



CONSTITUTION AND BY-LAWS OF THE NORTH CAROLINA ASSOCIATION OF FIRE CHIEFS

Article 1

NAME

Section 1. This organization shall be known as The North Carolina Association of Fire Chiefs.

Section 2. The corporation is organized exclusively for charitable, educational, religious, or scientific purposes as approved by the Internal Revenue Service under Section 501(c) (3) of the Internal Revenue Code.

Section 3. Dissolution of Corporation - Upon dissolution of the corporation, the Board of Directors shall, after paying or making provisions for the payment of all the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

Article II

MISSION STATEMENT

The mission of the North Carolina Association of Fire Chiefs is to enhance the knowledge, skills and abilities of the Fire Service through information, education, communication and action, which will best protect the firefighters and citizens of North Carolina. .

Article III

MEMBERSHIP

The membership of this Association shall consist of:

1. **Active (voting member, dues required)** - Chiefs, Chief Officers, and Company Officers of paid, partially paid or volunteer fire departments, and municipal or county Fire Marshals, Assistant Fire Marshal(s) and/or Deputy Fire Marshal(s) are eligible for active membership status. Also, ex-Chiefs, Chief Officers and Company Officers, of paid, partially paid or volunteer fire departments and any municipal or county ex-Fire Marshal, who, held the rank of an Officer at anytime is eligible for active membership status. In the event of question of eligibility, final decision will be made by the Board of Directors. Past-Presidents shall maintain active membership status, without the payment of dues, until eligible for Life Membership status.
2. **Associate Member (non-voting, dues required)** - City, county or state officials and non-chief officers of member departments that support the objectives of the organization are eligible for associate membership.
3. **Corporate Member (non-voting, dues required)** - Individuals of firms and corporations interested in fire protection are eligible for corporate membership.
4. **Life or Honorary Life Membership (non-voting, no dues required)** - These are special memberships awarded to non-voting members as described in Article IX, Section 4.

Article IV

OFFICERS

Section 1. The officers of this Association shall consist of the President, 1st Vice President, 2nd Vice President, Executive Director, and Treasurer and they shall constitute the Executive Officers of the Association. The President, 1st Vice President and 2nd Vice President shall hold their respective offices for one year or until their successors are elected, and the Treasurer shall hold office for a minimum of three years.

Section 2. There shall be a Board of Directors that shall consist of the Executive Officers of the Association as noted in **Section 1**, the immediate Past President, and three Directors as noted in Section 4.

Section 3. The Executive Director and Deputy Executive Director will serve as an ex officio member. The Executive Director and Deputy Executive Director shall be appointed by the Board of Directors.

Section 4. Three directors shall be elected for a three-year term and shall come from the Eastern, Piedmont, and Western regions as designated by the NC State Firefighters Association. Directors shall serve only one three year term and leave office or begin progression through the chairs to President. To serve one term as a director and progress through the chairs to President requires a seven year commitment. One director vacancy will occur each year and nomination of this director will come from the region incurring the vacancy.

Section 5. Each year the 1st Vice President shall automatically ascend to the Presidency, each year the 2nd Vice President shall automatically ascend to 1st Vice President; however, the Board, if they feel it

would be in the best interest of the Association, may vote to block this automatic move and elect the position directly from the Board.

Nominees for position of 2nd Vice President shall be a current member of the Board of Directors elected by members attending the annual conference.

Section 6. The members in attendance at the annual conference will elect the Treasurer for a three-year term from a slate of qualified candidates (members who have submitted their names for consideration a minimum of 90 days prior to the conference) approved by the Board of Directors.

Section 7. The new Officers and Directors shall be installed at the annual conference all members of the Board will have voting power.

Section 8. The President and Board of Directors shall meet in the convention city prior to the opening day of the annual conference. They shall make a complete study of the audit, if required, of the books and vouchers of the Association. At the first business session following the opening session of the conference they shall report the financial condition of the Association and make such recommendations, as they deem advisable or necessary for the more efficient working of the Association.

Section 9. In the event of a vacancy occurring of a regional director, the vacancy shall be filled by a member of that region through a recommendation of the affected region.

Section 10. If a vacancy occurs within an officer position an election from the Board of Directors will occur to fill the vacant officer position.

Section 11. It will be determined by the Board of Directors whether an advancement of positions to cover the vacant position or a hold on current positions for the remainder of the vacancy is in the best interest of the association.

Section 12. The Officers of this Association shall be active members of a Fire Department and members of this Association at the time of election. If any Officer shall retire from the active fire service, they shall not be elected at the next or any subsequent annual conference unless they have been nominated and bestowed lifetime membership status.

Section 13. Any Regional Director who is no longer residing within the region they were elected from shall retain their position only by written approval from that region.

Article V

DUTIES OF OFFICERS

PRESIDENT- It shall be the duty of the President to preside over all meetings of the Association and its Board of Directors, appoint all committees, and perform such other duties as may be incidental to his/her office or shall be required of him/her by the Board of Directors or by any actions caused at any meeting or conference of the Association. The President shall make an annual report to the members in assembly and make such recommendations, as he/she deems advisable in the interest of the Association.

1ST VICE PRESIDENT-It shall be the duty of the 1st Vice President to perform all duties of the President in his/her absence and when the President is presiding shall assist that Officer in every way possible. Should a vacancy occur in the office of the President, the 1st Vice President shall at once assume all duties and responsibilities of that office until the board has made a final decision of progression.

2nd VICE PRESIDENT-It shall be the duty of the 2nd Vice President to perform all the duties of the 1st Vice President in his/her absence and when the President is presiding shall assist that officer in everything possible. Should a vacancy occur in the 1st Vice President's Office then the 2nd Vice President shall at once assume all the duties and responsibilities of that office until the board has made a final decision of progression

EXECUTIVE DIRECTOR - It shall be the duty of the Executive Director to keep a complete record of all proceedings of the Association and its Board of Directors. The Executive Director shall keep a true and correct record between the individuals composing the membership of the Association. The Executive Director shall collect and deposit all monies due the Association from all sources and countersign all warrants or vouchers duly granted by the Association. The Executive Director shall have the authority, with the approval of the President and Board of Directors, to obtain assistance at any time deemed necessary for the proper discharge of business of the Association. At the annual conference of the North Carolina Association of Fire Chiefs, and the North Carolina State Firefighters Association the Executive Director shall present a written or printed statement of the work of his/her office for the preceding year. The Executive Director shall coordinate and manage educational programs approved by the President and the Board of Directors. The Executive Director shall provide quarterly newsletters and mailings to all members. The Executive Director shall record the minutes of meetings, plan agendas, and keep the Board of Directors informed of necessary information. The Executive Director shall assist in the planning and coordination of the Mid-Winter and Annual Conference of the North Carolina Association of Fire Chiefs and the North Carolina State Firefighters Association. The Executive Director shall develop forms, pamphlets, and informational materials as well as respond to complaints and inquires. The Executive Director shall take additional responsibilities as deemed necessary by the Board of Directors. The Executive Director shall be evaluated on an annual basis by the President and Vice Presidents; evaluation shall be reviewed by the Board of Directors for approval.

Deputy Executive Director – It shall be the duty of the Deputy Executive Director to assist the Executive Director with all businesses and programs of the Association. The Deputy Executive Director will assist in the development and management of educational programs directed by the Board of Directors and other duties deemed necessary by the Board. The Deputy Executive Director shall be evaluated on an annual basis by the President and Vice Presidents; evaluation shall be reviewed by the Board of Directors for approval.

TREASURER- The Treasurer shall issue all warrants and vouchers for the payment of all monies expended by the Association. The Treasurer shall keep a true and correct accounts of all monies received and disbursed and pay no money except on a proper warrant drawn by him/her, and all payments of accounts shall be by an Association check. The Treasurer shall disburse no money except on order issued by him/her and countersigned by the Executive Director. All monies in the Treasurer's possession belonging to the Association shall be deposited in a chartered bank, credit union or savings and loan approved by the President and Board of Directors, the deposit being in the name of the Association. At the Annual Conference of the Association the Treasurer shall provide a full report of all monies received and disbursed by him/her the preceding term. An audit of the books and accounts may be required by the President and Board of Directors. A bond may be required to be executed in the sum designated by the President and Board of Directors to the Association for the security of all funds in his/her hands and be filed with the President. All property, books, and records in his/her hand are and shall remain the property of the North Carolina Association of Fire Chiefs.

DIRECTORS- It shall be the duty of the President and Board of Directors to transact all business of the Association not otherwise provided for between the annual conference of the North Carolina Association of Fire Chiefs and the North Carolina Firefighters Association and the Mid Winter Conference and to arrange for topics, papers, reports, and all other business not otherwise provided for, for each conference. They shall have full power to expunge from the printed minutes anything that in the opinion of the Board shall be objectionable to the Association or its members.

Other Positions – The Board of Directors may appoint additional positions as deemed necessary for the success of the association in a manner that benefits the association. Additional positions may be of a temporary or permanent basis dependent on the needs of the association. Additional positions may be contracted, compensated or non-compensated positions to carry out the business of the association. Any other appointed positions shall not have the ability to vote on Board Decisions.

Representatives – The Board of Directors may appoint board members, or active members to other relevant committees or boards, which shall meet the policies and expectations determined by the board of directors outlined in the Board and Committee Policies and Expectations. Representatives may include but not be limited to the Fire and Rescue Commission, Certification Board, SEAF, SERC, NCHMT, IMAS, etc.

A meeting of the Board of Directors may be called at the discretion of the President or by any two members of the Board of Directors. A quorum must be present and must vote for any action to be taken by the Board of Directors. A quorum consists of a majority of the members of the Board of Directors.

Article VI

MEETINGS

Section 1. The annual conference of this Association shall be held in conjunction with the North Carolina State Firefighters Associations annual conference.

Section 2. The Executive Director will coordinate, with the host department, the opening ceremony of the annual conference. The Educational workshops and presentations at the annual conference will be decided by the Education Committee comprised of Board Members and other fire service organizations with interest in the conference presentation.

Section 3. The Mid-Winter Conference of the Association shall be held at such a place and time that the President and Board of Directors shall designate, after consulting with the Chief of the Conference city.

Section 4. Nothing in the foregoing sections shall be construed as prohibiting the President and Board of Directors, in case of extraordinary emergency, from changing the place or the time of the conference.

Article VII

LEGISLATIVE PROGRAM

The Association shall have a legislative committee to be appointed by the Board of Directors, and it shall be the duty of such committee to consider existing and proposed legislation as to its effects upon the fire service.

Article VIII

AMENDMENTS

Section 1. This Association shall have full power at the annual conference of the North Carolina Association of Fire Chiefs and the North Carolina State Firefighters Association or the Mid Winter Conference meeting to alter, amend, or revise the constitution, provided that the notice of such alteration, amendment, or revision shall have been given in writing to the Executive Director and the Board of the Association at least sixty days prior to either conference. The Executive Director shall see that every member of the Association shall have at least thirty days clear notice of such proposed alteration, amendment, or revision prior to the opening of either conference after such alterations,

amendments or revisions have been approved by the Board. A two-thirds vote of the members present and entitled to vote shall be necessary for the adoption of any such alteration, amendment, or revision.

Section 2. Nothing contained in the preceding section shall prevent the Association in conference, regularly assembled, from altering, amending, or revising any part of this Constitution upon a four-fifths majority of the members entitled to vote, present and voting.

Article IX

RULES OF ORDER

Section 1. The Presiding Officer shall preserve order and decorum and shall take no part in debate while presiding. All questions of order shall be decided by the Presiding Officer subject to an appeal to the conference, and upon such appeal the vote shall be taken without debate. The Presiding Officer may state the reasons for the decision given and shall put the question as follows: "Shall the decision of the Chair be sustained?" A two-thirds majority of those voting shall be necessary to reverse the decision of the Chair.

Section 2. Every member speaking or offering a motion shall rise in their place, state their name and place of residence and respectfully address the Presiding Officer; and when finished speaking, shall at once resume their seat. The person speaking shall confine themselves to the question under debate and avoid all personal or derogatory language, and if required, shall put the motion in writing.

Section 3. When two or more members rise to speak at the same time, the Presiding Officer shall decide who is entitled to the floor.

Section 4. A member called to order shall immediately cease speaking and resume their seat until the point of order in question has been decided, and then the member shall be entitled to the floor.

Section 5. A motion to take the previous question shall always be in order except when a member is in possession of the floor and must be put without debate, and if supported by a majority of the members present voting shall be declared carried. No further debate or amendments shall be in order until the main question shall have been decided.

Section 6. A motion to adjourn shall always be in order except when a member is in possession of the floor, or a vote is being taken, or it has been decided that a vote be now taken. A motion to adjourn is not debatable, but a motion to adjourn to a given time is open to debate.

Section 7. Any question coming before the conference for which no provision has been made in the Constitution, By-Laws, or Rules of Order, the Presiding Officer shall direct the process.

Article X

BY-LAWS

Section 1. All members of the Association shall be required to pay fees as may from time to time be set by the membership.

Section 2. The membership for the Association shall be in effect for the calendar year from the time of active membership or membership renewal. No memberships will be held over to the following year without the fire department submitting the required application form and designated amount for dues.

Section 3. All Active Members in good standing may after retirement from active duty continue to be Active Members by the continuance of payment of the annual dues and assessments.

Section 4. The Association shall, through its President and Board of Directors, have full power to levy and collect conference registration fees sufficient to defray the expenses of the annual conference and Mid-Winter Conference.

Section 5. Application for membership may be made to the Executive Director at any time.

Section 6. The Executive Director shall not register, give a badge, or extend any of the courtesies of the conference to any other than to guests accompanying members, honorary life members, life members, and representatives of the press, except upon the payment of all dues and assessments due and payable by the member.

Section 7. In the event an urgent issue arises which necessitates an expression of opinion by the membership, and such question is not of sufficient importance to summon an emergency meeting of the Association, the President shall have the authority to instruct the Executive Director to have printed and mailed to each member entitled to vote, a ballot, and to name a date upon which such ballot shall be returned to the Executive Director. The President shall instruct the Executive Director and one other Board Member to count the ballots and declare the results to the President. The Executive Director shall preserve the ballots until close of the next conference in case a recount should be required.

Section 8. The Board of Directors shall maintain policies, guidelines, and expectations, which shall be readily available to any member to ensure concurrent or regular operations of the board, committees, or representatives meet the expectations of the board and membership.

Article XI

AWARDS PROGRAM

Section 1. The North Carolina Association of Fire Chiefs Awards Program is designed to honor particularly meritorious service and conduct performed by members of the Association, individuals or entities interested in and contributing to the protection of life and property against fire, or any person who has rendered conspicuous service to this Association. The 2nd Vice President will chair a committee with one member responsible from each region for the fiscal, logistical and administrative aspects of the program. Nominations can be made by any member of the Association, or by the Board of Directors, and should be submitted to the Executive Director.

To be eligible for any award, the conduct must be in keeping with sound judgment and reflect honorably upon the North Carolina Association of Fire Chiefs. Nomination must be submitted to the Executive Director within forty-five (45) days of the next annual conference of the North Carolina Association of Fire Chiefs and North Carolina State Firemen's Association or the Mid Winter conference for the year in which the recognized act occurred.

Section 2. Any award given will be recognized, whether in attendance or not, by the President or designee at the Annual or Mid Winter Conference. Recipients may choose one of three methods in which their award will be presented and must notify the Executive Director in advance of their wishes.

- A. Recipients are to be encouraged to attend the Annual or Mid Winter conference to receive their award during a business session of the Association.
- B. The award may be presented by a member of the Board of Directors of the North Carolina Association of Fire Chiefs at a locally sponsored function.
- C. If the recipient does not wish a public presentation, the award will be mailed to an address provided by the recipient.

Section 3. The purpose of the Awards Committee is to review nominations involving meritorious service and make a determination for proper recognition.

See Standard Operating Guide for details.

- A) Duties of the Awards Committee will be as follows:
 - i) Coordinate and make preparations for presentation of awards.
 - ii) Convene, as needed, at the direction of the Chairperson, to review details of nominations submitted.
 - iii) Through a review process, approve or disapprove nominations for awards and, if merited, determine the type of award to be given.
 - iv) Based upon the findings of the committee, submit recommendations for award presentations to the President.

- B) In all matters coming before the Committee for review and decision, a quorum of three quarters of the members must be present before business can be conducted and matters voted on. Each member's vote is of equal value. A majority is required to render a decision.

Section 4. Award Descriptions:

- A. **Special Service Award** - Acts of exceptional performance or a high degree of exceptional performance or high degree of professionalism are merits of which this award may be given. It may also be awarded for outstanding service benefiting the Association and/or its membership.

- B. **Life Membership** - Life membership may be conferred upon retiring Active Members provided that they have been members of the Association continuously for five years immediately preceding their retirement date and provided further that they are not identified with fire protection from a commercial standpoint. The names of all candidates for Life Membership must be submitted in writing to the Executive Director at least forty-five (45) days prior to the Annual or Mid Winter conference. Any qualified Active Member who has declared their intention to retire may have Life Membership conferred upon them at the last Annual or Mid Winter conference which precedes their retirement date provided that they submit written notice of their intention to retire to the Executive Director at least forty-five (45) days prior to the Annual or Mid Winter conference. Life Membership carries with it all the privileges of Active Membership without the payment of dues or voting privileges.

- C. **Chief of The Year Award** – Chief of the Year award may be conferred upon a volunteer and paid Fire Chief nominated by their peers and selected by the Chief of The Year Selection Committee. Chief of the Year shall be awarded at the annual mid-winter conference. All nominees will be submitted in accordance with the Chief of the Year policies and guidelines. The Chief of the Year policies and guidelines shall meet or exceed the requirements for information by the Southeastern Association of Fire Chiefs to allow for the recipients to be submitted to the Southeastern Association for Chief of the Year.
 - i) Career Chief of the Year shall be defined as a Chief Officer who is employed full time by the fire department in which they are nominated.

- ii) Volunteer Chief of the Year shall be defined as a Chief Officer who is volunteer, primarily volunteer, or part time by the fire department in which they are nominated.

D. **Officer of The Year Award** – Officer of The Year award may be conferred upon a volunteer or paid officer nominated by their peers and selected by the Chief of The Year Selection Committee. Officer of The Year shall be awarded at the annual mid-winter conference. All nominees will be submitted in accordance with the Officer of The Year policies and guidelines.

- i) Career Officer of the Year shall be defined as a Chief Officer who is employed full time by the fire department in which they are nominated.
- ii) Volunteer Officer of the Year shall be defined as a Chief Officer who is volunteer, primarily volunteer, or part time by the fire department in which they are nominated.

E. **Honorary Life Membership** - Individuals interested in the protection of life and property against fire shall be eligible for Honorary Life Membership upon the recommendation of the Board and approval by a majority of the members present at any conference, and any member so elected shall thereafter be exempted from the payment of annual dues for life. Honorary Life Members may not hold an elected office within the Association or enjoy voting privileges.

Honorary Life Membership may also be conferred on any person who has rendered conspicuous service to this Association, provided that such membership shall be recommended by the President and the Board of Directors, and receive a majority of votes of the Association in conference assembled.

F. **Associate Membership** - May be conferred upon City Officials, Fire Commissioners, State Officials, or any other individuals that supports the goals and objectives of the organization. Associate Membership carries no voting privileges.

G. **Corporate Membership** - Corporate Membership is an annual membership for firms and corporations interested in fire protection. This membership is without voting privileges.

AMENDMENTS:

Article V Duties of Officers, Secretary-Treasurer Amended 1989 - Fayetteville Conference

Article III Membership, Life Membership (c) Amended 1989 - Fayetteville Conference

Article VIII Amendments, Sections 1 and 2 Amended 1995 - Fayetteville Conference

Article III Membership, Description of Membership, Section 2 (1) Amended 1996 Greensboro Conference

Mission Statement approved at the 1996 conference

Article IV Officers, Sections 1 and 2 Amended 1997 - Asheville Conference

Article V Duties of Officers, Secretary - Treasurer Amended 1997 - Asheville Conference

Article IX Awards Program, Sections 1, 2 and 4 Amended 1997 - Asheville Conference

Article IV Officers, Sections 1-6 - Amended 1999, Hickory Conference

Article II Mission statement - Amended 2000

Article III Membership Pages 1, 2 and 3 - Amended 2000

Article V Duties of Officers, President, 1st Vice, 2nd Vice, Executive Secretary and Treasurer - Amended 2000

Article VI meetings Sections 1, 3 and 4 - Amended 2000

By-laws Section 2 and 4 - Amended 2000

Article IX Awards Program Section 1, 2, 3 and 4 - Amended 2000

Article IX Awards Program Section 2 - Amended 2004

Article I, Section 2 and Section 3 - Amended 2004

Article I, Section 2 – Amended 2008

Article IV, Sections 1, 2, 3, 6 and 9 – Amended 2008

Article V – Amended 2008

Article 6, Section 2 – Amended 2008

By-Laws, Section 5, 6 and 7 – Amended 2008

Article 9, Sections 1, 2 and 4B – Amended 2008

Article IV, Section 5 and 7 – Amended 2011

Article V – Amended 2011

Article VI, Section 2 and 3 – Amended 2011

Article VIII, Section 1 – Amended 2011

Article IX, Section 1 – Amended 2011

Rules of Order, Section 2 and 4 – Amended 2011

By-Laws, Section 7 – Amended 2011