

AVON VOLUNTEER FIRE DEPARTMENT

By-Laws

Article VIII

Subject: **Miscellaneous**

Effective Date: **30 April 2009**

Section 1: Amendments:

Amendments to these By-Laws may be made as follows:

1. Any member may request, in writing, that the Board of Directors consider a change in these By-Laws.
2. The Corporate Executive Officers shall, within a reasonable amount of time, consider such request and forward it to the Board of Directors with its recommendation that the change be implemented or rejected.
3. The Board shall, within a reasonable amount of time, consider such a change and shall submit the proposal to the Membership with a recommendation that it be implemented or rejected.
4. Any change to the By-Laws shall be submitted to the membership in writing at least one month prior to the meeting at which the change is to be voted.

Section 2: Suspension of By-Laws

A By-Law may be suspended to accommodate the changing needs of the Department in the event that the timing of events and the associated By-Law are at conflict. Suspensions would allow the changes to occur ahead of formal documentation.

1. Any member may request, in writing, that the Board of Directors consider a suspension of a By-Law.
2. Requests must include just cause for suspension and identification of the specific By-Law.
3. Requests must be date and duration specific to allow for formal documentation changes to occur.

4. The Board shall, in a reasonable amount of time, review such request and shall vote on bringing it as a motion to the membership for a vote.
5. If voted down by the Board, the Board shall issue, in writing, a statement of opinion on the request including specific Board member vote.
6. If the Board approves the request with or without modification, the Board shall read its motion to the membership inclusive of specific Board member vote at the next Corporation Monthly meeting.
7. The motion must be seconded by a non-Board of Directors member and a vote taken by the simple majority of those in attendance to approve the suspension motion.
8. If the motion is not seconded or is voted down by the membership, then current By-Laws will remain in place as the governing documentation.
9. If the motion is approved, the Board will assemble a committee to act on creating the formal documentation required.
10. If the Board fails to complete necessary actions in the defined time of the motion either a new motion must be brought forward or the governing documentation at the time of the original motion must be executed without delay.

Section 3: Operations Manual and Administrative Operating Guidelines:

- A. Administrative Operating Guidelines shall be promulgated by the Board of Directors for matters pertaining to Administrative Operations.
 1. Such Guidelines shall be reviewed by the President and approved by the Board on an annual basis.
 2. Administrative Operating Guidelines shall have the same force and effect as these By-Laws.
 3. Changes may be suggested by any member but must be approved by the Board.
 4. The Board, by simple majority vote may suspend an AOG for a specific length of time for changes to be made. The membership shall be notified at the next Corporation meeting.

- B. Operations Manual shall be promulgated by the Chief for matters pertaining to Line Operations.
1. Such Guidelines shall be reviewed by the Chief and approved on an annual basis.
 2. Operations Manual Guidelines shall have the same force and effect as these By-Laws.
 3. The Chief may suspend a portion of the Operations Manual for a specific length of time for changes to be made. The Board shall be notified of the suspension of this portion and the membership shall be notified at the next Corporation meeting.

Section 3: Expense Reimbursement:

Members shall be reimbursed for expenses in accordance with a plan promulgated and amended by the Board of Directors and found in the Administrative Operating Guideline under the appropriate heading.

Section 4: Rules of Order:

Where no provisions are made herein for the procedures at any meeting, the recommendation of the latest edition of Robert's Rules of Order shall apply.

Section 5: Dissolution:

In the event of the dissolution of the Corporation, it shall be done in accordance with those procedures established by law. The balance of assets of the Corporation, after payment of all claims, shall be transferred to the Town of Avon or to any non-profit organization, in accordance with the vote of eighty-five (85) percent of those present and voting, except that a member may vote by proxy in the form of a written statement acknowledged before a Notary Public.

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)3 of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purposes

Section 6: Interpretation of By-Laws:

In case of a dispute in the interpretation of any By-Laws or AOG, the President's ruling shall be final and binding.