

# **CONSTITUTION AND BY-LAWS**

## **CONSTITUTION**

### **ARTICLE I**

Section 1. This organization shall be known as the South Carolina State Association of Fire Chiefs.

### **ARTICLE II**

Section 1. The officers of this Association shall consists of a President, First Vice President, Second Vice President, and Third Vice President. These duly elected officers, along with the immediate Past President, shall constitute the Executive Committee.

Section 1a. The SC State Director of the Southeastern Association of Fire Chiefs shall be an ex-officio member of the Executive Committee.

Section 2. The Executive Committee shall appoint a Chaplain. The term of service shall be at the pleasure of the Executive Committee, subject to the satisfactory performance of the Chaplain.

Section 3. The office of President shall be filled by elevation of the First Vice President. A First Vice President, a Second Vice President, and a Third Vice President shall be elected at each annual conference of the Association. The SC State Director of the Southeastern Association of Fire Chiefs shall be elected at the annual conference of the Southeastern Association of Fire Chiefs.

Section 3a. Any member considering seeking the office of First Vice President, Second Vice President, Third Vice President, or SC State Director must be a member of the Association for a minimum of one year.

Section 3b. Any member considering seeking election to an office of this Association shall make his or her intentions to run known, in writing, to the membership prior to the third quarterly meeting of the Association.

Section 3c. Any member considering seeking election to the office of SC State Director shall make his or her intentions to run known, in writing, to the membership prior to the first quarterly meeting, usually held in January.

- Section 4. The term of office of the President shall be limited to one year. The President shall not be elected to serve another successive term.
- Section 4a. The term of office of the SC State Director shall be for two years. The SC State Director may serve successive terms if he or she indicates the desire to do so and he or she meets all requirements for the position.
- Section 5. In the event of death, disability, resignation or revocation of membership or office (as provided for in the Constitution Article III, Section 2a or the Bylaws Article I, Section 3 or 3a) of the President, First Vice President or Second Vice President, the vacant office shall be filled by the officeholder immediately in line to succeed the vacant position, and so through the Third Vice President; each to serve the balance of the unexpired term of office. The elected officers may succeed themselves after completing the unexpired term.
- Section 5a. In the event of death, disability, resignation or revocation of membership of office (as provided in the Constitution Article III, Section 2a or the Bylaws Article II, Section 3 or 3a) of the Immediate Past President during the term of office, the President shall select any Past President of the Association in good standing to serve the balance of the unexpired term and duly appoint such person upon majority vote of the Executive Committee confirming the appointment.
- Section 5b. In the event of death, disability, resignation or revocation of membership or office (as provided in the Constitution Article III, Section 2a or the Bylaws Article II, Section 3 or 3a) of a member of the Executive Committee that leaves the office of Third Vice President vacant through the process identified in Section 5 above, the President shall call for a special election to occur at the next quarterly meeting of the Association to fill the vacancy. Notice of the election shall be given in writing to members no less than thirty (30) days prior to said election. Any member wishing to run for the office of Third Vice President, who cannot attend the regular meeting, shall submit their intentions in writing to the Executive Director no later than ten (10) days prior to the meeting. Nominations from the floor shall be accepted at the regular meeting at which the election takes place. Should the vacancy occur less than thirty (30) days prior to the date of the third quarterly meeting, the position shall remain vacant until elections are held at the Annual Conference.
- Section 5c. In the event of death, disability, resignation or revocation of membership or office (as provided in the Constitution Article III, Section 2a or the Bylaws Article II, Section 3 or 3a) of a member of the Executive Committee that leaves the office of SC State Director vacant through the process identified in Section 5 above, the President shall call for a special election to occur at the next quarterly meeting of

the Association to fill the vacancy. Notice of the election shall be given in writing to members no less than thirty (30) days prior to said election. Any member wishing to run for the office of SC State Director, who cannot attend the regular meeting, shall submit their intentions in writing to the Executive Director no later than ten (10) days prior to the meeting. Nominations from the floor shall be accepted at the regular meeting at which the election takes place.

Section 5d. If no member seeks election through the process outlined in this section, the President shall select any Past President of the Association in good standing, who is willing to serve in the position of the Third Vice President or SC State Director for the remainder of the unexpired term. This person shall be duly appointed upon a majority vote of the Executive Committee confirming the appointment.

Section 6. An Executive Director shall be employed by the Executive Committee and shall serve at the pleasure of the Executive Committee.

Section 6a. The duration of employment, salary, and conditions of employment shall be established by the Executive Committee and reviewed at the Annual Conference.

Section 7. Election to office in the Association shall be by plurality majority vote.

Section 8. A call for a vote by secret ballot must be made in the following manner: A member in good standing must make a motion for a vote by secret ballot and the motion must be seconded by a member in good standing. In order for the motion to pass, there must be two-thirds of the members present voting in favor of said motion.

### **ARTICLE III**

Section 1. The active membership of this Association shall consists of the Chief, Chief Officers, Captain, and Public Safety Director of any regularly organized fire department (public or private) in the State of South Carolina.

Section 2. Any member of this Association, who is in good standing, and resigns, retires, or changes status within his or her Fire Department, may retain his or her active membership in this Association after a review by the Executive Committee.

Section 2a. If, after review by the Executive Committee of the facts of the case, any member of this Association who is terminated or forced to resign from the fire service for reasons of immoral acts, criminal acts, or any action that would cause the Association embarrassment, the individual shall not be

able to retain his or her membership in this Association.

Section 2b: If an individual member holding elected office in this Association should resign from employment, be terminated from employment, retire from employment or in the case of a Volunteer Officer being replaced at an election of their department, said individual shall remain in office as long as he or she passes the review procedure of Section 2a above. If the Executive Committee, after review finds no cause for the individual member to step down from office, said individual will be exempt from Article II, Section 5, 5a, and 5b.

Section 3. Any individual who is a representative of a fire apparatus manufacturer, supplies distributor, or a Municipal, County, or State official may be eligible for membership in this Association as an Associate member. Associate members shall not enjoy voting privileges.

Section 3a. Annual dues for Associate members shall be determined by the Executive Committee and approved by a  $\frac{3}{4}$  majority of the voting members present at the annual conference.

Section 4. Life membership in the Association may be bestowed by vote of the membership at any annual conference or quarterly meeting provided written recommendation of such action has been presented at a previous meeting of the Executive Committee.

Section 4a. A Life Member shall have all the obligations of membership in the Association and shall be entitled to all the privileges of making motions, of voting, of holding office, and shall be exempted of dues.

Section 5. Honorary Membership in the Association may be bestowed by vote of the membership at any annual conference, provided written recommendation of such action has been presented at a previous meeting of the Executive Committee.

Section 5a. An Honorary Member shall have none of the obligations of membership in the Association, but shall be entitled to all the privileges except those of making motions, of holding office, and shall be exempted of annual dues.

#### **ARTICLE IV**

Section 1. The annual conference of the Association shall be held at such time and place, in each and every year, as the Executive Committee may select or, at such time and place, in each and every year, as shall be voted upon by the majority of members present at any annual conference of the Association.

- Section 2. Failure to hold any annual conference of the Association as specified by this Constitution shall in no way be deemed as dissolution of the Association.
- Section 3. Special meetings may be called by the President, or by a majority of the Executive Committee, provided that written notice of said meeting and the purpose thereof shall be mailed to each member of the Association at least fifteen (15) days prior to the holding thereof.

## **ARTICLE V**

- Section 1. The Executive Committee shall meet at such time and place as a majority thereof shall determine, or upon call of the President.
- Section 2. The Executive Committee shall constitute a Board of Trustees for the purpose of handling the funds of the Association.
- Section 3. The Executive Committee shall appoint the following committees:
1. Membership Committee
  2. Legislative Committee
  3. Fire School Committee
  4. By-laws Committee
  5. Resolutions Committee
  6. Public Fire Safety Education Committee
  7. Awards Committee
  8. Planning and Goals Committee
  9. Audit Committee
  10. Any other special committee as may be deemed necessary.

## **ARTICLE VI**

- Section 1. This Constitution, as well as the By-laws of this Association, may be amended by a two-thirds vote of the members present and eligible to vote at any annual conference of the Association provided said amendment(s) have been submitted in writing to the members of the Association at least fifteen (15) days prior to such annual conference.
- Section 2. Nothing contained in the preceding section shall prevent the Association in conference regularly assembled from altering, amending, or revising any part of the Constitution upon four-fifths majority of the members entitled to vote and present and voting; provided however, that notice of such action shall be given in writing and printed copies made available to all active members present at least forty-eight (48) hours previous to the time when

such proposed alterations, amendments, or revisions shall be read in open conference when first presented. Amendments with less than forty-eight (48) hours notice shall be referred to the Executive Committee for their consideration and recommendation to the next annual conference.

Amended: October 16, 2008 at the 81<sup>st</sup> Annual Conference held at Springmaid Beach Resort in Myrtle Beach, South Carolina

# **BY-LAWS**

## **ARTICLE I**

- Section 1. It shall be the duty of the President to preside over all meetings of the Association.
- Section 2. It shall be the duty of the Vice President to perform all the duties in the absence of the President.
- Section 3. The Executive Committee shall establish the duties and responsibilities of the Executive Director and shall include, but not limited to the following: Section 3a, 3b, and 3c as written.
- Section 3a. It shall be the duty of the Executive Director to keep a complete record of the proceedings of the meetings of this Association, as well as to receive and answer all communications pertaining to all the affairs of this Association, including the keeping of a roster of the names of the members of this Association and the collection of annual dues.
- Section 3b. The Executive Director shall disburse no funds except as authorized by the Executive Committee. The Executive Director shall, with the President, sign all checks disbursing funds of the Association and will be reimbursed for all duly authorized expenses incurred in the performance of duties, and shall receive an annual salary, which shall be set by the executive officers. The Executive Director for the Association shall be bonded.
- Section 3c. The Executive Director shall make a full report in writing of all funds received and disbursed prior to each quarterly meeting and the duly assembled annual conference. The Executive Director shall make a full report in writing of minutes recorded and disbursed prior to each quarterly meeting and duly assembled annual conference.
- Section 4. It shall be the duty of the Chaplain to attend meetings of the Association, be present for the invocation, and conducting of memorial services for deceased members. The Chaplain shall have all the same privileges as any other member. He or she shall be reimbursed for all duly authorized expenses incurred by him or her in the performance of these duties, as authorized by the Executive Committee.
- Section 5. It shall be the responsibility of the Executive Committee to transact all business of the Association during the time intervening between the annual conference, quarterly meetings, and special meetings. At all meetings of the

Executive Committee, a majority of said committee shall constitute a quorum and a majority of such quorum shall determine all questions.

## **ARTICLE II**

- Section 1. Annual membership dues of the Association shall be determined by the Executive Committee and approved by a  $\frac{3}{4}$  majority of the voting members present at the annual conference.
- Section 2. Annual dues shall be due by the first day of the fiscal year. There shall be a 90 day grace period after the first day of the fiscal year after which a member will be dropped from the roles of the Association, and shall lose continuity. Dues shall be current to enjoy voting privileges at any annual conference or meeting of this Association.
- Section 2a. The fiscal year shall be that period between October 1 and September 30 of each and every year.
- Section 3. Any individual, who at any time fails to act in an appropriate manner, upon charges brought against him or her before the Association in writing, shall be expelled from said Association by a majority vote of the membership present and duly qualified to vote at any regular meeting of the Association.
- Section 3a. Any officer, who at any time fails to act in an appropriate manner, upon charges brought against him before the Association in writing, shall be removed from off of said Association by a majority vote of the membership present and duly qualified to vote at any regular meeting of the Association. Membership rights shall be retained unless revoked under separate vote on Bylaws Article II, Section 3.

## **ARTICLE III**

- Section 1. For the rules of orderly administration, Roberts Rules of Order shall be the Authority for all meetings and conferences.