



# BYLAWS

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AKA THE RULES AND REGULATIONS

Adopted May 2018  
Under the Authority of  
Fire Chief Shawn Boyle

Earlham Fire Rescue Department  
140 S CHESTNUT AVE, EARLHAM, IOWA 50072



## RULES AND REGULATIONS

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## RULES AND REGULATIONS

### Article I – Purpose

#### Section 1

This organization shall be known as the Earlham Fire Rescue Department, herein after referred to as “The Department”.

#### Section 2

The department’s purpose will be to preserve life and property in the City of Earlham, Iowa, and all surrounding area that has been agreed that the department will serve, herein after referred to as the “fire district”. The Department will respond in case of fire, rescue, and other emergencies, and promote fire safety education.

### Article II-Membership

#### Section 1

The Department shall be composed of probationary, active, reserve, and honorary members.

#### Section 2

Any citizen of the Earlham, Iowa, and the surrounding area as referred to in Section 3, in the fire district, of sound mind and body, and who has attained the age of eighteen (18) years old, and who is in good repute in the community, shall be eligible to serve as a probationary or active member of the department.

#### Section 3

All applications for membership shall be made in writing, on forms provided by The Department. All applications will be referred to an investigative committee; called the membership committee, whose duty it will be to investigate the character and standing of the applicant, and report the same at the next business meeting. Any application for probationary status must receive a majority affirmative vote of eligible voting members. A copy of these Rules and Regulations will be made available for the applicant to review and make known any exception he/she may have with its content. The results of the vote shall be considered as a recommendation to the chief, who shall make a recommendation to the City Council for approval of membership.

Any prospective member living outside the city limits shall be considered with respect to employment in the city or nearby area, response in a timely fashion, and/or distance of the applicant’s residence to the fire station, not to exceed 5 miles. Not more than 25% of the maximum number of 27 active and probationary members shall live outside the city limits of Earlham.



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### Section 4

The probationary period shall be a minimum of six (6) months for persons with Fire Fighter I Certification, and twelve (12) months with no prior experience.

Applicant shall show willingness to pursue Fire Fighter I certification. Early completion of this certification course may reduce the time requirement of probationary status as directed by the membership committee. However, if applicant does not show reasonable progress, the membership committee may recommend extending probationary period.

### Section 5

An active member shall be one who has completed all probationary requirements and must receive a majority affirmative vote of active members present. This person must perform in compliance with the Rules and Regulations of The Department by keeping himself/herself in good standing. Only active members shall vote on motions during business meetings.

### Section 6

A person who has retired rendering distinguish service to The Department shall be eligible to request honorary membership in The Department from the Fire Chief. The Fire Chief shall then bring this request to the membership for a vote. A majority affirmative vote of active members is required for the request to pass.

## **Article III-Officers**

### Section 1

The fire officers of The Department shall consist of the Fire Chief, 1<sup>st</sup> Assistant Chief, 2<sup>nd</sup> Assistant Chief, Captain, and Lieutenant.

### Section 2

The members must select business officers for The Department whose duties and responsibilities shall be separate and distinct from the duties and responsibilities of the fire officers. The business officers of The Department shall include the Chairperson, Secretary, and 2 Training Coordinators.

## **Article IV-Responsibilities of Officers**

### Section 1

The Chief shall: Have full charge of all apparatus and equipment and the building in which such apparatus is housed; be in sole charge of The Department at the emergency calls that The Department responds, or training meetings, and no member of the organization shall take



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orders from any other than the Chief or a delegated representative; the Chief shall command all operations of The Department.

The Chief shall be responsible for the efficiency of any and all apparatus used by The Department and shall satisfy himself/herself by personal inspection that all means of combating fire or rescue are at their highest efficiency.

The Chief shall, at meetings and at activities, communicate such information, facts, and remarks as the interest of The Department may require.

At each training meeting, and special meetings called for this purpose, the Chief, or designate, shall conduct or have conducted practice drills or training classes covering all phases of firefighting, rescue techniques, and other informational subjects that are of value to The Department members.

As approved by the City Council, the Chief shall abide by the mutual aid agreements with surrounding communities, and dispatch apparatus and personnel to their aid when requested. In the event of The Department and/or apparatus response to a call from another city or jurisdiction, it shall be the duty of the Chief to make provisions for the suitable temporary protection of the community.

Members shall report to the Chief or his/her designee if fire apparatus leaves the jurisdiction for special events such as parades and special duties when requested.

### Section 2

The 1<sup>st</sup> Assistant Chief shall: Report to the Chief at fires or training meetings and assist in the Chief's duties; be in charge in the absence of the Chief, and, if the office of the Chief becomes vacant, refer to Appendix A for nomination and election of the office.

The 2<sup>nd</sup> Assistant Chief shall: Report to the Chief at fires or training meetings and assist in the Chief's or 1<sup>st</sup> Assistant's duties; be in charge in the absence of the Chief and 1<sup>st</sup> Assistant.

### Section 3

The Captain shall: Report to the Chief at fires or training meetings and assist in the Chief's or Assistant Chiefs' duties; be in charge in the absence of the Chief and Assistant Chiefs.

### Section 4

The Lieutenant shall: Report to the Chief at fires or training meetings and assist in the Chief's, Assistant Chiefs', or Captain's duties; be in charge in the absence of the Chief, Assistant Chiefs, and Captain.



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### Section 5

The Chairperson shall: Preside over all Business Meetings. The Chairperson is responsible for filing any documents required by the City, State, or County Ordinances.

### Section 6

The Secretary shall: Record all minutes accurately during any business meeting and recite said minutes from previous meetings during the regular business meeting.

### Section 7

The Training Coordinators shall: Be responsible for selecting appropriate training topics for each month of the year. Coordinators will also be responsible for contacting outside instructors to facilitate any training topic outside of the Coordinators' scope of knowledge. The Coordinators shall also be responsible for keeping and reporting training records for the National Fire Incident Reporting System (NFIRS).

## Article V-Meetings

### Section 1

The Department shall meet regularly on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays each month and may meet for special training sessions on the order of the Chief. In the event of a holiday on a regularly scheduled meeting night, the meeting shall be rescheduled or cancelled by the Chief.

### Section 2

The Department shall hold fire training meetings on the 1<sup>st</sup> Tuesday of each month. The Department shall hold business meetings on the 3<sup>rd</sup> Tuesday of each month. Truck maintenance shall be performed prior to so start of the business meetings. The Chief or his/her designee may upon notice at his/her direction modify the schedule for special circumstances.

### Section 3

The Chairperson may hold special meetings as needed by having them announced on the 1830 test page and/or via lamResponding at least one day prior to the day of the meeting. The Chairperson may reschedule the business meetings when announced at least one month in advance at the business meeting.

## Article VI-Disciplinary Actions

### Section 1

If any member refuse or neglect to do their duty or obey the orders of the Fire Chief or their commanding officers or leave their posts while at an emergency call without permission of their commanding officers, they shall be subject to disciplinary action from The Department.



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### Section 2

Any member shall have the right to raise a grievance against the Chief. One or both of the Assistant Chiefs shall act as an intermediary on behalf of the member to attempt to resolve the issue by communicating directly with the Chief. In the event the situation cannot be resolved at this level, then and only then, the issue should be taken to the mayor.

### Section 3

Any inter-departmental dispute will be resolved by utilizing the chain of command with the Chief being at the top of the chain of command. In the event that disputes are not resolved with the Chief's review, a grievance may be filed with a Grievance Committee consisting of two department officers and three firefighter members appointed by the Chief and approved by the complainant. The final recommendation of the Grievance Committee will be taken to the Chief.

## Article VII-Minimum Meeting Attendance

### Section 1

All members should attend all business meetings and training sessions. A maximum of 4 unexcused absences at business meetings will be allowed per calendar year. 24 hours of training per year are required. A maximum of 4 unexcused absences at training sessions while still attaining 24 training hours of per year will be allowed per calendar year. No member shall miss more than 3 consecutive training/business meetings without contacting the Chief or his/her designee. Failure to comply is subject to Article VI.

## Article VIII-General Responsibilities of Members

### Section 1

Any member using excessive speed or reckless driving while responding to an emergency call may be suspended or dismissed as The Department shall direct per Article VI.

### Section 2

Any member appearing at a fire, drill, meeting or going into the fire station under the influence of alcohol or drugs may be suspended or dismissed as The Department shall direct per Article VI.

### Section 3

Any member being disorderly toward an officer or other member of The Department while on duty may be suspended or are dismissed as The Department shall direct per Article VI.



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### Section 4

Any member bringing any person into the fire station shall be held responsible for any act that person may commit, as well as for their safety.

### Section 5

Each member of The Department shall be responsible for all issued equipment, and upon termination or separation from The Department, shall promptly return all fire department property in his/her possession to the Fire Chief.

### Section 6

Every member of the department shall be provided with a copy of these rules and regulations.

### Section 7

All members shall meet all standards for firefighting set forth by the Iowa Fire Service Training Bureau (IFSTB) and the State of Iowa.

## Article IX-Rules and Regulations

### Section 1

In order that The Department may function efficiently, the following rules and regulations shall be observed and it is the duty of all active and probationary members to know them:

1. It shall be the duty of all members to give strict obedience to the lawful orders of their elected and appointed officers.
2. All work at fire, EMS emergency scenes, or drills shall be done in a safe, orderly and quiet manner.
3. A) In order to assure that there will be someone in command at a fire, the following shall be the chain of command: Chief, 1<sup>st</sup> Assistant Chief, 2<sup>nd</sup> Assistant Chief, Captain, Lieutenant, senior member on scene, until relieved by a higher-ranking officer.  
B) In order to assure that there will be someone in command at an EMS response, fire personnel will take a supportive role, yielding and obeying to the instructions of the EMS personnel in charge.
4. Only active and active reserve members will drive fire equipment in emergency situations unless a probationary member is directed otherwise by the officer in command.
5. On emergency calls, no one other than active or active reserve members will go to the scene unless directed by an officer of the department.





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### Appendix A

#### Nomination and Election Procedures for the Fire Chief

The Department requires the recommendation of one person by the membership to be considered by the Mayor for the position of Fire Chief.

The following procedure is hereby established for the recommendation of the Fire Chief.

1. Nominations will take place at the November business meeting.
2. Election requires a majority vote of active members at the December business meeting.
3. The recommendation of the Chief it is to be by an affirmative vote of active members.
4. Results of the election are to be conveyed to the Mayor and acted on at the January City Council meeting.
5. The Fire Chief is to be appointed by the mayor and confirmed by the city council on an annual basis.



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**Signatures**

These Rules and Regulations have been approved by order of

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Fire Chief

\_\_\_\_\_  
Date