

Ballinger Fire Department



Constitution & By - Laws

1905 - 2005

"A Century of Service."

Revised April, 2003

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**CONSTITUTION AND BY-LAWS
OF THE
BALLINGER FIRE DEPARTMENT**

ARTICLE ONE

MEMBERSHIP OATH

SECTION 1. WE, THE UNDERSIGNED MEMBERS OF THE BALLINGER FIRE DEPARTMENT, HAVING ASSOCIATED OURSELVES TOGETHER AS A FIRE DEPARTMENT IN THE CITY OF BALLINGER, RUNNELS COUNTY, TEXAS, DO PLEDGE TO SUPPORT THE LAWS AND REGULATIONS OF THE DEPARTMENT, TO RESPECT AND OBEY THE OFFICERS WHEN ON DUTY; THAT WE FURTHER PLEDGE TO SUSTAIN SAID OFFICERS IN THE DISCHARGE OF THEIR DUTIES AND HOLD OURSELVES BOUND IN HONOR TO COMFIRMATE AND ABIDE BY, IN EVERY RESPECT, THE FOLLOWING CONSTITUTION AND BY-LAWS.

ARTICLE TWO

NAME, LIMITS AND OBJECTIVES

SECTION 1. THIS ASSOCIATION SHALL BE KNOWN BY NAME AND STYLE AS THE “**BALLINGER FIRE DEPARTMENT,**” HEREINAFTER REFERRED TO AS “**THE DEPARTMENT.**”

SECTION 2. MEMBERSHIP OF THE DEPARTMENT SHALL CONSIST OF PERSONS RESIDING NO FARTHER THAN FIVE (5) MILES FROM THE EXISTING CITY LIMITS OF THE CITY OF BALLINGER AT THE TIME OF APPLICATION FOR MEMBERSHIP. ACTIVE MEMBERS THAT MOVE PAST THE FIVE-MILE LIMIT MUST HAVE THE APPROVAL OF THE EXECUTIVE BOARD.

SECTION 3. OBJECTIVES OF THE DEPARTMENT SHALL BE TO PROVIDE FIRE PROTECTION TO PROPERTY FOR THE CITIZENS OF THE CITY OF BALLINGER, TEXAS. TO BE RESPONSIBLE FOR PROVIDING TRAINING AND EDUCATION PROGRAMS FOR THE MEMBERSHIP AND EDUCATION AND ASSISTANCE TO ALL CITIZENS IN THE FIELD OF FIRE PROTECTION. IT SHALL ALSO PROVIDE TRAINED AND COMPETENT PERSONNEL, AND HAVING SAME SUBJECT TO CALL FOR FIRES, DISASTERS AND SUCH OTHER EMERGENCIES THAT MAY BE REQUIRED FOR THE WELFARE OF THE COMMUNITY.

SECTION 4. NO PART OF THE NET EARNINGS OF THE ASSOCIATION SHALL INDURE TO THE BENEFIT OF, OR BE DISTRIBUTABLE TO ITS MEMBERS, TRUSTEES, OFFICES, OR OTHER PRIVATE PERSONS, EXCEPT THAT ASSOCIATION SHALL BE AUTHORIZED AND EMPOWERED TO PAY REASONABLE COMPENSATION FOR SERVICES RENDERED AND TO MAKE PAYMENTS AND DISTRIBUTIONS IN FURTHERANCE OF THE PURPOSE SET FORTH. NO SUBSTANTANTAL PART OF THE ACTIVITIES OF THE ASSOCIATION SHALL BE THE CARRYING ON OF PROPAGANDA, OR OTHERWISE ATTEMPTING TO INFLUENCE LEGISLATION AND THE ASSOCIATION SHALL NOT PARTICIPATE IN, OR INTERVENE (INCLUDING THE PUBLISHING OR DISTRIBUTION OF STATEMENTS) ANY POLITICAL CAMPAIGN ON BEHALF OF ANY CANDIDATE FOR PUBLIC OFFICE. NOT WITHSTANDING ANY OTHER PROVISION OF THESE ARTICLES, THE ASSOCIATION SHALL NOT CARRY ON ANY OTHER ACTIVITIES,

NOT PERMITTED TO BE CARRIED ON (A) BY AN ORGANIZATION EXEMPT FROM FEDERAL INCOME TAX UNDER SECTION 501 (C) (3) OF THE INTERNAL REVENUE CODE OF 1954 (OR THE CORRESPONDING PROVISION OF ANY UNITED STATES REVENUE LAW.)

DISSOLUTION OF THE ASSOCIATION, THE BOARD OF TRUSTEES SHALL, AFTER PAYING OR MAKING PROVISION FOR THE PAYMENT OF ALL THE LIABILITIES OF THE ASSOCIATION DISPOSE OF ALL THE ASSETS OF THE ASSOCIATION EXCLUSIVELY FOR THE PURPOSE OF THE ASSOCIATION IN SUCH MANNER, OR TO SUCH ORGANIZATIONS OR CHARITABLE, EDUCATIONAL, RELIGIOUS, OR SCIENTUIE PURPOSES AS SHALL AT THE TIME QUALITY AS AN EXEMPT ORGANIZATION OR ORGANIZATIONS UNDER SECTION 501 (C) (3) OF THE INTERNAL REVENUE CODE OF 1954 (OR THE CORRESPONDING PROVISION OF ANY FUTURE UNITED STATES INTERNAL REVENUE LAW), AS THE BOARD OF TRUSTEES SHALL BE DISPOSED OF BY THE COURT OF COMMON PLEAS OF THE COUNTY IN WHICH THE PRINCIPAL OFFICE OF THE ASSOCIATION IS THEN LOCATED, EXCLUSIVELY FOR SUCH PURPOSED OR TO SUCH ORGANIZATION OR ORGANIZATIONS, AS SAID COURT SHALL DETERMINE, WHICH ARE ORGANIZED AND OPERATED EXCLUSIVELY FOR SUCH PURPOSES.

ARTICLE THREE

SECTION 1. TWO OR MORE COMPANIES SHALL CONSTITUTE THE BALLINGER FIRE DEPARTMENT. EACH COMPANY SHALL CONSIST OF NO T LESS THAN EIGHT (8) NOR MORE THAN TWENTY (20) MEMBERS, INCLUDING THE CAPTAIN, BUT EXCLUDING THE CHIEF, 1ST ASSISTANT CHIEF AND THE PAID DRIVERS.

SECTION 2. EACH MEMBER SHALL BE ASSIGNED TO A COMPANY BY THE FIRE CHIEF AND REMAIN A MEMBER OF SAID COMPANY UNTIL SUCH TIME THAT THE EXECUTIVE COMMITTEE DEEMS REALIGNMENT NECESSARY FOR BETTER OPERATIONAL BALANCE AND EFFICIENCY.

SECTION 3. COMPANY CAPTAINS SHALL BE THE ASSISTANT CHIEFS IN THE ORDER OF RANK. THESE ASSISTANTS APPOINTED BY THE CHIEF EACH YEAR AT THE ANNUAL MEETING, BUT EXCLUDING THE ASSISTANT CHIEF, I.E., 2ND ASSISTANT CHIEF, CAPTAIN OF COMPANY 1; 3RD ASSISTANT CHIEF; CAPTAIN OF COMPANY 2; ETC.

ARTICLE FOUR

MEMBERSHIP

SECTION 1. THERE SHALL BE FOUR (4) TYPES OF MEMBERSHIPS IN THE BALLINGER FIRE DEPARTMENT: ACTIVE, RESERVE, HONORARY AND LIFE.

SUB. A. ACTIVE MEMBER

SECTION 1. ANY PERSON HAVING ATTAINED THE AGE OF TWENTY-ONE (21) YEARS, AND IS IN GOOD PHYSICAL CONDITION MAY MAKE APPLICATION FOR MEMBERSHIP IN THE DEPARTMENT.

SECTION 2. ACTIVE MEMBERS SHALL BE DETERMINED AS FOLLOWS: (1) ALL PROSPECTIVE APPLICANTS MUST READ THE CONSTITUTION AND BY-LAWS AND STATE

TO THE RECORDING SECRETARY THAT ALL CONTENTS ARE UNDERSTOOD. APPLICANT FURTHER AGREES TO ABIDE BY AND COMPLY WITH SAID CONSTITUTION AND BY-LAWS.

(2) APPLICATION MAY THEN BE ACCEPTED, PROPERLY COMPLETED, ON THE REGULAR APPLICATION CARD PROVIDED BY THE DEPARTMENT. A FORM WHICH IS EMBODIED AS FOLLOWS:

BALLINGER, TEXAS, _____ 19 _____

TO PRESIDENT AND MEMBERS,

BALLINGER FIRE DEPARTMENT:

I, THE UNDERSIGNED HEREBY MAKE APPLICATION FOR MEMBERSHIP IN THE BALLINGER FIRE DEPARTMENT.

I HAVE READ A COPY OF YOUR CONSTITUTION AND BY-LAWS, AND HAVE HAD EXPLAINED TO ME THE DUTIES I WILL HAVE TO PERFORM IF ELECTED TO MEMBERSHIP IN YOUR DEPARTMENT, AND DO AGREE TO SUBJECT MYSELF TO DISCIPLINE AND RULES.

BORN AT _____, DAY _____, MONTH _____, YEAR _____

RECOMMEND:

_____ SIGNED _____

READ _____ VOTED IN _____

(3) THE FOREGOING APPLICATION WILL BE ACCEPTED AND READ AT THE NEXT REGULARLY SCHEDULED MEETING OF THE DEPARTMENT, AT WHICH TIME THE PRESIDENT SHALL APPOINT THREE (3) MEMBERS IN GOOD STANDING TO ACT AS AN INVESTIGATING COMMITTEE AND TO REPORT ON THE APPLICANT WITHIN THE NEXT THIRTY (30) DAYS OR NO LATER THAN THE SECOND REGULARLY SCHEDULED MEETING OF THE DEPARTMENT, AT WHICH TIME A VOTE WILL BE TAKEN ON THE APPLICATION FOR MEMBERSHIP.

(4) ALL VOTING FOR CANDIDATES SHALL BE BY BALLOT WITH THE SAID CANDIDATE BEING ABSENT FROM THE MEETING AT SUCH TIME AS THE INVESTIGATING COMMITTEE IS REPORTING AND VOTING IS IN PROGRESS. THE CANDIDATE MUST RECEIVE A SIMPLE MAJORITY VOTE TO BECOME A MEMBER; IF THE CANDIDATE DOES NOT, THEN THE CANDIDATE IS DECLARED REJECTED. THE PRESIDENT SHALL NOT VOTE UNLESS THERE IS A CASE OF A TIE.

(5) ALL CANDIDATES ACCEPTED FOR MEMBERSHIP WILL BE REQUIRED TO SERVE A SIX (6) MONTH PROBATIONARY PERIOD. ANY TIME DURING SAID PERIOD THE CANDIDATE WILL BE EVALUATED BY THE EXECUTIVE BOARD PRIOR TO BECOMING A REGULAR ACTIVE MEMBER OF THE DEPARTMENT. THE CANDIDATE IS REQUIRED TO COMPLETE A PHYSICAL EXAM WITHIN ONE (1) MONTH AFTER BEING ACCEPTED AS A MEMBER, ALSO MUST ATTEND AS MANY MEETINGS AND DRILLS AS POSSIBLE DURING THIS PERIOD. ANY APPLICANT FAILING TO MEET THESE REQUIREMENTS MAY BE DISMISSED FROM THE DEPARTMENT. THE APPLICANT MAY NOT REAPPLY FOR MEMBERSHIP FOR ONE (1) FULL YEAR FROM THE DATE OF THE APPLICANTS PROBANTIONARY PERIOD ENDED.

(6) ACTIVE MEMBERS SHALL BE ACCEPTED BY THE EXECUTIVE COMMITTEE AS FOLLOWS: THOSE CANDIDATES THAT HAVE MET AND COMPLIED WITH ALL THE FOREGOING REQUIREMENTS AND HAVING BEEN PROPERLY ACCEPTED BY THE DEPARTMENT, COMPLIED WITH THE REQUIREMENTS OF THE DEPARTMENT AS TO DRILLS AND MEETINGS EACH MONTH, BEEN IN ATTENDANCE AND CONDUCTED THEMSELVES PROPERLY AT FIRES AND OTHER EMERGENCIES, AND IN GENERAL,

MEASURED UP TO THE STANDARDS SET BY THE DEPARTMENT IN THE GOVERNING OF ITS ACTIVE MEMBERS.

(7) EXCEPTION TO AN APPLICANT NOT IMMEDIATELY BECOMING AN ACTIVE MEMBER UPON COMPLETION OF SAID PROBATIONARY PERIOD AND ACCEPTANCE BY THE EXECUTIVE COMMITTEE WOULD BE DUE TO THE DEPARTMENT BEING AT MAXIMUM STRENGTH WITH NO VACANCIES EXISTING. IF SUCH BE THE CIRCUMSTANCE, THEN SAID APPLICANT SHALL REMAIN ON THE PROBATIONARY ROLL UNTIL SUCH TIME A VACANCY DOES EXIST. THE EXECUTIVE COMMITTEE SHALL THEN REMOVE SUCH APPLICANT. IN ORDER OF ACCEPTANCE BY THE DEPARTMENT. FROM THE PROBATIONARY ROLL AND CAUSE SAID APPLICANT TO BE NAMED TO ACTIVE MEMBERSHIP IN THE DEPARTMENT.

(8) APPLICANTS SERVING SAID PROBATIONARY PERIOD SHALL NOT BE CARRIED ON THE ACTIVE MEMBERSHIP ROLL OF THE DEPARTMENT, BUT THE RECORDING SECRETARY SHALL KEEP A RECORD OF SUCH APPLICANTS ATTENDANCE AND SHALL HAVE SUCH RECORDS AVAILABLE FOR THE EXECUTIVE COMMITTEE TO USE IN EVALUATING CANDIDATE FOR POSSIBLE ACTIVE MEMBERSHIP STATUS.

(9) CANDIDATE SERVING SAID SIX (6) MONTHS PROBATIONARY PERIOD SHALL BE PERMITTED FULL ACTIVE MEMBERSHIP PRIVILEGES EXCEPT, THE RIGHT TO VOTE OR TO HOLD OFFICE.

(10) THE FOREGOING SHALL ALWAYS PREVAIL EXCEPT THAT IN THE EVENT OF AN APPLICATION OF A PERSON WHO HAS BEEN AN ACTIVE MEMBER OF A DEPARTMENT IN ANOTHER CITY WITHIN THE PAST TWELVE (12) MONTHS PROVIDING IN THE SAID DEPARTMENT, AND WITH PROOF OF SAID MEMBERSHIP AND WITH THE RECOMMENDATION OF AT LEAST TWO (2) MEMBERS IN GOOD STANDING, THEN THE INVESTIGATION REPORT MAY BE WAIVED, AND THE CANDIDATE VOTED ON AT THE FIRST PRESENTATION OF SUCH APPLICATION. PROVIDED FURTHER THAT ELECTION TO MEMBERSHIP IN THIS MANNER SHALL REQUIRE A UNANIMOUS VOTE OF THE MEMBERS PRESENT.

(11) NO APPLICATION SHALL BE CONSIDERED IF THE APPLICANT AT ANY TIME WITHIN THE PAST (2) YEARS, HAVING BEEN A MEMBER OF THE DEPARTMENT, AND SHALL HAVE BEEN DISCHARGED WITH A DISCHARGE OTHER THAN HONORABLE.

(12) MEMBERSHIP CARDS SHALL BE ISSUED TO ALL ACTIVE MEMBERS EACH YEAR.

SUB. B. RESERVE MEMBERS

SECTION 1. RESERVE MEMBERS SHALL BE FROM THE RANKS OF THE ACTIVE MEMBERS OF THE DEPARTMENT, AND SHALL COMPOSED OF THOSE MEMBERS, WHO BY THE REASON OF OCCUPATION OR OTHER COMMITMENTS, ARE UNABLE TO MAINTAIN THE REQUIRED ATTENDANCE RECORD. BY HAVING BEEN ASSOCIATED WITH THE DEPARTMENT FOR A PERIOD OF TIME AS AN ACTIVE MEMBER, THEN SUCH MEMBER MAY BE PLACE ON THE RESERVE MEMBERSHIP ROLL. IN APPRECIATION OF SERVICES RENDERED AND REALIZED THESE SERVICES SHOULD BE REWARDED, AND ALSO THAT SUCH MEMBER WOULD BE GREAT VALUE IN THE FIELD OF PUBLIC RELATIONS AND COULD BE CALLED UPON FOR AID IN CASE OF SERIOUS FIRE OR OTHER EMERGENCY, SUCH MEMBERS ARE PLACED ON THE RESERVE MEMBERSHIP ROLL UNTIL SUCH TIME THAT A REQUEST IS RECEIVED FOR REINSTATEMENT AS AN ACTIVE MEMBER OF THE DEPARTMENT, BUT FOR A PERIOD OF NO LONGER THAN ONE (1) YEAR, WHICH AT SUCH TIME IF NO REQUEST HAS BEEN RECEIVED FOR REINSTATEMENT, THEN SUCH MEMBER SHALL BE REMOVED FROM THE RESERVE MEMBERSHIP ROLL. IF IN THE FUTURE, AFTER REMOVAL FROM THE RESERVE MEMBERSHIP ROLL, SUCH MEMBER DESIRES TO AGAIN BECOME AN ACTIVE MEMBER, THEN A NEW APPLICATION MUST BE SUBMITTED AND ALL TERMS AND CONDITIONS OF A NEW CANDIDATE MUST BE COMPLIED WITH.

SECTION 2. ALL RESERVE MEMBERS SHALL BE ALLOWED ALL THE PRIVILEGES OF AN ACTIVE MEMBER, EXCEPT THAT THEY MAY NOT HAVE THE RIGHT TO VOTE OR MAY NOT HOLD OFFICE IN THE DEPARTMENT OR PARTICIPATE IN THE PENSION PLAN.

SECTION 3. A RESERVE MEMBER REQUESTING REINSTATEMENT TO ACTIVE MEMBERSHIP MAY CAUSE SUCH TO BE DONE BY THE EXECUTIVE COMMITTEE IMMEDIATELY, PROVIDING THE DEPARTMENT IS NOT AT FULL STRENGTH AND A VACANCY DOSE EXIST. IF THE DEPARTMENT IS AT MAXIMUM STRENGTH AND NO VACANCY EXISTS, THEN SUCH PERSONS NAME SHALL BE PLACED WITH APPLICATIONS SERVING PROBATIONARY PERIODS AND ACTION TAKEN BY THE EXECUTIVE COMMITTEE IN ORDER OF RECEIPT OF SUCH REQUEST.

SUB. C. HONORARY MEMBERS

SECTION 1. HONORARY MEMBERSHIP SHALL BE LIMITED TO FIVE (5) MEMBERS, WHICH SHALL CONSIST OF THE HONORABLE MAYOR AND THE CITY COMMISSIONERS OF THE CITY OF BALLINGER, TEXAS.

SECTION 2. HONORARY MEMBERS MAY, AND ARE URGED TO ATTEND DRILLS AND MEETINGS AND OTHER FUNCTIONS OF THE DEPARTMENT WITH THE SAME STATUS AS ACTIVE AND RESERVE MEMBERS, BUT SHALL NOT BE ENTITLED TO VOTE OR BE ELIGIBLE TO HOLD OFFICE IN THE DEPARTMENT OR PARTICIPATE IN PENSION PLAN.

ARTICLE FOUR - SUB. D. LIFE MEMBERS

SECTION 1. LIFE MEMBERS SHALL BE THOSE MEMBERS HAVING SERVED A MINIMUM OF FIFTEEN (15) YEARS OF ACTIVE DUTY WITH THE DEPARTMENT, REQUEST TO BE REMOVED FROM THE ACTIVE MEMBERSHIP ROLL AND TO BE RETIRED FROM ACTIVE MEMBERSHIP IN THE DEPARTMENT. IN RECOGNITION AND APPRECIATION FOR LONG AND MERITORIOUS SERVICE, SUCH MEMBER SHALL AUTOMATICALLY BE PLACED ON THE LIFE MEMBERSHIP ROLL AND BE ALLOWED ALL THE PRIVILEGES OF AN ACTIVE MEMBER EXCEPT THE RIGHT TO VOTE OR TO HOLD OFFICE IN THE DEPARTMENT.

ARTICLE FIVE

OFFICERS

SECTION 1. ELECTIVE OFFICERS OF THE DEPARTMENT SHALL CONSIST OF PRESIDENT, VICE-PRESIDENT, RECORDING SECRETARY-TREASURER, CORRESPONDING SECRETARY, CHIEF, CHAPLAIN, PHYSICIAN, MASCOT, SPONSOR, PENSION BOARD MEMBERS AND FIRE MARSHAL. ALL SHALL BE ELECTED AT THE ANNUAL MEETING OF THE DEPARTMENT BY A VOTE OF THE MEMBERS PRESENT.

SECTION 2. ALL ELECTIVE OFFICERS SHALL BE MEMBERS IN GOOD STANDING AS SPECIFIED IN THE REQUIREMENTS FOR ACTIVE MEMBERSHIP, EXCEPT THE CHAPLAIN, PHYSICIAN, MASCOT AND SPONSOR. THE MASCOT AND SPONSOR SHALL BE THE SON OR DAUGHTER RESPECTIVELY OF AN ACTIVE MEMBER OF THE DEPARTMENT.

SECTION 3. THE EXECUTIVE COMMITTEE SHALL CONSIST OF THE CHIEF, ASST. CHIEF, SECRETARY-TREASURER, CAPTAIN, CO.1, CAPTAIN, CO.2. PRESIDENT AND VICE-PRESIDENT.

SECTION 4. NO MEMBER SHALL BE ALLOWED TO HOLD MORE THAN ONE ELECTIVE OFFICE AT ONE TIME EXCEPT, THE OFFICE OF RECORDING SECRETARY-TREASURER.

SECTION 5. VACANCIES IN OFFICE, CAUSED BY DEATH, RESIGNATIONS, ETC., MAY BE FILLED AT A REGULAR OR CALLED MEETING OF THE DEPARTMENT, AND THE OFFICER ELECTED SHALL HOLD OFFICE UNTIL THE NEXT ANNUAL MEETING OF THE DEPARTMENT.

SECTION 6. THE ASSISTANT CHIEFS SHALL BE APPOINTED BY THE CHIEF AT THE ANNUAL MEETING EACH YEAR. VACANCY CAUSED BY RESIGNATION, DEATH, ETC.,

SHALL BE FILLED BY APPOINTMENT. APPOINTEE TO HOLD OFFICE TILL THE NEXT ANNUAL MEETING OF THE DEPARTMENT.

SECTION 7. THE LOCAL PENSION BOARD WILL BE COMPOSED OF THE FOLLOWING (1) ONE REPRESENTATIVE SELECTED BY THE GOVERNING BODY, (2) FIVE MEMBERS OF THE LOCAL FIRE DEPARTMENT, (3) TWO TAX-PAYING VOTERS WITH TERMS OF OFFICE CORRESPONDING WITH SENATE BILL #411.

ARTICLE SIX

DUTIES OF THE OFFICERS

SECTION 1. IT SHALL BE THE DUTY OF THE PRESIDENT TO PRESIDE AT ALL MEETINGS OF THE DEPARTMENT. THE PRESIDENT SHALL ADMINISTER AND APPOINT ALL COMMITTEES, SERVE AS EX-OFFICIO MEMBER OF EACH AND SUPERVISE EACH IN PERFORMANCE OF THEIR DUTIES. THE PRESIDENT SHALL MAKE ALL OTHER APPOINTMENTS NOT SO PROVIDED FOR. THE PRESIDENT SHALL IMPARTIALLY ENFORCE THE CONSTITUTION AND BY-LAWS OF THE DEPARTMENT.

SECTION 2. IT SHALL BE THE DUTIES OF THE VICE-PRESIDENT TO ASSUME THE DUTIES OF THE PRESIDENT, IN THE ABSENCE OF THE PRESIDENT.

SECTION 3. IT SHALL BE THE DUTY OF THE RECORDING SECRETARY-TREASURER TO RECORD THE PROCEEDINGS OF ALL REGULAR AND CALLED MEETINGS THE RECORDING SECRETARY SHALL KEEP AN ACCURATE AND CURRENT ROLL OF ALL TYPES OF MEMBERSHIPS. THE RECORDING SECRETARY SHALL HAVE CUSTODY OF ALL BUSINESS RECORDS OF THE DEPARTMENT, RECORD AND DEPOSIT ALL MONEY RECEIVED, RECORD AND DISBURSE ALL EXPENDITURES BY ORDER OF THE DEPARTMENT, AND REPORT MONTHLY BALANCE AT EACH REGULAR MEETING OF THE DEPARTMENT. THE RECORDING SECRETARY SHALL RENDER A COMPLETE ANNUAL REPORT OF ALL FINANCIAL TRANSACTIONS FOR THE YEAR AND SUBMIT HIS BOOKS AND VOUCHERS TO A COMMITTEE FOR AUDIT IF SO REQUIRED BY THE DEPARTMENT. ALL CHECKS ISSUED BY THE SECRETARY-TREASURER SHALL BE COUNTERSIGNED BY THE PRESIDENT, OR IN HIS ABSENCE, BY THE VICE-PRESIDENT OR THE CHIEF.

SECTION 4. IT SHALL BE THE DUTY OF THE CORRESPONDING SECRETARY TO KEEP AN ACCURATE RECORD OF ALL FIRES IN A BOOK PROVIDED FOR SUCH PURPOSE. THE CORR. SECRETARY SHALL ASCERTAIN AS CORRECTLY AS POSSIBLE THE CAUSE OF EACH FIRE , PROPERTY OWNER, TENANT, IF ANY, DAMAGES, IF INSURED, NAME OF INSURING AGENCY, AMOUNT OF INSURANCE ON PROPERTY AND CONTENTS SEPARATELY, AND THE AMOUNTS PAID BY THE INSURING COMPANY ON EACH. THE CORR. SECRETARY SHALL KEEP A RECORD OF ALL FIRES, BOTH ALARMS AND NO ALARM , QUANTITIES OF HOSE LAID, STREAMS, NUMBER OF UNITS AND THE TIME EACH WAS IN SERVICE AND OTHER INFORMATION SO REQUESTED BY THE CHIEF. THE CORR. SECRETARY SHALL COMPILE AND PREPARE A WRITTEN REPORT TO BE PRESENTED TO THE DEPARTMENT AT THE ANNUAL MEETING EACH YEAR.

SECTION 5. THE CHIEF SHALL BE IN COMPLETE COMMAND OF ALL EQUIPMENT AT ALL TIMES. IT SHALL BE THE CHIEF'S RESPONSIBILITY TO SEE THAT ALL APPARATUS AND EQUIPMENT IS MAINTAINED AND KEPT IN CONSTANT GOOD WORKING ORDER. THE CHIEF SHALL HAVE FULL AND COMPLETE COMMAND OF THE MEMBERSHIP AT FIRES, DRILLS, PARADES, AND OTHER EMERGENCIES, AND SHALL, THOUGHT THE CHIEF'S ASSISTANTS, DIRECT THE ACTIVITIES OF ALL MEMBERS IN THE PERFORMANCE OF THEIR DUTIES AT SUCH TIMES. THE CHIEF, MAY ORDER DRILLS, WHEN IN THE CHIEF'S DISCRETION, BELIEVES IT TO BE IN THE BEST INTEREST OF THE DEPARTMENT, AND SHALL CAUSE NO LESS THAN TWO MEETINGS AND DRILLS TO BE CALLED MONTHLY. THE CHIEF SHALL SETTLE ALL DISPUTES OF MEMBERS WHEN ON DUTY AND THE CHIEF'S DECISION SHALL CEASE ALL CONTROVERSY UNTIL THE NEXT REGULAR MEETING OF

THE DEPARTMENT. THE CHIEF SHALL HAVE THE POWER TO ASSIGN AND RE-ASSIGN ANY MEMBER OF THE DEPARTMENT TO ANY POSITION AT ANYTIME, WHEN IN THE CHIEF'S JUDGMENT, IT IS IN THE BEST INTEREST OF THE DEPARTMENT.

SECTION 6. IT SHALL BE THE DUTIES OF THE ASSISTANT CHIEFS TO AID THE CHIEF IN THE DISCHARGING OF THE CHIEF'S DUTIES, TO OBEY THE CHIEF'S ORDERS, AND IN THE CHIEF'S ABSENCE, OR AT THE CHIEF'S DIRECTION, ASSUME THE DUTIES OF THE CHIEF, IN ORDER OF RANK; FIRST, SECOND, ETC., AS APPOINTED. IT SHALL BE THE DUTIES OF THE ASSISTANT CHIEFS TO TAKE CHARGE OF THEIR ASSIGNMENTS, ASSIST IN EDUCATION AND TRAINING, AND AT ALL TIMES HOLD THEMSELVES IN READINESS TO DISCHARGE ORDERS OF THE CHIEF WHEN ON DUTY.

SECTION 7. IT SHALL BE THE DUTIES OF THE CHAPLAIN TO LEAD THE DEPARTMENT IN ITS DEVOTIONAL, ENDEAVORS AT DRILLS, MEETINGS, SUPPERS, BANQUETS AND CONVENTIONS WHEN POSSIBLE.

SECTION 8. IT SHALL BE THE DUTIES OF THE PHYSICIAN TO RENDER MEDICAL SERVICES TO MEMBERSHIP WHEN NEEDED.

SECTION 9. IT SHALL BE THE DUTIES OF THE MASCOT AND SPONSOR TO MAKE THEMSELVES AVAILABLE TO REPRESENT THE DEPARTMENT AT MEETINGS, SOCIAL FUNCTIONS AND CONVENTIONS, AND SHALL CONDUCT THEMSELVES IN SUCH A MANNER THAT WILL LEND CREDIT AND DIGNITY TO THE DEPARTMENT.

SECTION 10. IT SHALL BE THE DUTIES OF THE PENSION BOARD TO PERFORM SUCH DUTIES AS OUTLINED AND IN SECTION 23 OF SENATE BILL #411.

SECTION 11. IT SHALL BE THE DUTIES OF THE FIRE MARSHAL TO MAKE PERIODICAL INSPECTIONS OF BUSINESS BUILDING, SCHOOLS, CHURCHES, AND OTHER INSTILLATION'S USED FRO PUBLIC GATHERINGS. THE FIRE MARSHAL SHALL SEARCH OUT FIRE HAZARDS AND INFORM OWNERS AND/OR TENANTS, RECOMMENDING IMMEDIATE AND PROPER CORRECTIVE ACTION. THE FIRE MARSHAL SHALL MAKE A COMPLETE AND ACCURATE INVESTIGATION OF EVERY ASSIGNMENT, AND WHERE REQUIRED FILE THE NECESSARY REPORTS WITH THE STATE FIRE INSURANCE COMMISSION.

ARTICLE SEVEN

DUTIES OF THE EXECUTIVE COMMITTEE

SECTION 1. IT SHALL BE THE DUTIES OF THE EXECUTIVE COMMITTEE TO RENDER DECISIONS ON ALL MATTERS BROUGHT BEFORE THEM THAT CANNOT BE DEFERRED UNTIL THE NEXT REGULAR MEETING OF THE DEPARTMENT, EXCEPT THAT THEY ARE NOT EMPOWERED TO CREATE ANY DEBT BINDING ON THE DEPARTMENT. IT SHALL SUPERVISE THE FINANCES OF THE DEPARTMENT, AND ORDER DISBURSEMENT WITHOUT THE AUTHORITY OF THE DEPARTMENT WHEN DEEMED NECESSARY.

SECTION 2. THIS COMMITTEE SHALL HAVE THE AUTHORITY, AND IT SHALL BE THE RESPONSIBILITY, TO SUPERVISE THE PROPER HANDLING OF ANY AND ALL PROPERTY OF THE DEPARTMENT, IN SUCH A MANNER AS TO BE IN THE BEST INTEREST OF THE DEPARTMENT.

SECTION 3. IT SHALL BE THE DUTY OF THE EXECUTIVE COMMITTEE TO EVALUATE NEW APPLICANTS HAVING BEEN ACCEPTED BY THE DEPARTMENT AND HAVING SERVED SIX (6) MONTHS PROBATIONARY PERIOD IN ACCORDANCE WITH **ARTICLE 4: SUB. A. , SECTION 2 ITEMS 5, 6, & 7.**

SECTION 4. IT SHALL BE THE DUTY OF THE COMMITTEE TO ACT ON THE REQUEST OF A RESERVE MEMBER REQUESTING TO RETURN TO ACTIVE MEMBERSHIP IN ACCORDANCE WITH **ARTICLE 4.**

SECTION 5. THE EXECUTIVE COMMITTEE SHALL BE REQUIRED TO CHECK THE ROLLS EACH SIX (6) MONTHS PERIOD AND TO ADJUST SAME IN ACCORDANCE WITH REQUIREMENTS FOR ACTIVE MEMBERSHIP.

SECTION 6. IT SHALL BE THE FURTHER DUTY OF THE EXECUTIVE COMMITTEE TO ACT ON ALL RULES OF INFRACTION OF THE CONSTITUTION AND BY-LAWS AND TO TAKE WHATEVER DISCIPLINARY ACTION AS MAY BE SUITABLE TO EACH PARTICULAR CASE WITH NO RECOURSE TO THEIR DECISION, EXCEPT IN THE CASE OF A DISHONORABLE DISCHARGE FROM THE DEPARTMENT, WHERE THE DEFENDANT IS ENTITLED TO RIGHT OF TRAIL AS OUTLINED IN ARTICLE 5 OF THE BY-LAWS.

SECTION 7. IT SHALL BE THE DUTY OF THE EXECUTIVE COMMITTEE TO KEEP A RECORD OF ALL MEETINGS AND THE RECORDING SECRETARY-TREASURER SHALL REPORT ANY AND ALL SUCH PROCEEDINGS AT THE NEXT REGULAR MEETING.

ARTICLE EIGHT

DUTIES OF THE MEMBERS

SECTION 1. IT SHALL BE THE DUTY OF ALL MEMBERS TO SEE THAT THE CONSTITUTION AND BY-LAWS OF THE DEPARTMENT ARE ENFORCED AND TO REPORT ANY INFRACTION TO THEIR COMPANY CHIEF.

SECTION 2. ANY PERSON HAVING BEEN ELECTED TO ACTIVE MEMBERSHIP ON THE DEPARTMENT AND THEIR NAME, HAVING, BEEN ENTERED ON THE ROLLS AS SUCH, SHALL BE ENTITLED TO ALL THE PRIVILEGES AND SUBJECTED TO ALL DUTIES OF ACTIVE MEMBERSHIP.

SECTION 3. IT SHALL BE THE DUTY OF ALL MEMBERS TO BE PRESENT AT ALL REGULAR OR CALLED MEETINGS, AND AT ALL GENERAL ALARMS UNLESS DETAINED BY CIRCUMSTANCES BEYOND THEIR CONTROL, SUCH AS ILLNESS, ABSENCE FROM THE CITY OR WORKING. WORKING SHALL BE DEEMED AN EXCUSE FOR ABSENCE IF SUBSTANTIATED AND DOES NOT BECOME HABITUAL. NO OTHER REASON WILL BE CONSIDERED A VALID REASON FOR AN EXCUSED ABSENCE.

SECTION 4. IT SHALL BE THE DUTY OF ALL MEMBERS TO CONDUCT DRILLS AND PRESIDE AT INSTRUCTIONAL SESSIONS OF THE DEPARTMENT, PROVIDING THAT AT LEAST ONE (1) WEEK NOTICE IS GIVEN OF SUCH DUTY.

SECTION 5. IT SHALL BE THE DUTY OF ALL MEMBERS TO ACCORD ANY OFFICER, INSTRUCTOR OR GUEST WHO IS CONDUCTING A DEMONSTRATION OR LECTURE WITH THE UTMOST RESPECT, AND TO MAINTAIN ORDER AT ALL TIMES DURING MEETINGS, DRILLS AND TRAINING SESSIONS, AND TO ACTIVELY PARTICIPATE IN DRILLS AND TRAINING SESSIONS WHEN CALLED UPON TO DO SO.

SECTION 6. IT SHALL BE THE DUTIES OF ALL MEMBERS, UPON THE SOUND OF THE ALARM, IF PRACTICABLE, RETIRE TO THE FIRE STATION, OR IF KNOWN THE SCENE OF THE FIRE AND TO DO ALL POSSIBLE, UNDER THE DIRECTION OF THE CHIEF AND ASSISTANT CHIEFS, TO ACCOMPLISH THE SAVING OF LIFE AND PROPERTY BY EXTINGUISHING THE FIRE.

SECTION 7. IT SHALL BE THE DUTIES OF ALL MEMBERS TO REMAIN AT THE SCENE OF A FIRE OR THE EMERGENCY UNTIL RELEASED BY THEIR COMPANY CHIEF OR THE OFFICER IN CHARGE. MEMBERS SHALL ASSIST IN CLEANUP AND OVERHAUL AND SEE THAT THE EQUIPMENT IS IN GOOD CONDITION TO RESPOND TO ANOTHER ALARM IF NEEDED. MEMBERS SHALL ASSIST IN THE REPLACING OF HOSE ON THE APPARATUS, REMOVAL OF DIRTY HOSE, REPLACING AND SEEING TO THE EQUIPMENT BEING IN PROPER WORKING ORDER, AND MAY OTHER SPECIAL ASSIGNMENTS THAT MIGHT BE MADE BY THEIR COMPANY CHIEF OR OFFICER IN CHARGE.

SECTION 8. WHEN IT IS CONSIDERED THAT A MEMBER IS REPEATEDLY NEGLECTFUL OF THEIR DUTIES, THE MEMBER MAY BE REQUIRED TO PRESENT REASONS FOR THEIR CONDUCT TO THE EXECUTIVE COMMITTEE AND IF NOT DEEMED SUFFICIENT BY THE COMMITTEE, SHALL BE ASKED TO FORFEIT THEIR MEMBERSHIP, BUT SHALL BE ENTITLED TO RIGHT OF TRIAL AS OUTLINED IN ARTICLE 5 OF THE BY-LAWS.

ARTICLE NINE

PAID FIREFIGHTERS

SECTION 1. PAID FIREFIGHTERS SHALL SEE THAT ALL APPARATUS AND EQUIPMENT ARE IN READINESS AT ALL TIMES TO RESPOND TO ANY EMERGENCY. THEY SHALL BE BOUND BY THE SAME RULES AND REQUIREMENTS AS VOLUNTEER FIREFIGHTERS, AND SHALL BE CONSIDERED AS MEMBERS OF THIS VOLUNTEER FIRE DEPARTMENT WITH THE AUTHORITY TO VOICE OPINIONS AND MAKE SUGGESTIONS, EXCEPT THAT THEY SHALL HOLD NO OFFICE OTHER THAN THAT OF RECORDING SECRETARY -TREASURER, CORRESPONDING SECRETARY OR APPOINTED POSITIONS.

ARTICLE TEN

REQUIREMENTS FOR MEMBERSHIP

SECTION 1. SINCE ONLY MEMBERS, HAVING COMPLIED WITH ALL PROVISIONS SUBJECT TO BECOMING ACTIVE MEMBERS IN GOOD STANDING, HAVE A RIGHT TO VOTE OR TO HOLD OFFICE IN THE DEPARTMENT, THE FOLLOWING SHALL BE REQUIREMENTS TO REMAIN MEMBERS IN GOOD STANDING:

(1) MEMBERS ARE REQUIRED TO MAKE 80% OF THE TWENTY -FOUR (24) REGULARLY SCHEDULED DRILLS AND MEETINGS EACH FISCAL YEAR.

(2) MEMBERS ARE FURTHER REQUIRED TO ATTEND 80% OF THE FIRES, DRILLS AND MEETINGS IN ANY GIVEN SIX (6) MONTH PERIOD, BEGINNING NOVEMBER 1ST OR MAY 1ST OF EACH YEAR.

(3) FAILURE TO COMPLY WITH EITHER OF THE ABOVE WILL RESULT IN REMOVAL FROM ACTIVE MEMBERSHIP AND PLACED ON THE RESERVE MEMBERSHIP ROLL.

ARTICLE ELEVEN

MEETINGS

SECTION 1. THE ANNUAL MEETING OF THE DEPARTMENT SHALL BE KNOWN AS THE ANNUAL AWARDS BANQUET, AND WILL BE SET BY MAJORITY VOTE.

SECTION 2. IN KEEPING WITH THE STATE FIRE INSURANCE COMMISSION REQUIREMENTS, IN THAT DEPARTMENTS SHALL CONDUCT A MINIMUM OF TWENTY FOUR (24) TWO HOUR DRILLS PER YEAR, THE DEPARTMENT SHALL MEET FOR THE PURPOSE OF DRILLING EACH SECOND AND FOURTH THURSDAY NIGHTS OF EACH AND EVERY MONTH OF THE YEAR, EXCEPT AS OTHERWISE PROVIDED FOR.

SECTION 3. THE REGULAR MEETINGS OF THE DEPARTMENT SHALL BE HELD EACH DRILL NIGHT IMMEDIATELY PRIOR TO THE CONDUCTION OF DRILL. ANY BUSINESS BROUGHT BEFORE THE DEPARTMENT SHALL BE DISPENSED WITH AS SOON AS POSSIBLE AND THE MEETING ADJOURNED FOR THE PURPOSE OF CONDUCTING A NORMAL DRILL OF THE REQUIRED LENGTH OF TIME.

SECTION 4. THE HOUR OF DRILLS AND MEETING SHALL BE AS FOLLOWS: TO START AT 7:30 P.M. YEAR ROUND, SO THAT DRILLS MAY BE CONDUCTED WITHIN REASONABLE HOURS, OF THE DAY OR NIGHTTIME.

SECTION 5. THE MEETING PLACE OF THE DEPARTMENT SHALL BE AT THE FIRE STATION OR OTHER SUCH SUITABLE LOCATION THAT MIGHT BE PROVIDED BY THE CITY COMMISSION OF THE CITY OF BALLINGER

SECTION 6. TEN (10) MEMBERS, IN GOOD STANDING, SHALL CONSTITUTE A QUORUM FOR THE PURPOSE OF TRANSACTING BUSINESS.

SECTION 7. ROBERT'S RULE OF ORDER SHALL GOVERN AT ALL MEETINGS OF THE DEPARTMENT.

ARTICLE TWELVE

AMENDMENTS

SECTION 1. NO ALTERNATIONS OR AMENDMENTS SHALL BE MADE TO THIS CONSTITUTION AND BY-LAWS UNLESS PROPOSED IN WRITING AT A REGULAR MEETING OF THE DEPARTMENT AT WHICH TIME SUCH SHALL BE REFERRED TO A COMMITTEE WHICH SHALL REPORT IN THIRTY (30) DAYS, OR AT THE SECOND NEXT REGULAR MEETING, WHEN IT MAY BE ACTED UPON AND ADOPTED BY THREE-FOURTHS MAJORITY OF THE MEMBERS VOTING.

SECTION 2. FAILURE OF THE COMMITTEE TO REPORT SHALL RESULT IN THE MATTER BEING CONSIDERED IN COMMITTEE AND IMMEDIATE ACTION MAY BE TAKEN THEREON.

BY-LAWS OF THE BALLINGER FIRE DEPARTMENT

ARTICLE ONE

ATTENDANCE

ALL MEMBERS SHALL BE REQUIRED TO ATTEND ALL MEETINGS AND DRILLS OF THE DEPARTMENT UNLESS EXCUSED FOR A GOOD AND SUFFICIENT REASON BY A MEMBER OF THE EXECUTIVE COMMITTEE. REPEATED AND HABITUAL FAILURE TO COMPLY SHALL CAUSE THE MEMBER TO BE REPORTED TO THE EXECUTIVE COMMITTEE, WHICH WILL REVIEW SUCH CASE AND MAY DISCHARGE SAID MEMBER IF DEEMED ADVISABLE, SUBJECT TO RECOURSE OF TRAIL BEFORE THE ENTIRE DEPARTMENT IN ACCORDANCE WITH ARTICLE 5 OF THE BY-LAWS.

ARTICLE TWO

LEAVES OF ABSENCE

ANY MEMBER IN GOOD STANDING WHO SHALL LEAVE THE CITY, MAY ASK FOR A LEAVE OF ABSENCE AND SAME MAY BE GRANTED BY THE CHIEF FOR A PERIOD OF NINETY (90) DAYS ONLY, UNLESS SPECIAL ACTION IS TAKEN BY THE DEPARTMENT AND THEN ONE (1) YEAR MAY BE GRANTED, PROVIDED FURTHER THAT MILITARY LEAVE MAY BE GRANTED WITHOUT SPECIAL ACTION OF THE DEPARTMENT.

ARTICLE THREE

RE - ADMISSION

ANY MEMBER REMOVED FROM THE ROLLS FOR ANY REASON MUST MAKE A NEW APPLICATION FOR MEMBERSHIP IN THE DEPARTMENT.

ARTICLE FOUR

DISCHARGE

FAILURE OF A MEMBER TO ABIDE BY THE CONSTITUTION AND BY-LAWS SHALL RESULT IN THEIR BEING CALLED BEFORE THE EXECUTIVE COMMITTEE AND THEIR CASE THOROUGHLY INVESTIGATED. IF IT BE THE DECISION OF THE EXECUTIVE COMMITTEE

THAT DISCIPLINARY ACTION SHOULD BE TAKEN THEN THEY MAY TAKE WHATEVER ACTION THEY DEEM EXPEDIENT. PROVIDED THAT THE MEMBER, AT THEIR DISCRETION, SHALL HAVE THE RIGHT TO TRIAL BEFORE THE DEPARTMENT.

ARTICLE FIVE

TRIAL PROCEDURE

ANY MEMBER ACCUSED OF VIOLATION OF THE CONSTITUTION AND BY-LAWS SHALL HAVE THE RIGHT TO TRIAL BEFORE THE DEPARTMENT IN THE FOLLOWING MANNER: **THE MEMBER MAY PRESENT THEIR OWN CASE OR HAVE THE RIGHT TO CHOOSE THEIR OWN DEFENSE COUNCIL. THE PRESIDENT SHALL ACT AS PRESIDING OFFICER AT ALL TRIALS. THE ENTIRE MEMBERSHIP OF THE DEPARTMENT, PRESENT, SHALL HEAR THE CASE AND DECIDE, BY SECRET BALLOT THE ACTION TO BE TAKEN. THE FINAL ACTION OF THE DEPARTMENT SHALL BE BINDING ON BOTH THE DEFENDANT AND THE DEPARTMENT.**

ARTICLE SIX

SPECIAL MEETING

SPECIAL MEETINGS MAY BE CALLED BY THE CHIEF OR PRESIDENT OR AT THE WRITTEN REQUEST OF TEN (10) MEMBERS IN GOOD STANDING. WITHIN THREE (3) DAYS AFTER THE REQUEST IS RECEIVED. THE EXECUTIVE COMMITTEE SHALL NOTIFY THE SECRETARY-TREASURER TO HAVE THE MEMBERS PRESENT AT THE TIME OF CALL.

ARTICLE SEVEN

PROTECTIVE CLOTHING

SUCH FIRE FIGHTING EQUIPMENT AS MAY BE AVAILABLE FOR THE USE OF THE MEMBERS, MAY BE ISSUED TO A MEMBER IN GOOD STANDING, PROVIDED THAT THE MEMBER GIVE A SUITABLE RECEIPT FOR THE SAME AND IN THE EVENT OF LEAVING THE DEPARTMENT, SAID EQUIPMENT MUST BE RETURNED IN GOOD CONDITION OR PAID FOR BY THE MEMBER. **SUBJECT TO NORMAL WEAR AND TEAR FROM USE.**

ARTICLE EIGHT

RIDING FIRE EQUIPMENT

NO PERSONS, OTHER THAN MEMBERS IN GOOD STANDING AND MECHANICS MAKING REPAIRS MAY RIDE THE FIRE TRUCKS AT ANY TIME. AND ANY MEMBER AUTHORIZING ANY OTHER SUCH PERSONNEL TO SO RIDE SHALL BE GUILTY OF INFRACTION OF THE BY-LAWS. THIS RULE MAY BE WAIVED IN CASES OF PARADES OR SPECIAL DEMONSTRATIONS AT THE DISCRETION OF THE OFFICER IN CHARGE SHALL ASSUME RESPONSIBILITY FOR SUCH PERSONNEL.

BALLINGER VOLUNTEER FIRE DEPARTMENT

ORDER OF BUSINESS

CALL TO ORDER
PLEDGE OF ALLEGIANCE
PRAYER (IF CHAPLAIN IS PRESENT)
READING OF MINUTES
TRESAURER REPORT
APPLICATION OF MEMBERSHIP
CHIEF'S REPORT
OFFICER'S REPORT
COMMITTEE REPORT
GOOD OF THE DEPARTMENT
OLD BUSINESS
NEW BUSINESS
FIRE ATTENDANCE ROLL CALL
MEETING ROLL CALL
ADJOURN FOR DRILL