

Claremont Fire Department

By-Laws

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Revised on 2/27/07

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Claremont Fire Department By-Laws

Article I. Title & Object

Section 1.01 This organization shall be known as the Claremont Fire Department.

Section 1.02 Its object shall be preservation of life and property for the City of Claremont and Claremont Rural Fire District for which it is contracted to do so between the City of Claremont and the County of Catawba.

Article II. Composition

Section 2.01 The department shall be composed of and not to exceed forty-two members including officers.

Section 2.02 The officers of the department shall be as follows

- (a)** One (1) Chief who employed by the City of Claremont.
- (b)** One (1) Assistant Chief
- (c)** Two (2) Captains
- (d)** Two (2) Lieutenants

Article III. Members

Section 3.01 Members and Applicants must be sixteen (16) years of age and a citizen of the United States.

Section 3.02 Members and Applicants must be in good health and of sound mind and body.

Section 3.03 Members and Applicants must have and maintain a valid North Carolina operator's license or state issued ID.

- Section 3.04** Members and Applicants should reside within two miles of the Claremont Fire District.
- Section 3.05** Members and Applicants must not have been convicted of any felonious crime.
- Section 3.06** Members and Applicants must have a High School Diploma or G.E.D. equivalent.
- Section 3.07** All applicants (former members and transfers) regardless of transcripts, or previous positions held in fire service, upon approval of membership, shall enter as new member of the department.

Article IV. Duties of the Members

- Section 4.01** It shall be the first duty of all members of this department to obey all commands of their officers while on duty.
- Section 4.02** Members of the Fire Department shall at all times, conduct themselves, in such a manner as not to discredit the department.
- Section 4.03** No member shall appear at any meeting, training, or drill under the influence of drugs or alcohol.
- Section 4.04** No member shall leave a regular or special meeting, training session, the scene of a fire or the Fire Department after a fire, unless excused by the Officer in charge.
- Section 4.05** No member, under any conditions, shall operate privately owned vehicles (POV'S) or fire apparatus in a careless and reckless manner with disregard for personal safety.
- Section 4.06** It shall be the duty of members to be prompt at all meetings, and on alarms.
- Section 4.07** It shall be the duty of each member to be responsible of the equipment assigned to them and keep it in good working order at all times.
- Section 4.08** All members must maintain a minimum of thirty-six (36) hours in house training, meetings, or drills per year.

Section 4.09 Members must have the minimum of Hazardous Materials Training each year based on their level of certification.

Section 4.10 Members who are EMTs must maintain the minimal amount of medical training per year as required by Catawba County.

Section 4.11 It shall be the duty of each member to obtain a minimum of nine (9) training hours per quarter in meetings and/or drills to remain in the pension and retirement fund; no quarterly payment will be made into the pension fund for any member failing to obtain his or her nine (9) hours.

Article V. Auxiliary Members

Section 5.01 Auxiliary Members may be any retired Claremont Firefighter or any citizen of the Claremont Fire District who expresses interest in assisting with any department activities.

Article VI. Officers and Committees

Section 6.01 Officers shall be selected by the vote of the department at its annual Meeting. Term of offices will be from July 1st to June 30th.

Section 6.02 Officers shall hold a monthly meeting

(a) Officers shall review the Fire Department Operating Guidelines at least annually.

Section 6.03 Special committees that may become necessary to appoint shall consist of a minimum of three (3) members. Chief shall appoint a chairperson and the other members are to be appointed by the next ranking officer present.

Article VII. Duties of the Chief

Section 7.01 Duties of the Chief are set forth in the Code of Ordinances of the City of Claremont.

Article VIII. Duties of the Assistant Chief

Section 8.01 In the absence of the Chief, The Assistant Chief shall be in full charge of the department.

- (a) It shall be the duty of The Assistant Chief to be present at all calls, if possible, to plan and direct the action of the department.
- (b) It shall also be the duty of the Assistant Chief to attend all meetings in matters of the Fire Department.

Section 8.02 It shall be the duty of the Assistant Chief to serve as the secretary of the department, to keep a permanent record of all proceedings of the department, to call the roll, to record all absentees and preserve the records of the department.

Section 8.03 The Assistant Chief shall be in charge of all issued equipment.

Article IX. Duties of the Captains

Section 9.01 Of the two (2) Captains elected, one (1) shall be elected Captain of Training, and one (1) shall be elected Captain of Safety. Captains shall assist Chief Officers on fire ground tactics.

Section 9.02 The Training Captain shall be in charge and oversee all training programs. The Training Captain must maintain a permanent training record for each firefighter and report to the Chief monthly.

Section 9.03 The Safety Captain shall be in charge and oversee the safety of all members on any incident. The Safety Captain shall oversee preplans of the district for member safety while also maintaining a permanent record of physicals, medical records, and blood borne pathogens training for each member.

Article X. Duties of the Lieutenants

Section 10.01 There will be two (2) Lieutenants.

Section 10.02 The Lieutenants shall supervise and make sure that all trucks and equipment have been properly cleaned and placed back in service as quickly as possible after each call.

Section 10.03 The Lieutenants shall be in charge of specific equipment such as hose, ladders and self contained breathing apparatus. They shall maintain permanent records on said equipment and report to the Chief monthly.

Article XI. Engineers and Drivers

Section 11.01 Only members that have received proper training and have been qualified by a Chief Officer shall drive any unit or apparatus.

Section 11.02 Engineers & Drivers should see that all equipment is placed back on the proper apparatus before leaving a call.

Article XII. The Investigation and Grievance Committee

Section 12.01 There shall be a permanent committee, consisting of a Chairman and four (4) members, to be selected by the Chief annually, which shall be known as the "Investigation and Grievance Committee".

Section 12.02 No officer of the department shall serve on this committee.

Section 12.03 This committee will be in charge of the Fire Department's annual election of officers.

Section 12.04 The Grievance Committee shall review and make a recommendation on applications submitted to the department.

Section 12.05 The Grievance Committee shall handle any complaints, in writing, against any member.

Article XIII. Suspensions, Dismissals, and Leave of Absence

Section 13.01 Issues against any member of the department, for the abuse of their authority or misconduct in their duties may be made by any member of the department, in writing. The Investigation and Grievance Committee, finding sufficient cause for dismissal, suspension, or reprimand shall make a recommendation to the Chief.

(a) Any member missing (3) three consecutive unexcused business meetings are subject to dismissal.

Section 13.02 Upon suspension, termination, or leave of absence all Fire Department equipment that has been issued shall be turned into the Assistant Chief with in ten (10) days until reinstatement.

Section 13.03 Members who have been suspended can appeal for a hearing in writing before the Investigation and Grievance Committee.

Section 13.04 A member of the Fire Department may request and be granted a maximum of six (6) months leave of absence. The request must be received by the Chief and a complete review of the case shall be made by the Investigation and Grievance Committee. Members that are serving on active duty in the military are exempt.

Article XIV. Elections

Section 14.01 The Grievance Committee shall be in charge of elections held at the department's annual meeting.

Section 14.02 Members shall have 36 (thirty six) hours of training, meetings, or drills to vote in the annual elections.

Section 14.03 All members must have at least one (1) year service with the department before running for a Fire Officer's Position.

Section 14.04 Qualified members that are running for any office must sign up with the Chief of the department before the annual meeting. This is to ensure proper qualification.

Section 14.05 Ballots shall be provided for the elections. There shall be a ballot printed for each position. Each position will be voted on separately.

Section 14.06 Absentee ballots will be provided for the election and may be obtained no more than 7 (seven) days prior to the election. Ballots must be marked in a normal manner; placed in a sealed envelope and returned to the Grievance Committee. Any ballot may not be counted if the Grievance Committee by majority vote is unable to read or understand the intent of the voter.

Section 14.07 The Treasurer, Traffic Officers, and the Fire Prevention Officer positions will not be voted on; they shall be appointed by the Chief.

Section 14.08 Qualified members desiring to take an office shall meet the criteria as set forth in the Claremont Fire Department Operating Guidelines.

Article XV. Rules of the Order

Section 15.01 One member only shall be entitled to the floor during the same period of time.

Section 15.02 Every member desiring the privilege of the floor shall raise their hand and address the Chair.

Section 15.03 No member shall be allowed to speak until properly recognized by the Chair.

Section 15.04 No motion can come before the department unless properly moved and seconded and declared open for discussing by the Chair.

Section 15.05 Any members may call for the yeas and nays on any motion when each member shall be required to answer to his name on the roll.

Section 15.06 All motions shall be settled by a quorum of votes cast.

Section 15.07 No member shall speak more than five (5) minutes on any subject at one time, or more than twice on the same subject, except by permission of the Chair.

Section 15.08 When a point of order is raised by any member, the person having the floor shall take his/her seat until the point is decided by the Chair, if proper, he/she may resume.

Section 15.09 When a motion is properly made before the department, it must be disposed of before another can be entered.

Section 15.10 No subject tabled shall be taken up during the same meeting.

Article XVI. Order of Business

Section 16.01 Order of Business

- (a)** Invocation
- (b)** Roll Call (Sign attendance sheet)
- (c)** Reading of the minutes and previous meeting

- (d) Treasurer's Report
- (e) Reports of Officers and Committees
- (f) Unfinished business
- (g) New business
- (h) Adjournment

Appendix:

By-Law Revision Dates

Revised: August 18, 1992
Revised: July 20, 1993
Revised: September 21, 1993
Revised: October 15, 1996
Revised: April 20, 2004
Revised: December 27, 2005
Revised: February 27, 2007