

UTAH STATE FIRE CHIEF'S ASSOCIATION CONSTITUTION AND BYLAWS

ARTICLE I

Section I - Name:

This organization shall be known as the Utah State Fire Chief's Association.

Section II - Purpose:

The purpose of this organization is to further the professional advancement of the fire service; to insure and maintain greater protection of life and property from fire, natural or man-made disaster; to promote and maintain a close bond of friendship and understanding among Chiefs of Fire Departments in the State of Utah; to promote policy; to provide a medium of exchange for information and ideas between Fire Chiefs and to advocate or oppose legislation affecting the fire service. To accomplish this purpose, the Association shall:

- (a) provide for the assembly of chief officers to discuss ways and means for the betterment of the fire service;
- (b) serve as a recognized organization in Utah for the collection and exchange of ideas, information, knowledge and experience in fire and EMS through effective networking;
- (c) review legislative developments in Utah Legislature and react to those affecting the fire service, in a non-partisan, coordinated and professional manner.
- (d) develop appropriate legislation as approved and/or directed by the membership, identify supportive legislators, and take steps necessary for successful introduction and passage;
- (e) support and encourage delivery of pre-hospital emergency medical services by the fire service to reduce morbidity from trauma and acute illness; and
- (f) serve as a member state association within the Western Fire Chiefs Association, a division of the International Association of Fire Chiefs.

Section III - Political Affiliation:

This organization shall not be used directly or indirectly for the dissemination of partisan principals or for the promotion or candidacy of any person seeking public office or preferment.

Section IV - Other Organizations:

Upon application and approval by the Board of Directors and a favorable vote by the general membership at a regular meeting of the Association, other organizations may become subsidiary to the Utah State Fire Chief's Association. They shall be governed by a separate constitution and bylaws and that the President of the organization or his delegated representative acting as a liaison between the two organizations shall be an active or associate, dues-paying member of the Utah State Fire Chief's Association.

ARTICLE II

Section I - Active Membership:

Active members shall be entitled to all privileges and benefits provided by the Association and all elective officers shall be selected from this category. Those eligible for active membership shall be as follows:

- A. The Chief of the Fire Department and all Chief Officers of a regularly organized public, private, governmental or industrial Fire Department within the State of Utah.
- B. The State Fire Marshal & Chief Officers in Marshal's Office.
- C. The Director of Utah Fire & Rescue Academy or designated representative.
- D. The Chief Fire Officers of State and Federal Forestry Departments.

Section II - Associate Membership:

Associate members shall be individuals who work in allied fields of the fire service and are interested in the goals and objectives of the Association, and are not identified with fire protection commercially. Associate members shall be entitled to participate in the Association, except that they are not eligible to hold elective office, serve on the Board of Directors, or have voting privileges. Associate members may include:

- A. Retired Chiefs, Past Chiefs or Officers who can continue their membership as long as they keep their dues current.
- B. The Director of the Utah Bureau of Emergency Medical Services or designated representative.
- C. The Director of Utah Division of Emergency Services & Homeland Security or designated representative.
- D. Fire service personnel who are of insufficient rank or position to qualify as an active member of the Association.
- E. Professors, instructors and technical staff members of accredited colleges, universities and academies, engaged in teaching or researching in the field of fire science and/or fire administration.
- F. Persons who have made a significant contribution to the science and practice of fire protection and related emergency services.
- G. Individual members of any Section or Organization affiliated with the Association.

- H. Individuals or concerns engaged in providing non-commercial support or service to Fire Departments.
- I. The President or the delegated representative of any approved subsidiary organization.

Section III - Sustaining Membership:

Sustaining membership may be granted to individuals and/or businesses engaged in the manufacture or sale of emergency apparatus, equipment, supplies or service and/or individuals or businesses otherwise interested in the field of fire or emergency services and supporting the goals and objectives of the Association. Applications for sustaining membership shall be acted upon by the Board of Directors after payment of annual dues. Sustaining members shall be entitled to participate in the Association, except that they are not eligible to hold elective office, serve on the Board of Directors, or have voting privileges.

ARTICLE III

Section I - Officers:

Any regular member who has been a member in good standing for at least one (1) year prior to election date shall be eligible to hold office. The officers of the Association shall consist of a President, First Vice President, Second Vice President, and Secretary/Treasurer. The offices of President, First Vice President and Second Vice President shall be successive offices. The Second Vice President shall be elected by ballot at the annual fall conference of the Utah State Fire Chief's Association and shall have a term of office for one (1) year. Upon election of the new Second Vice President, all officers successively move up to the next office. A vote of confidence of officers successively moving up in positions shall be held.

The Secretary/Treasurer shall have a term of office for two (2) years.

Section II - Board of Directors / Executive Committee:

There shall be a Board of Directors which shall consist of the Executive Committee (President, First Vice President, Second Vice President, Secretary/Treasurer, and the immediate Past President, who shall serve as a member of the Board of Directors for one year following his retirement as President) and all Section Directors. In the absence of the Board of Directors, the Executive Committee will be responsible for performing the functions herein assigned to the Board of Directors.

Section III - Vacancies and Resignations:

In the event of a vacancy occurring in the office of the President or his successors, the next office in line shall immediately, by confirmation of the Board of Directors, successively assume all duties and authorities of the vacant office; and an acting Second Vice President may be named by the Board of Directors for the unexpired term.

In the event of a vacancy occurring in the office of the Secretary/Treasurer, an acting Secretary/Treasurer shall immediately be appointed by the President and, upon approval of the Board of Directors, shall serve for the unexpired term.

Section IV- Removal of Officers:

Any officer shall be removed from office for the following reasons:

- (a) conviction of a felony; or
- (b) malfeasance in office.

Provided, however, that such removal shall not be effective unless and until the evidence has been reviewed and a determination made by the Executive Committee; and provided further, that the Board of Directors shall meet within 60 days of the date of filing any charges made upon an officer to deliberate the issue, declare its findings, and take necessary action. It shall require a majority vote of the Board of Directors to remove an officer.

Section V - Section Directors:

Section Directors shall be appointed by the Executive Committee to serve as a liaison between the Association and state agencies, organizations, and/or associations in related fields assigned. The appointment of Section Directors shall be affirmed by the Association membership. The section representatives shall serve as a voting member of the Board of Directors. The respective sections may include: Fire Operations, Emergency Medical Services, Special Operations and Homeland Security, Legislation, Training, Support Services, Communications, State Firemen's Association (President or delegated representative of the Utah State Firemen's Association), and Fire Marshals Association (President or delegated representative of the Fire Marshals Association of Utah).

ARTICLE IV

Section I - Duties of the Executive Committee Officers:

The duties of the Executive Committee Officers shall be:

President:

It shall be the duty of the President to:

- A. Be the official representative and spokesman for the Association.
- B. Preside at meetings of the Association and meetings of the Board of Directors.
- C. Appoint all committees, including those not otherwise provided for in the Constitution and Bylaws.
- D. Perform such duties as are prescribed by the Board of Directors.
- E. Ensure the Board-review of bank reconciliations and financial statements.

First Vice President:

It shall be the duty of the First Vice President to:

- A. Assist the President in every way possible to fulfill his duties.
- B. Assume the duties of President in the absence or inability of the President to perform all the duties of his office.

Second Vice President:

It shall be the duty of the Second Vice President to:

- A. Assist the President and First Vice President in conducting business and policies of the Association.
- B. Assume all the duties and responsibilities of the First Vice President in the absence or inability of the First Vice President.

Secretary/Treasurer:

It shall be the duty of the Secretary/Treasurer to:

- A. Be responsible for the custody of all the assets of the Association.
- B. Deposit all monies of the Association in a chartered bank in the name of the Association.
- C. Supervise the collection and disbursement of all funds and shall disburse such funds for the Association in accordance with generally accepted accounting principles.
- D. Periodically prepare and present to Board members the review of bank reconciliations and financial statements, including a balance sheet and a profit/loss statement.
- E. Keep a complete and accurate record of all the proceedings of the Association, and to receive and answer to all communications pertaining to the Association.
- F. Collect and deposit all annual dues.

Section Directors:

It shall be the duty of the Section Directors to:

- A. Serve as a liaison between the Association and state agencies, other related organizations and associations, within the respective section represented.

- B. Monitor activity and legislation related to their respective section and report the same to the Board of Directors.
- C. Recommend necessary action on issues to the Board of Directors.

Board of Directors:

- A. The Board of Directors shall have general charge of the affairs of the Association. It shall be the duty of the Board of Directors to review the work of the Association at its annual Board of Directors meeting and shall develop broad policy for the operation of the Association.
- B. The Board of Directors shall cause to be made an audit of all books and accounts, such audit to be prepared and presented to the Board of Directors at their regular annual meeting.
- C. The Board of Directors shall appoint, for a two (2) year term, a member in good standing to serve as the Utah State Vice President to the Western Fire Chiefs Association Board of Directors. The name of the individual so appointed shall be forwarded to the President of the Western Fire Chiefs Association within 60 days after a vacancy occurs. The State Vice President to the WCFA will serve as an advisory member of the Board of Directors of the Utah State Fire Chief's Association.

ARTICLE V

Section I - Nominations and Declared Candidacy:

- (a) At the annual meeting of the Association, the voting members of the Association shall elect to office a Second Vice President and, in even years, a Secretary/Treasure through an open election process. The members shall also elect to support the successive transition of the First Vice President and Second Vice President to the next respective chairs.
- (b) An active member who wishes to run for either office shall declare his/her candidacy in a letter to the Board of Directors, through the Secretary, no later than 60 days prior to the annual meeting.
- (c) Voting members of the Association may also nominate members in writing as long as the member nominated has accepted the nomination on the same written document.
- (d) The Secretary of the Association shall notify the membership of the nominated candidates and shall prepare a paper ballot for use at the Annual meeting of the Association.

Section II - Conduct of Elections:

- (a) The election of officers shall be the last item of business on the agenda of the annual fall meeting. The President shall serve as the presiding officer for the elections and shall read aloud the names of the declared and nominated candidates.

- (b) Following this reading, the presiding officer shall then call for any nominations from the floor for elective offices.
- (c) Nominations shall require the nominee's concurrence in writing or verbal concurrence, if nominated from the floor.
- (d) After calling for further nominations, the presiding officer shall declare the nominations closed.
- (e) Any nominee who desires to withdraw his/her name may do so at the time of nomination but shall not make any address nor request his/her sponsors to support any other candidate.
- (f) Only one nominating speech or statement of endorsement shall be permitted by, or for, each candidate. Such speech shall not exceed five minutes.
- (g) For any office where there is only one candidate, the presiding officer as the representative of the membership assembled, shall cast a unanimous ballot for such candidate and shall thereupon declare the candidate elected.
- (h) For all offices where there are two or more nominated candidates, the election shall be conducted by paper ballot.
- (i) Candidates receiving the highest number of votes shall be elected. In the event of a tie vote, the voting on the second ballot shall be confined to the nominees' ties. In the event of a second tie vote, the voting on the third ballot shall be limited to the members of the Board of Directors who are present and voting.

Section III - Installation of Officers:

New officers shall take office immediately following the annual fall meeting.

The installation of officers shall take place at the conclusion of the annual fall meeting, and officers shall swear to the following oath of office:

"I (name) hereby swear that I will support the Constitution and Bylaws, and will at all times bear true allegiance to the goals and purposes of the Utah State Fire Chief's Association. I further swear to perform the duties and responsibilities of my office to the best of my ability, and at the end of my term of office I will deliver to my successor all records of said office. So help me God."

ARTICLE VI

Section I - Meetings:

The Board of Directors shall establish the date and place of the annual conference of the Association and shall notify all members at least 30 days prior to the date of the conference.

Section II - Special Meetings:

The President shall call a special meeting of the Board of Directors when so requested by a majority of the Board of Directors, or whenever the President determines it necessary. Except for urgent situations the President shall give at least five (5) days notification and the reason for the special meeting.

Section III - Expenses:

The budget of the Association for the following year shall be submitted to the membership in the fall business meeting. Expenses for all regular and special meetings herein authorized shall be determined by the Board of Directors.

Section IV - Obligating the Association:

No officer or member of the Association shall incur any expenses in the name of the Association without the approval of the Board of Directors except that, in case of an emergency, the President is empowered to authorize the expenditure of sufficient funds with approval of the majority of the Executive Committee to meet the emergency.

Section V - Fund Raising

The Executive Committee may recommend to the Board of Directors proposed projects and plans for raising funds for the same. Fund raising projects are subject to the approval of the Association membership.

**ARTICLE VII
RULES OF ORDER**

Section I:

The latest published edition of "Robert's Rules of Order" shall govern the conduct of this organization, except when they may be inconsistent with the Bylaws.

Section II:

Any part of the Constitution or bylaws that is in conflict with any Federal, State, County, or City Law or Regulation shall be null and void. Any portion ruled null and void shall not affect the remainder of the Constitution and Bylaws.

Section III:

A simple majority shall constitute a quorum for the transaction of business at all meetings of the Board of Directors.

ARTICLE VIII BYLAWS

Section I - Dues:

Dues for all members are due and payable on January first of each year in the amount of the Association's latest agreed upon schedule. The dues assessment will be reviewed by the general membership at the regular fall meeting each year, and a vote taken to either adjust or maintain the dues for the following year.

Section II:

Any members in arrears after July 31st of the calendar year shall, after due notice of such arrears, have his name removed from the membership roll.

Section III:

After a member has been dropped from the membership roll for nonpayment for dues, that member may be reinstated after paying the current year's dues.

Section IV:

All members, active, associate, and sustaining shall be subject to all rules and regulations of the Utah State Fire Chief's Association.

Section V:

- A. Any Chief Officer who has served as President of the Association and retires from the fire service will be extended an honorary life membership.
- B. Any regular member who has been a dues-paying member for ten (10) years or more, and retires from the fire service may be extended an honorary life membership upon the vote of the membership attending a regularly scheduled meeting of the Association.

Section VI - Subsidiary Organizations

- A. The Utah State Fire Chief's Association may determine the course of any meeting of any subsidiary organization and assign topics for discussion. Minutes of such meeting shall be forwarded to the Secretary/Treasurer of the Association as soon as practical after said meeting. A member of the Executive Board of any approved subsidiary association shall attend the regularly scheduled meeting of the Utah State Fire Chief's Association.
- B. A copy of the Constitution and Bylaws for any approved subsidiary association is hereby adopted for reference by the Utah State Fire Chief's Association.

- C. Persons eligible for membership under these sections, except the delegated representative, shall not be required to pay annual dues to the Utah State Fire Chief's Association, but shall be subject to any special assessments deemed necessary for the general membership of the Utah State Fire Chief's Association. Members eligible under this section shall not engage themselves in any activity which could be judged adverse to the Utah State Fire Chief's Association.

ARTICLE IX COMMITTEES

Section I:

The President shall be an ex-officio member of all committees. The President may name such additional representatives as he may deem necessary from time to time, which will end with his term of office.

The President may appoint committees to assist section directors as necessary to perform duties or special assignments, as determined by the President and/or the Board of Directors. Section Directors shall function in the capacity of the chairperson of a section committee.

The President may name additional committees at any time to perform special functions. Such committees shall be dissolved when their tasks have been completed. The President shall appoint an active member of the Association to serve as the chairperson for each additional committee.

Each committee chairperson shall be responsible for submitting a report of activities for presentation at Association Board and general meetings, as directed by the President.

Section II:

Each representative shall be required to submit a report of activities in the designated areas at each Association meeting.

ARTICLE X AMENDMENTS

Section I:

This Constitution and Bylaws may be amended upon recommendation of the Board of Directors with the approval of a majority of the membership present at any regular meeting, or by presentation of resolution by any regular member stating in detail the proposed amendment and adoption of the resolution by a majority of the membership present at any regular meeting.

No amendment shall be adopted at the time of presentation, but shall be held over until the next regular meeting at which time it shall be voted on.

All amendments, alterations, or revisions shall take effect immediately upon adoption by the membership unless otherwise provided.

**ARTICLE XI
ADOPTION AND EFFECTIVE DATE**

These revised and amended Constitution and Bylaws were approved June 13, 2007, as shown by the minutes of the meeting held on that date. They shall supersede all other Constitution and Bylaws promulgated heretofore, and shall take effect immediately upon adoption, unless otherwise provided.

Utah State Fire Chief's Association

Steve Foote, President

Attest:

Frank Heumann, Secretary