 3:

No motion shall be subject to debate, until seconded and stated from the chair, and the presiding officer shall then ask, "Is the Company ready for questions?"

Section 4:

Each member, recognized by the chair, and speaking, shall arise and respectfully address the chair, and confine his remarks to the question under discussion and avoid all personal, indecent language, or sarcastic remarks.

Section 5:

If two or more members arise to speak at the same time, the presiding officer shall decide who is entitled to the floor.

Section 6:

No member shall be interrupted while speaking, except to call them to order, or for the purpose of explanation.

Section 7:

If any member is called to order while speaking, they shall, at the request of the chair, take their seat until the question of order be determined, when, if permitted, they shall speak again.



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Section 8:

When a question is before the Company, no other motion shall be in order, except to table this motion, or to amend this motion.

Section 9:

When a motion is tabled, it shall not be acted upon again during the meeting, but can be brought up at the next stated Company meeting.

Section 10:

A motion to adjourn is always in order after the regular business has been transacted, which shall be decided without rebate.

Section 11:

A standing vote upon any question shall be taken and inserted upon the minutes if called for by one member.

Section 12:

Upon all questions, every member eligible to vote shall vote, unless specifically excused by the chair.

Section 13:

Any addition or change to the By-laws must be read at three consecutive Company meetings, in order to proceed to the next Company meeting it must be accepted by a two-thirds (2/3) majority standing vote at each meeting.

Section 14:

Any question concerning an interpretation of the by-laws shall be answered by the by-laws Committee and/or Parliamentarian.

ARTICLE XII - ELIGIBILITY AND DUTIES OF MEMBERS

Section 1:

A respectable person, over the age of eighteen (18) can become a member of this Company on an active or support basis only. When the applicant is reviewed by the Review Board, he will be told what is expected of them. If any member fails to fulfill his obligation as stated in Article VIII, whether active or Administrative, he may be expelled from the Company. All probationary members will be reviewed and acted upon by the Review Board per Article IV – Section 8.

Section 2:

Each active fire and active ambulance member accepted into the Company shall take part and complete the New Member Orientation Program administered by the Education Committee, to assist in understanding the rules of the Company and familiarize him with the equipment.



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Section 3:

No applicant shall be accepted into the Company on the same meeting night that their application has been submitted. Members of a recognized fire department will be considered for membership into our Company on the written recommendation from the Chief, President or their designee only of that department, and their recommendation and the applicant will be reviewed by the Review Board and their recommendation will be forwarded to the Company for a vote. If acceptable by the Education Committee, the transferring member's transcript of training hours will be credited.

Section 4:

All transfer members accepted into the Company are to serve a one year's probationary period. They are expected to attend meetings, fire schools, fire drills, clean up details and work parties etc. Probationary members shall not have the right to vote, to make motions or seconds. They may respond to fires, rescues or ambulance calls when approved by the Education Committee. If they fail to meet all the qualifications of a new member and don't have an approved excuse, they will be terminated from the Fire Company.

ARTICLE XIII - PAYING OF DUES

Section 1:

The dues of each active member, other than in-active and Administrative Members shall be Five Dollars (\$5.00) per year payable on or before the first of December for the following year. If the dues are not paid by January 15th, the member will have to be brought up under reinstatement.

Section 2:

Members voted into the Company after October shall be excluded from paying dues for the following year.

Section 3:

Dues for Administrative members shall be Ten Dollars (\$10.00) per year.

Section 4:

A rejected applicant may reapply for membership after a period of one (1) year.

ARTICLE XIV - ELECTION OF OFFICERS AND MEMBERSHIP

Section 1:

In all elections of officers, it shall be by secret ballot, and a plurality or majority of members voting shall decide the candidate elected. The President shall cast a ballot, and then remove one ballot after all balloting has been completed which will be counted in the event of a tie vote during any election

Section 2:



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All officers shall be nominated at the second stated Company meeting in November and elected at the next stated Company meeting thereafter, taking office immediately following the completion of stated Company meeting and transferring any Company equipment by January 1, for a period of one (1) year.

Section 3:

Directors shall be elected for two (2) years. Each year, there shall be five (5) directors elected.

Section 4:

Names of candidates for office may be filed with the Secretary prior to the second stated Company meeting in November, or on the night of the stated Company meeting, or nominated from the floor during nominations of Officers.

Section 5:

The closing date for members to be qualified for nomination for elected offices shall be October 31st.

Section 6:

A list of qualified members shall be available at the second stated Company meeting in November.

Section 7:

No one person can hold more than 1 (one) of the following offices in the Fire Company year: President, Secretary, Treasurer and Fire Chief.

Section 8:

In case of a vacancy in any elected office, the immediate subordinate may be advanced, if qualified and willing, and the office that is left vacant shall be filled by nomination and election at the next stated Company meeting.

Section 9:

After elections, the outgoing officers shall assist newly-elected officers with any function that may require their assistance.

Section 10:

To get credit for stated Company meetings, all letters for eligibility must be submitted by the first stated Company meeting in November stating dates member was working. Credit for stated Company meetings missed shall not exceed half of meetings to run for office or vote. Letter for missed meetings shall be from employers and/or Physician to be eligible to receive credit. Credit for stated Company meetings and alarms while on Official Company business or while out on workman's compensation for company related injuries shall receive credit.



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Section 11:

No member may serve as Fire police and Fire Line Officer during the same year.

Section 12:

In the event that there are no qualified members to run for Chief, the Company may elect a non-qualified member by two-thirds (2/3) of the Company vote.

ARTICLE XV - REINSTATEMENT

Section 1:

Any former member may be reinstated by sending in their application, a signed affidavit and paying all their arrears when, by a two-thirds (2/3) standing vote of the members present and voting, they shall be restored to their rights as a member. Any reinstatement after three years (3) must submit a criminal background check. The years that they were inactive shall not be counted toward their length of service.

Section 2:

If a member does not receive the two-thirds (2/3) vote during reinstatement, they may reapply at the next stated Company meeting or at any stated Company meeting thereafter.

Section 3:

Members who have been expelled for breach of trust or for the commission of any criminal offense of which they have been convicted by a court of law, will not be eligible for reinstatement.

ARTICLE XVI - ALARM

Section 1:

Definition of an Alarm: When an alarm is dispatched. Includes all fire and rescue emergencies. Members will be given credit for an alarm for all ambulance calls that he actually responds to on the ambulance.

Example: Out of 300 actual calls, a member makes 75 calls or 25%. He also responds on the ambulance 30 times. Now he has made 105 alarms, and the total for the year for this member will now change to 330 calls or 32%.

ARTICLE XVII - DUTIES AND QUALIFICATIONS OF THE PRESIDENT

Section 1:

To be eligible to be elected President, a member must be twenty-one (21) years of age, a member of the company for no less than five (5) years and also must have served as Vice President or Board of Director. The member must have attended six (6) of the stated Company Meetings in the previous year or attain 316 hours.



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Section 2:

To be eligible to run for President, a member must have completed the Administrative Officer Standards [See Officer Standards Section, Addendum I, Section 5] or have previously held the office of President of the Delaware City Fire Company.

Section 3:

- a. It shall be the duty of the President to preside at all meetings of the Company, if possible, and preserve order therein.
- b. The President shall take the opinion of the Company on all motions, when seconded, and decide the question when a tie vote occurs.
- c. The President shall cast a ballot, and then remove one ballot after all balloting has been completed which will be counted in the event of a tie vote during any election.
- d. The President shall sign all orders drawn on the Treasury after they have passed the stated Company Meeting and faithfully execute the provisions of the Constitution and By-Laws.

Section 4:

The President shall have the authority to discipline any member during any meeting; and, on the second offense, the President shall eject said member for conduct unbecoming a member. Any member ejected from a meeting will not be given credit for attending that meeting.

Section 5:

The President shall serve ex officio on all committees. The first member appointed on the committee shall be the Chairperson, and said committee shall hold a meeting as soon as possible.

Section 6:

The President shall appoint a Chaplain.

Section 7:

The President, by virtue of office, shall be a Director.

Section 8:

The President (and Chief) may appoint a Public Information Officer, who shall take orders from the officer in charge.

Section 9:

In the event of an open administrative office(s) after the election process, the President has the authority to appoint someone to fill the open office(s).

Section 10:

The President may appoint an Assistant Secretary, to be directed by the Secretary and an



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Assistant Treasurer, to be directed by the Treasurer and whom shall be the Treasurer of the Bar Committee.

ARTICLE XVIII - DUTIES OF THE VICE PRESIDENT

Section 1:

To be eligible to be elected Vice President, a member must be twenty-one (21) years of age, a member of the company for no less than five (5) years and also must have served as a Board of Director. The member must have attended six (6) of the stated Company Meetings in the previous year or attain 316 hours.

Section 2:

To be eligible to run for Vice President, a member must have completed the Administrative Officer Standards [See Officer Standards Section, Addendum I, Section 5] or have previously held the office of Vice President of the Delaware City Fire Company.

Section 3:

The Vice President, in the absence of the President, shall serve in their stead at meetings of the Company and the Board of Directors

Section 4:

The Vice President shall be in charge of tasks, appointed by and under direction of the President.

ARTICLE XIX - DUTIES OF THE SECRETARY

Section 1:

To be eligible to be elected Secretary, a member must be twenty-one (21) years of age, a member of the company for no less than five (5) years. The member must have attended six (6) of the stated Company Meetings in the previous year or attain 316 hours.

Section 2:

To be eligible to run for Secretary, a member must have completed the Administrative Officer Standards [See Officer Standards Section, Addendum I, Section 5] or have previously held the office of Secretary of the Delaware City Fire Company.

Section 3:

The Secretary shall keep an accurate record of the Company's proceedings when assembled in meeting and present the same to the Company for approval at each subsequent meeting.

Section 4:

In recording transactions of the Company, the Secretary shall be provided with two books: one to be used as a sign-in for each meeting; and one to record such laws and regulations as may be adopted, changes or additions to the by-laws with the date of their passage.



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Section 5:

The Secretary's books shall always be subject to the inspection of any member, under direction from the President. They shall not be loaned except by order of the Company or the Board of Directors. After the Secretary's term of office, the Secretary shall transmit all books, papers, documents, and other property entrusted to their care and belonging to the Company, over to the Secretary's successor.

Section 6:

The Secretary shall post a copy of the Company minutes as soon as possible after a meeting.

Section 7:

The Secretary, by virtue of office, shall be a member of the Pension Committee.

Section 8:

The Secretary, by virtue of office, shall be a Director, to serve as Secretary.

Section 9:

The Company will pay for the costs associated with the Secretary becoming a Notary Public.

ARTICLE XX - DUTIES OF THE TREASURER

Section 1:

To be eligible to be elected Treasurer, a member must be twenty-one (21) years of age, a member of the company for no less than five (5) years. The member must have attended six (6) of the stated Company Meetings in the previous year or attain 316 hours.

Section 2:

To be eligible to run for Treasurer, a member must have completed the Administrative Officer Standards [See Officer Standards Section, Addendum I, Section 5] or have previously held the office of Treasurer of the Delaware City Fire Company.

Section 3:

The Treasurer shall keep an accurate record and account of all moneys received and from whom and what purpose it was received; also the amount of every order drawn on the Treasury, and the names of those in whose favor it was drawn and the purpose it was paid.

Section 4:

It shall be the duty of the Treasurer and or the President to collect all dues and moneys of the Company (except the bar fund).

Section 5:

The Treasurer shall be bonded.



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Section 6:

The Treasurer shall be in charge of all money and other property the Company may place in the Treasurer's charge. The Treasurer is to make a statement of the balance in the checking account at each stated Company meeting.

Section 7:

The Treasurer shall be empowered to pay out money by order of the President as per Article XVII, Section 3, Sub Section D of these by-laws.

Section 8:

The Treasurer shall receive all appropriations and report the same at the first stated Company meeting thereafter. At the end of the Treasurer's term, the Treasurer shall turn all money, records, and other documents entrusted to the Treasurer's care, to the Board of Directors, which will then be turned over to the Treasurer's successor.

Section 9:

All checks issued by the Company must be signed by the President, Treasurer, and the Chairman of the Board of Directors. The Secretary will have the authority to sign the checks, in the absence of any of the three officers previously mentioned in this section.

Section 10:

The Treasurer, by virtue of office, shall be a Director.

ARTICLE XXI - DUTIES OF THE BOARD OF DIRECTORS

Section 1:

To be eligible to be elected as a Board of Director a member must be 21 years of age and been a member for no less than two (2) years. The member must have attended six (6) of the stated Company Meetings in the previous year or attain 316 hours.

Section 2:

To be eligible to run for Board of Director, a member must have completed the Administrative Officer Standards [See Officer Standards Section, Addendum I, Section 5] or have previously held the office of Board of Director of the Delaware City Fire Company.

Section 3:

Elected each year for a term of two years shall be five members to the Board of Directors. The President, Chief, Chief Engineer, Treasurer and Secretary (if not elected to such position) shall also serve as Directors during their term of office. The Board of Directors officers shall consist of a Chairman and Vice Chairman. These offices will be elected at the next regular scheduled meeting of the Board of Directors following the annual company elections.

Section 4:



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If a quorum of eight (8) directors is present, the Board of Directors shall meet on the 3rd Monday of the month to approve the company minutes of the last company meeting and act upon spending requests.

Section 5:

It shall be the duty of the Company in conjunction with the Board of Directors in the raising and disbursing of all monies.

Section 6:

The Board of Directors shall have an annual audit by an authorized auditing firm.

Section 7:

The Chairman has the authority to call special meetings of the Board as the need arises.

Section 8:

The Board of Directors shall approve the budget.

Section 9:

Directors will be responsible for hearing all final appeals of the Discipline Board as outlined in the Discipline Article X, Section 5.

Section 10:

The Board of Directors shall have the authority to impose a curfew for the building.

Section 11:

To be eligible to run for re-election, members must have attended 6 of the Board of Directors meetings per year. Members attending 4 of the meetings in any one year may submit a letter for missed meetings, which shall be from employers and/or Doctor/Physician to be eligible to receive credit.

ARTICLE XXII - DUTIES AND QUALIFICATIONS OF FIRE CHIEF

Section 1:

The Chief is in supreme command of all matters relating to fire, rescue, and emergency medical services.

Section 2:

The Chief may appoint up to six (6) fire police, up to three (3) Safety Officers, a Fire Recorder, and a Photographer, who shall take their orders from the officer in charge. The Chief shall appoint members to fill vacant Fire Line positions as needed. The Chief shall appoint interior and exterior firefighters. The Chief may along with the President appoint a Public Information Officer, who shall take orders from the officer in charge.



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Section 3:

The Chief has charge at all emergency incidents and in the Chief's absence the chain of command is as follows:

- A. Deputy Chief
- B. First Assistant Chief
- C. Second Assistant Chief
- D. Captain 1
- E. Captain 2
- F. Captain 3
- G. Lieutenant (Radio Call sign 15 Lieutenant 1)
- H. Past Chief
- I. Chief Emeritus
- J. Officer Designee as assigned by the Chief's Office

Or the senior member will take charge until a higher ranking officer arrives. Please note Article XXIX, Section 1 and 2 to determine where the Marine Officers fall into the chain of command in regards to whether the operation is land based or water based. The Chief or the officer in charge has the authority to order any member and/or equipment any place he deems necessary.

Section 4:

In case of a breakdown or accident to the apparatus of the Fire Company, the Chief and or Chief Engineer shall have the power to have the same repaired immediately.

Section 5:

It shall be the duty of the Chief to recommend to the Fire Company the purchase of any piece of apparatus. The Chief and/or any other line officer may recommend to the Fire Company the purchase of any equipment that the Fire Chief deems necessary.

Section 6:

The Chief, by virtue of office, shall be a Director.

Section 7:

To be eligible to be elected as Chief, a member must be 21 years of age and been a member for no less than five (5) years, and must have previously held the position of Assistant Chief or Deputy Chief.

Section 8: Training Requirements

To be eligible to run for Chief, a member must have completed Fire Officer II Certification Standards [See Officer Standards Section, Addendum I, Section 4] or have previously held the office of Chief of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours. Member must be a Qualified Driver of all apparatus (excluding the marine



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units).

Section 9:

In the event of an open fire line office(s) after the election process, the Chief has the authority to appoint a member to fill the open office(s).

Section 10:

The Chief or the Chief's designee shall oversee the activities of any paid fire/rescue/emergency medical personnel. Only the Chief can recommend the need for any fire/rescue/emergency medical position(s) and hiring of personnel pending the approval of the Company floor and the Board of Directors.

ARTICLE XXIII - DUTIES AND QUALIFICATIONS OF DEPUTY CHIEF

Section 1:

The Deputy Chief in the absence of the Chief, take command until the Chief arrives.

Section 2:

To be eligible to be elected as Deputy Chief, a member must be 21 years of age and been a member for no less than five (5) years, and previously held either of the Assistant Chief Positions.

Section 3: Training Requirements

To be eligible to run for Deputy Chief, a member must have completed Fire Officer II Certification Standards [See Officer Standards Section, Addendum I, Section 4] or have previously held the office of Deputy Chief of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours. Member must be a Qualified Driver of all apparatus (excluding the marine units).

Section 4:

The Deputy Chief shall be in charge of tasks, appointed by and under direct command of the Chief.

Section 5:

The Deputy Chief shall be the chairman of the Education Committee, consisting of all line officers.

ARTICLE XXIV - DUTIES AND QUALIFICATIONS OF ASSISTANT CHIEFS

Section 1:



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The First Assistant Chief will take charge in the absence of the Chief and Deputy Chief, until either officer arrives.

Section 2:

The Second Assistant Chief will take charge in the absence of the Chief, Deputy Chief or First Assistant Chief, until one of these officers arrives.

Section 3:

To be eligible to be elected as Assistant Chief, a member must be 21 years of age and been a member for no less than five (5) years, and have previously held any Captain's position.

Section 4: Training Requirements

To be eligible to run for Assistant Chief, a member must have completed Fire Officer I Certification Standards [See Officer Standards Section, Addendum I, Section 3] or have previously held the office of Assistant Chief of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours. Member must be a Qualified Driver of all apparatus (excluding the marine units).

Section 5:

The First and Second Assistant Chiefs shall be in charge of tasks, appointed by and under direct command of the Chief.

ARTICLE XXV - DUTIES AND QUALIFICATIONS OF CAPTAIN 1

Section 1:

Captain 1 will take charge in the absence of the Chief, Deputy Chief, First Assistant Chief, Second Assistant Chief, until one of these officers arrives.

Section 2:

To be eligible to be elected as Captain 1, a member must be 18 years of age.

Section 3: Training Requirements

To be eligible to run for Captain 1, a member must have completed Fire Fighter II Certification Standards [See Officer Standards Section, Addendum I, Section 2] or have previously held the office of Captain of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours.

Section 4:

Captain 1 shall be in charge of tasks, appointed by and under direct command of the Chief.



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ARTICLE XXVI - DUTIES AND QUALIFICATIONS OF CAPTAIN 2

Section 1:

Captain 2 will take charge in the absence of the Chief, Deputy Chief, First Assistant Chief and Second Assistant Chief, Captain 1 until one of these officers arrives.

Section 2:

To be eligible to be elected as Captain 2, a member must be 18 years of age.

Section 3: Training Requirements

To be eligible to run for Captain 2 a member must have completed Fire Fighter II Certification Standards [See Officer Standards Section, Addendum I, Section 2] or have previously held the office of Captain of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours.

Section 4:

Captain 2 shall be in charge of tasks, appointed by and under direct command of the Chief.

ARTICLE XXVII - DUTIES AND QUALIFICATIONS OF CAPTAIN 3

Section 1:

Captain 3 will take charge in the absence of the Chief, Deputy Chief, First Assistant Chief, Second Assistant Chief, Captain 1, Captain 2, until one of these officers arrives.

Section 2:

To be eligible to be elected as Captain 3, a member must be 18 years of age.

Section 3: Training Requirements

To be eligible to run for Captain 3, a member must have completed Fire Fighter II Certification Standards [See Officer Standards Section, Addendum I, Section 2] or have previously held the office of Captain of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours.

Section 4:

Captain 3 shall be in charge of tasks, appointed by and under direct command of the Chief.

ARTICLE XXVII - DUTIES AND QUALIFICATIONS OF LIEUTENANT

Section 1:

The Lieutenant will take charge in the absence of the Chief, Deputy Chief, First Assistant Chief, Second Assistant Chief, Captain 1, Captain 2, Captain 3, until one of these officers arrives.



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Section 2:

To be eligible to be elected as Lieutenant, a member must be 18 years of age.

Section 3: Training Requirements

To be eligible to run for Lieutenant, a member must have completed Fire Fighter I Certification Standards [See Officer Standards Section, Addendum I, Section 1] or have previously held the office of Lieutenant of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours.

Section 4:

The Lieutenant shall be in charge of tasks, appointed by and under direct command of the Chief.

ARTICLE XXIX - DUTIES AND QUALIFICATIONS OF MARINE OFFICERS

Section 1:

To be eligible to be elected as Marine Captain, a member must be 21 years of age.

Section 2:

To be eligible to be elected as Marine Lieutenant, a member must be 21 years of age.

Section 3: Training Requirements

To be eligible to run for Marine Office, a member must have completed Fire Fighter II Certification Standards [See Officer Standards Section, Addendum I, Section 2] or have previously held the office of Marine Officer of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or have attained 432 hours. Member must be qualified on all Marine Units.

Section 4:

The Marine Officers shall be in charge of tasks, appointed by and under the direct command of the Chief.

ARTICLE XXX - DUTIES AND QUALIFICATIONS OF EMS SUPERVISOR and ASSISTANT SUPERVISOR

Section 1: Training Requirements

To be eligible to run for EMS Office, a member must have completed up to the Emergency Medical Services Certification Standards [See Officer Standards Section, Addendum I, Section 6] or have previously held an EMS Office of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 5% of the Ambulance Alarms in the previous year or 2% of the Ambulance Alarms in the previous year



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and 120, four (4) hour shifts or night crews. Member must be qualified driver on both Ambulances. To be eligible for EMS Supervisor, member must have been EMS Supervisor or Assistant EMS Supervisor.

Section 2:

The EMS Supervisor, Assistant Supervisor along with the Chief and the Chief Engineer shall appoint drivers for the ambulance.

Section 3:

The EMS Supervisors shall be in charge of tasks, appointed by and under direct command of the Chief.

ARTICLE XXXIII - DUTIES AND QUALIFICATIONS OF CHIEF ENGINEER

Section 1:

To be eligible to be elected as Chief Engineer, a member must be 21 years of age and been a member for no less than five (5) years.

Section 2:

The Chief Engineer may appoint an Assistant Engineer for each piece of apparatus.

Section 3:

The Chief Engineer and the Chief shall appoint all drivers and see that they are properly trained in driving the apparatus (except for marine units) and operating the pumps. All drivers are to be twenty-one (21) years of age, have a valid Delaware operator's license, a valid Delaware State Fire School Emergency Vehicle Operator License and completed the Apparatus Operator Certification Standards. [See Officer Standards Section, Addendum I, Section 6].

Section 4: Training Requirements

To be eligible to run for Chief Engineer a member must have completed the Delaware Firefighter II and the Apparatus Operator Certification Standards [See Officer Standards Section, Addendum I, Section 7] or have previously held the Office of Chief Engineer of the Delaware City Fire Company. The member must have attended six (6) of the stated Company Meetings and responded to 25% of the alarms in the previous year or attain 432 hours. The member shall be a qualified driver of all apparatus (except for marine units). The member shall have a thorough knowledge of the operation and maintenance of all apparatus of the Company.

Section 5:

The Chief Engineer shall be a Director, by virtue of office.

Section 6:

The Chief Engineer shall have charge of the maintenance of all apparatus. The Chief Engineer shall keep the apparatus in ready service at all times.

BUSINESS PHONE: 302.836.9336
FAX: 302.836.9126



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Section 7:

The Chief and Chief Engineer may appoint apprentice drivers (for the purpose of training), and these members must be over eighteen (18) years old, and meet the qualifications for drivers.

Section 8:

If any vehicle of the Company is involved in an accident, breakdown, or traffic violation, the driver shall notify the Chief and Chief Engineer immediately.

Section 9:

The Chief Engineer shall maintain records of all apparatus and drivers.



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ADDENDUM I – OFFICER STANDARDS

Section 1:

Delaware City Fire Fighter I

Basic Fire Fighting Skills
Structural Fire Fighting Skills
Fire Fighter First Aid
Fire Fighter Self Survival
RIT - Awareness
Vehicle Rescue
Foam
Sprinklers
Rope Rescue I
Water Rescue I

Section 2:

Delaware City Fire Fighter II

Hazardous Materials Response Skills
NR – EMT
Confined Space Rescue
Aerial Operations
Emergency Vehicle Operations
Crew Leader
RIT Team Member Course
Water Rescue II

Section 3:

Delaware City Fire Officer I

Delaware Fire Fighter II
Apparatus Operator Certification
Fire Ground Ops I
Fire Ground Ops II
Fire Ground Ops III
DSFS - Fire Officer I Course

Section 4:

Delaware City Fire Officer II

Delaware Fire Officer I
DSFS- Fire Officer II Course



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Section 5:

Delaware City Administrative Officer

NFA – Leadership I
NFA – Leadership II
NFA – Leadership III
Minimum of an Associates Degree

Section 6:

Delaware City Emergency Medical Services

NR – EMT
Emergency Vehicle Operator
Certified Field Instructor (FTO)
NFA – ICS for EMS

Section 7:

Delaware City Apparatus Operator

Delaware Fire Fighter I
Driver Operator Course
Emergency Vehicle Operations



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ADDENDUM II- REVISION HISTORY

Revision Date	Comments
6-10-1992	Revised
5-1-2002	Reviewed and revised to meet current standards
11-2-2005	Company passed new Article VIII, Discipline
12-21-2005	Company passed new Cadet classification and section update to support it. Also cleaned up sections to support the new discipline section.
5-3-2006	Company passed changes to Article XXIX, Section 1
6-7-2006	Company passed numerous changes
1-3-2007	Company passed changes to Article XIII, Sections 2, 4, 5, 6 & 9
6-6-2007	Company passed numerous changes
9-2008	Company passed numerous changes
10-6-2010	Board of Director Changes
11-16-11	Marine Captain and Marine Lieutenant
08-07-13	Company passed numerous changes
03-02-16	Company passed numerous changes
09-05-16	Company passed changes to Article IX, Sections II sub. Sec.b; Article XIII Section 5; Article XXIV Section 3; Article XXXII Sections 1 & 2
11-02-16	Company passed numerous changes
04-06-17	Article I, Section 3 & 4 added
05-04-17	Article I, Section 2 added
07-26-17	Removed 2 nd Vice President Removed 2 nd EMS Assistant Supervisor Chief to appoint vacant fire line positions
12-06-17	Changed Article XII, Section 13; voting on By-Laws changes
2-24-18	Accountability moved to Documented Policy Company property moved to Documented Policy Captain Titles changed to Captain numbers Succession through Chief's Office Company officers broken into groups (Article III) Article XIV Section 7 added Article V Section 3 Subsec. A added Article VI, Section 2, subsec. A added