

# Constitution and By-Laws of COLUMBIA BOROUGH FIRE DEPARTMENT

Lancaster County – Station 80

## *Article I*

### *Name & Mission Statement*

**Section 1.01 Name of the Organization.** The name of the organization shall be Columbia Borough Fire Department.

**Section 1.02 Mission of the Organization.** The mission of the Columbia Borough Fire Department shall be to protect the lives and property of the citizens and visitors of the Borough of Columbia and neighboring communities from fire and other related emergencies or natural disasters. This public safety goal shall be achieved by providing professionally trained personnel educated in the areas of fire prevention, suppression, and tactical operations from the adverse effects of fire and rescue situations, or exposure to other hazardous conditions. The Department shall provide an adequate number of competently trained personnel, the necessary equipment and resources to accomplish the department's mission in order to reduce the incidents of fire and injury through public safety education, fire prevention programs and applicable codes. The Department shall also manage its affairs in a fiscally responsible, professional, and cost-effective manner at all times.

**Section 1.03 Non-Limitation of Purpose.** The By-laws do not limit or restrict the activities, powers, or authority of the Department to deal with people, nor are they restricted to stated purposes not specifically mentioned, provided, however, that the Department shall not engage in activities that would disqualify it as a nonprofit corporation under the Pennsylvania Nonprofit Corporation Law of 1988, or any subsequent version thereof, or as an exempt organization under the federal Internal Revenue Code.

**Section 1.04 Charitable Purpose of the Department.** The Department is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations under Section 501(c) of the Internal Revenue Code (or the corresponding section of any future federal tax code).

**Section 1.05 Compliance.** The Department is committed to establishing a culture that promotes the prevention, detection, and resolution of instances of conduct that do not conform to federal and state law, and federal, state, and local municipal code requirements, as well as the Department's ethical and business practices and policies.



# Columbia Borough Fire Department Constitution & By-laws

**Section 1.06 Non-Distribution of Net Earnings.** No part of the net earnings of the Department shall inure to the benefit of, or be distributable to, its officers, directors, member, or other private persons, except that the Department shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its exempt purposes. Except as otherwise provided by Section 501(h) of the Internal Revenue Code (or the corresponding section of any future federal tax code), no substantial part of the activities of the Department shall consist of the carrying on of propaganda, or otherwise attempting to influence legislation. The Department shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of (or in opposition to) any candidate for public office.

**Section 1.07 Prohibited Activities of the Organization.** Notwithstanding any other provision of these By-laws, the Department shall not carry on activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(a) of the Internal Revenue Code as an organization described in Section 501(c)(3) of the Internal Revenue Code, or (b) by a corporation, contributions to which are deductible under Section 170(a) of the Internal Revenue Code as being to an organization referred to in Section 170(c)(2) of the Code.

## **Article II Membership**

**Section 2.01 Classes of Membership.** Membership in this Fire Department shall consist of four (4) classes: Senior, Life, Honorary, and Junior.

**Section 2.02 Applications for Membership.** Any person applying for membership other than Junior in this Department shall be at least eighteen (18) years old. Junior members must have completed the eighth grade in school, be at least fourteen (14) years of age and must also provide a School Work Permit. The Applications shall be presented on a form provided by the Department. Any person applying for any class of membership must appear before the Board of Officers at their meeting prior to the application being presented to the general membership for a vote. Applications shall be accompanied by the correct Application fee which shall be set forth by the Board from time to time, a portion of which shall be in payment of the current year's dues, if any. Applicants eighteen (18) years of age or over must, along with their application, shall submit a criminal background check from a vendor or services provider that specializes in such area of expertise as set forth by the Department from time to time. Applicants for membership may additionally be required to meet such other requirements for membership that may be set forth by the Board from time to time.



## Columbia Borough Fire Department Constitution & By-laws

---

**Section 2.03 Voting on Membership Applications.** After the Applicant appears before the Board of Officers, and only after review and consultation, the Board of Officers shall inform the candidates for membership and shall be placed on the roles as a probationary member for a period of six months. After completion of that time, completion of other membership requirements that may be set forth by the Board from time to time, and approval by the Board of Officers the candidate shall be accepted or rejected into the class of membership for which they have applied, or have the probationary period extended. As a probationary member he/she shall not be permitted to vote or hold office or receive any benefit from the Department. The decision of the Board of Officers to approve or not approve a member may be made for any lawful reason, and shall be final.

When the determined probationary period is complete, the applicant's application shall then be submitted to the Department at a regular meeting, where, upon the affirmative vote of the majority of the members voting (with voting to be done by secret ballot), the Applicant shall become a member of the Department. The President shall vote to break a tie vote. The Secretary shall notify the candidate within ten (10) days of his/her acceptance or rejection into membership.

**Section 2.04 Reinstatement of Expelled Members.** A member who has been expelled shall not become a member for a period of at least one year, when he/she may apply for membership in accordance with Section 2.02 of this Article.

**Section 2.05 Expulsion for Failure to Pay Dues.** A member who has not paid his/her dues by the close of the April meeting will have his/her name removed from the roles by the Secretary. To be reinstated, he shall have to apply for membership in accordance with Section 2.02 of this Article, and his/her previous years of service will be null and void.

**Section 2.06 Military Service.** Unless otherwise required by law, a member enlisting or drafted into any active duty branch of the United States Armed Forces shall be carried on the Department roll until Dec. 31st of the year of his/her discharge.

**Section 2.07 Life Membership.** Any member who has twenty-five (25) years of continuous, cumulative Junior/Senior membership with Columbia Number 1 Fire Department and Susquehanna Fire & Rescue Company #4, as well as any other organization that merges into Columbia Borough Fire Department shall automatically become a Life member. Life members are exempt from paying dues.

**Section 2.08 Eligibility to Vote.** To be eligible to vote, all members must attend the required number of meetings (Section 4.13), be up-to-date and current on the payment of all dues and other debts owed to the organization, and meet such other membership requirements as may be set forth in these By-laws and by the Board from time to time. All members who meet all of the requirements for their particular category of membership which are set forth in the By-laws, as well



## Columbia Borough Fire Department Constitution & By-laws

---

as those additional requirements for membership which may be set forth by the Board from time to time, and whose category of membership renders them eligible to vote under these By-laws, will be given voting privileges in all Department matters and elected administrative offices.

**Section 2.09 Eligibility to Vote for Fire Officers.** To be eligible to vote for elected Fire Officers, the member, in addition to meeting the meeting requirements as outlined in Section 2.08 and 4.13, must be a past Fire Chief, Life member OR have attended five percent (5%) of the emergency fire incidents in the previous twelve-month consecutive period.

**Section 2.10 Honorary Membership.** Honorary membership is bequeathed by an action of the Board of Officers. Honorary members are exempt from paying dues, have no voting rights, and are not eligible for any benefits.

**Section 2.11 Resignation from Membership.** A member or a person serving a probationary period may resign at any time by giving notice of his/her resignation in writing to the Secretary of the Department at its principal place of business. All equipment furnished by the Department shall accompany a notice of resignation. Such resignation shall be effective upon receipt by the Department. Such resignation shall not relieve the member so resigning of the obligation to pay any dues, assessments, or other charges therefore accrued and unpaid.

**Section 2.12 Employees Have No Voting Rights.** Any member who becomes a paid employee of this Department whether it be full or part time shall forfeit his/her voting rights until such time as he is no longer a paid employee. Voting rights will be reinstated as long as he/she meets the qualifications for his/her particular category of membership, once such person is no longer an employee of the Department.

**Section 2.13 Non-Transferability of Membership.** Membership is not transferable and is non-assignable.

**Section 2.14 Removal from Membership.** Any member may be removed for such reasons as are set forth in these By-laws, and whenever the Department believes that removal of a member may be in the best interests of the Department, according to those procedures set forth in the By-laws, and as may additionally be set forth by the Board from time to time. Additionally, all members, regardless of classification, shall be of good moral character and must actively support the mission of the Company. Any member who denigrates the Company or communicates a position opposing the official position of the Company in speech or writing outside the membership of the Company may be reprimanded, suspended, or expelled from membership in accordance with the disciplinary procedure outlined in these By-laws.





# Columbia Borough Fire Department Constitution & By-laws

**Section 2.15 Non-Discrimination.** In granting membership, the Department will not discriminate against anyone desiring to enter a probationary period for the Department, Senior members, Junior members, Honorary members, and/or Life members on the basis of age, race, color, creed, national origin, sex, financial status, disability (provided such disability does not prevent such person from performing his/her membership duties for the category of membership), or other protected category.

## **Article III Meetings**

**Section 3.01 Frequency of Regular Meetings of the Membership.** The Department shall have at least one regular, general membership meeting in the following months: January, April, July, September, November, and December.

**Section 3.02 Quorum and Presiding at Meetings of the Membership.** Not less than eleven (11) members shall constitute a quorum at any meeting at which business shall be transacted affecting the interests of the Department. A quorum must be maintained for the duration of the meeting or the meeting will be suspended. At a regular meeting in the absence of the President, the Vice President shall preside over the meeting. In the absence of the President and Vice-President, the most senior Trustee (the longest tenured/longest serving Trustee) shall preside over the meeting.

**Section 3.03 Regular Membership Meetings.** The regular meetings of this Department shall be held on the first Wednesday of each of the stated month as stated in Sect. 3.01 at 7:00 PM at such location as the members may decide from time to time, unless because of a conflicting date or time, or for such other reasons as may make it necessary or appropriate to change the date and/or time of the meeting, at which time the President has the authority to change the meeting day and/or time for that month. At any regular, general membership meeting, the membership shall transact such business as may be properly brought before membership. Notice of regular meetings shall be posted at the station(s) at least annually. No other notice of regular meetings need be given, unless required by law or these By-laws. If a meeting date, location and/or time is changed, The Department Secretary shall make notice of such meetings to the members utilizing the most effective generally acceptable methods of electronic media utilizing the most current e-mail lists and posting in writing at least seventy-two (72) hours before the time at which the meeting is to be held.

**Section 3.04 Speaking at Meetings and Leaving Meetings of the Membership.** No member shall endeavor to speak without being acknowledged by the presiding Officer, rising to his/her feet and addressing the presiding Officer, nor shall any member leave the meeting room while the Department is in session (unless he or she is responding to a fire or EMS alarm of the Department) without first obtaining the consent of the presiding Officer.



## Columbia Borough Fire Department Constitution & By-laws

---

**Section 3.05 Special Meetings of the Membership.** Special meetings of the members of the Department shall be held whenever called by the President or by eleven members. The Department Secretary shall make notice of such meetings to the members utilizing the most effective generally acceptable methods of electronic media utilizing the most current e-mail lists and posting in writing at least seventy-two (72) hours before the time at which the meeting is to be held. Every such notice shall be posted in a conspicuous location where general postings are placed in each station and shall state the time, place, date and purpose of the meeting. No other business may be transacted at the special meeting other than that for which the meeting was called.

**Section 3.06 Regular Meetings of the Board.** Meetings of the Board shall be held monthly at such time and date as the Board shall establish from time to time. Not less than seven (7) Officers shall constitute a quorum of any meeting of the Board of Officers. At any regular meeting, the Board shall transact such business as may properly be brought before the meeting. Notice of regular meetings shall be given to each Board member at least annually and shall be posted at the station(s) at least annually. The president shall be responsible, with input, from the members of the Board, for establishing and posting the meeting schedule for the entire year, no later than January 15<sup>th</sup>. No other notice need be given unless required by law, or the Board shall so direct.

**Section 3.07 Special Meetings of the Board.** Special meetings of the Board shall be held whenever called by the President or by (5) five or more of the other Board members. Notice of each such special meeting shall be given to each Board member by telephone, electronic media, in person or in writing at least twenty-four (24) hours before the time at which the meeting is to be held and a copy shall be posted on the bulletin board in the station(s). Such notice shall state the time, date, purpose and place of the meeting. No other business may be transacted at the special meeting other than that for which the meeting was called.

**Section 3.08 Voting On Motions – Membership Meetings.** Except as otherwise stated in these By-laws, at membership meetings, each member who is eligible to vote shall be entitled to one vote and the acts of a majority of the membership shall be the acts of the membership. There shall be no telephone or proxy voting at membership meetings.

**Section 3.09 Voting on Motions – Board Meetings.** Except as otherwise stated in these By-laws, at Board meetings, each Board member shall be entitled to one vote and the acts of a majority of the Board members shall be the acts of the Board.

**Section 3.10 Interested Board Members, Officers, and Members.** No transaction between the organization and one or more of its officers, Board members, or members, or between the organization and any other organization, partnership, or other organization in which one or more of



# Columbia Borough Fire Department Constitution & By-laws

---

its officers, Board members, or members are officers, directors, members, or have a financial interest, shall be void or voidable solely for such reason, or solely because the person is present at or participates in the meeting which authorizes the contract or transaction, if:

- (a) The material facts as to the relationship are disclosed at the meeting and the Board or the membership (as the case may be) authorizes the contract or transaction by the affirmative vote of a majority of the disinterested Board members or members (as the case may be); and
- (b) The contract or transaction is fair to the organization as of the time it is authorized, approved or ratified by the Board or membership (as the case may be).

**Section 3.11 Motions From the Floor at Membership Meetings.** Any motion that is brought to the general membership meeting that requests purchasing, disposing of, selling, transferring company assets or otherwise involves the operation, financial disbursements and overall management of the department as directed in Section 13.01 – Duties of the Board of Officers of these By-laws, shall be tabled for discussion by the Board of Officers. The Board of Officers shall have the final decision regarding such matters and shall report to the next scheduled membership meeting of their decision. If no action is taken by the Board of Officers within 60 days of the initial meeting date, the matter is considered finished and no further action shall be required.

**Section 3.12 Meeting Minutes.** Minutes of each meeting of the membership, the Board and all committees shall be taken by the Secretary or his/her designee and disseminated to each Board member as soon as practicable after the conclusion of the meeting and at least one (1) week prior to the next meeting.

## ***Article IV*** ***Officers and Elections***

**Section 4.01 Elected Officers.** The elected Officers of the Department shall consist of a President, Vice President, Secretary, Asst. Secretary, Treasurer, Assistant Treasurer, five (5) Trustees, and Fire Chief. All Officers, with the exception of the Trustees, shall be elected for a term of two years. Except for the initial election of the Trustees after these By-laws are adopted, Trustees shall be elected to serve for seven (5) years, with one (1) Trustee from Station 804 being elected for five (5) years, Station 801 being elected for (4) four years, Station 804 being elected for (3) three years, Station 801 being elected for (2) two years and Station 804 being elected for (1) one year term(s).

**Section 4.02 Nomination Committee.** The President at the September meeting (or at the third meeting prior to the elections) shall appoint a nomination committee of three (3) members, one member shall be the company secretary to submit a list of nominees for the Department officers, to be presented at the November meeting. The committee will generate a list of qualified



## Columbia Borough Fire Department Constitution & By-laws

---

candidates for each of the vacant offices that will be voted on. The President shall ask if there are any additional nominations to be made from the floor, after which the President can ask for a motion to close all nominations. If there is not more than one (1) candidate for any elected office, the Secretary shall cast a single vote on behalf of the candidate, which shall be final.

**Section 4.03 Elections Committee.** The President, at the September meeting (or at the second meeting prior to the elections) shall appoint a committee of three (3) members who shall preside during the election at the December meeting and the three-member committee who shall preside during the election to be held the night of the December meeting. They shall be responsible for distributing ballots, collecting ballots and tallying ballots. They shall provide the Secretary with the results of the elections.

**Section 4.04 Installation of Officers.** At the January meeting, the new Officers shall be installed. These Officers will then take over and conduct the affairs of the Department for the two year terms.

**Section 4.05 Nomination and Holding of More than One Office.** Any member eligible to hold an office may be nominated for more than one (1) office. No member can hold more than one (1) elective office at a time. Should a member be elected to more than one (1) office, he/she must choose which single office he/she will hold. If the candidate is not present at the meeting when the election is held, a letter of intent on which office he/she will accept will suffice to which office they will hold. In this case, the candidate with the next highest vote count becomes the elected member in any office where an elected candidate is not eligible to hold due to being elected to more than one (1) office.

**Section 4.06 Vacancies.** In the event of the death, resignation, or removal of an elected official of the Fire Department, the vacancy so created shall be filled by an election at the next meeting following the announcement of the vacancy. Except for the President, where the Vice President will fill that position and a new Vice President shall be elected at the next meeting. The Board of Officers shall act in place of the vacant office until the office is fulfilled. The Nomination Committee shall compile a list of eligible candidates and present them to the president as directed in Section 4.02 – Nominations Committee.

**Section 4.07 Delinquent Debts.** No member shall be elected to office or be eligible to vote on Company matters that owes the organization delinquent debts.

**Section 4.08 Appointed Officers.** The appointed offices shall be approved by the Board of Officers, such as Deputy Fire Chief, Captain(s), Lieutenant(s), Engineer(s), Fire Police Officer(s), or assistants





## Columbia Borough Fire Department Constitution & By-laws

---

to any elected or appointed office in sufficient numbers as to properly maintain the Fire Department services.

**Section 4.09 Board of Officers.** The President, Vice-President, Secretary, Treasurer, (5) Trustees, Fire Chief and the “member at large” shall constitute the Board of Officers.

\*“Member at Large” shall be nominated by the membership and placed on a ballot at the December meeting will be appointed to the Board with a simple majority vote of the majority of the elected Board of Officers at the January meeting of the new year.

**Section 4.10 Requirements to Hold Office.** No member shall be elected to office with less than one (1) year service as a Senior member of the organization and meet the meeting attendance requirements in Section 2.13. No member shall be elected President unless he has served at least one (1) year as an administrative officer. No member shall be elected Fire Chief unless he has served at least one (1) year as Deputy Chief or Assistant Chief. All elected Fire Officers must be trained in fire and rescue operation and meet the Standard Operating Guideline Job Description requirements for their respective positions.

**Section 4.11 Initial Elections for the Merged Company.** Initially the officers shall be selected as follows: The Fire Chief shall be selected by the membership of the Columbia No. 1 Fire Department. The Deputy Fire Chief shall be selected by the membership of the Susquehanna Fire & Rescue Co. No. 4. After the initial term the Deputy shall be appointed by the Fire Chief. **The President shall be selected by the membership of the Susquehanna Fire & Rescue Co. No. 4.** The Vice-President shall be selected by the membership of the Columbia Number 1 Fire Department. Two Trustees shall be selected by the membership of the Columbia No. 1 Fire Department. Three Trustees shall be selected by the membership of the Susquehanna Fire & Rescue Co. #4 to serve the initial term.

The Office of Department Secretary and Treasurer shall be nominated and voted on by memberships the Columbia No. 1 Fire Department and Susquehanna Fire & Rescue Co. No. 4, prior to the adoption and implementation of the new by-laws of the new organization.

The Office of Department Asst. Secretary and Asst. Treasurer shall be elected from the membership of the Susquehanna Fire & Rescue Co. #4 for the initial term of office. After the initial term is completed the Office’s of Department Asst. Secretary and Asst. Treasurer shall be elected from the membership-at-large of the new Fire Department.

The Office of Fire Police Captain and Fire Police Lieutenant shall be elected from the membership of the Columbia Borough Fire Police Association. After the initial term is completed the Office of Fire



# Columbia Borough Fire Department Constitution & By-laws

Police Captain and Fire Police Lieutenant will be appointed by the Fire Chief. See Section 4.08, Appointed Officer's

**Section 4.12 Board Nomination in the Absence of Qualified Candidates.** If no qualified candidates are eligible to be nominated for an office, the Board of Officers may approve a candidate for nomination who does not meet the necessary qualifications.

**Section 4.13 Meeting Attendance Requirements.** Any member of this Department failing to attend at least three (3) regular or special membership meetings in any consecutive twelve month period (January 1 – December 31) shall forfeit all voting privileges for the election of officers. This is meant to exclude the meeting the month the vote is taken. Members whose employment does not allow them to attend a meeting may submit a form provided by the Department which is signed and dated by a company official of the members employer to the Secretary, **PRIOR** to the meeting date and shall receive credit for attendance/excused absence of said meeting. Such employment must be for a true second shift job, and the member is responsible for submitting acceptable confirmation of the second shift job prior to the meeting. At the discretion of the Board of Officers and on a case by case basis (and normally only when notification of such absence has been submitted to the Secretary prior to the meeting), members may also be excused from the meeting for attending emergency or non-emergency business of the Department. It will be the attending member's responsibility to sign the roster in order to get credit for meeting attendance. Any member signing the roster must attend the meeting unless excused from the meeting by the Chairperson presiding.

## **Article V Duties of the President**

**Section 5.01** The President shall preside at general, Board, and special meetings of the Department. The President shall have no vote, except in case of a tie, in which case he/she shall cast the deciding vote.

**Section 5.02** The President shall, at the written request of eleven (11) members, direct the Secretary within seven (7) days of the written request to call a special meeting of the Department. The President shall have the authority to call a special meeting without the above written request when he/she deems the business to be brought before the Department of sufficient importance to warrant the meeting.

**Section 5.03** All instruments requiring the seal of the Department shall be signed by the President or in his/her absence by the Vice-President attested by the Secretary.



# Columbia Borough Fire Department Constitution & By-laws

---

**Section 5.04** It shall be the duty of the President to provide the necessary training to all necessary officers at least annually and as needed as deemed necessary to ensure compliance with their individual office's duties and responsibilities.

**Section 5.05** The President shall over-see the financial operations of the organization and ensure the policy is adhered to.

**Section 5.06** With regards to the financial policy, the President shall have check endorsement authority.

**Section 5.07** The President shall be granted Administrative Rights to all computers or electronic devices utilized by the Treasurer and Secretary with his/her username and password, keys, etc. associated with the financial accounts of the organization. The President shall be bonded in the amount equal to the liquid assets of the Department for the faithful performance of their duties, the premium of said bond to be paid by the Department.

**Section 5.08** The President shall appoint all committees. The first member appointed shall be chairperson. The President may be a member of all committees.

**Section 5.09** The President shall have power to direct that any person acting in a disorderly manner during a meeting shall be expelled from the room. The President shall further have the power to suspend or adjourn the meeting if his/her call for order is not obeyed.

**Section 5.10** The President shall be the official spokesperson for the department for all public relation matters involving the press, internet, television or other media that may require an official response of the Department.

## ***Article VI*** ***Duties of the Vice President***

**Section 6.01** In the absence of the President, the Vice-President shall assume the duties of the President.

**Section 6.02** The Vice President and Secretary shall keep a current record between the Department and its members and turn all monies pertaining to the membership roster over to the Treasurer on or before the regular monthly meeting.

**Section 6.03** The Vice President shall keep account of all debts/members payments. They shall also notify each member whose assessment remains unpaid on January 1st of each year.



# Columbia Borough Fire Department Constitution & By-laws

---

## ***Article VII*** ***Duties of the Secretary***

**Section 7.01** The Secretary shall attend general, Board, and Special Meetings of the Department and keep a fair record of the proceedings of the meetings of the Department in a format approved for that purpose, subject to the inspection of the members of the Department. The Secretary shall be bonded in the amount equal to the liquid assets of the Department for the faithful performance of their duties, the premium of said bond to be paid by the Department.

**Section 7.02** It shall be the duty of the Secretary to collect, receive and record all income and of the organization and provide a receipt for the same.

**Section 7.03** All income received in the form of cash shall be counted by the Secretary and at least one (1) member prior to turning the cash over to the Treasurer.

**Section 7.04** Secretary shall submit all income collected to the Treasurer within (10) ten business days.

**Section 7.05** The Secretary shall maintain accurate financial records of all monies collected. The maintenance of records shall include an accurate account of all income received from all sources, all income submitted to the Treasurer for deposit, all receipts provided for money received and all voided receipts.

**Section 7.06** The Secretary shall submit written financial reports of all income received of the organization at each regular meeting and shall make the financial books available for inspection or audit annually or immediately upon the request of the Board or membership.

**Section 7.07** Secretary shall maintain the security of the organization's financial books, records, papers, computers, electronic usernames and passwords, keys, etc. under lock and key within the organization's building.

**Section 7.08** Secretary shall deliver all books, records, papers, computers, usernames and passwords, keys, etc. to a successor within two days of leaving office.

**Section 7.09** The Secretary will notify the membership of any special meetings of the Department when directed to do so by the President. See Section 3.02 - Special Meetings

**Section 7.11** The Secretary shall, within ten (10) days of the passage of a new By-Law, place a copy of the same in the proper record at the Station(s).





## Columbia Borough Fire Department Constitution & By-laws

---

**Section 7.12** The Secretary shall keep a correct list of all members of the Department with the date of each member entering or leaving the Department. He/she shall, within ten (10) days after the election or expulsion of a member, inform him/her thereof by US Postal Service.

**Section 7.13** The Secretary shall notify in writing any member who may be accused of an offense, describing the nature of the offense, within fifteen (15) days after the said accusation, and give the day and time of hearing, if any.

**Section 7.14** All instruments requiring the seal of the Department shall be attested by the Secretary.

### **Article VIII** **Duties of Assistant Secretary**

**Section 8.01** The Assistant Secretary shall attend general, Board and Special Meetings of the Department and assist the Secretary in the performance of the office's duties and shall assume the duties of the office in the Secretary's absence and shall be bonded in the amount equal to the liquid assets of the Department for the faithful performance of their duties, the premium of said bond to be paid by the Department.

**Section 8.02** The Assistant Secretary shall maintain a complete record of all proceedings of the Social Club which shall be open to inspection at the request of any Social Club member.

**Section 8.03** The Assistant Secretary shall notify candidates of their election to membership and maintain a register of the members showing dates of proposal, election, withdrawal, resignation, expulsion or death.

**Section 8.04** The Assistant Secretary shall keep a current record between the Social Club and its members and turn all monies pertaining to the membership roster over to the Assistant Treasurer on or before the regular monthly meeting.

### **Article IX** **Duties of the Treasurer**

**Section 9.01** The Treasurer and such other Officers with fiduciary responsibility as the Board periodically decides shall, before entering upon their duties, be bonded in the amount equal to the liquid assets of the Department for the faithful performance of their duties, the premium of said bond to be paid by the Department. Said bond to be approved should be reviewed annually by the Board. The Treasurer shall attend general, Board and Special Meetings of the Department.



## Columbia Borough Fire Department Constitution & By-laws

---

**Section 9.02** The Treasurer shall receive all money belonging to the Department and deposit the same within (10) business days in to a bank account of the organization and provide a receipt for the same; pay any taxes, repairs, and other proper obligations of the Department; keep an exact account of all receipts and expenditures; and shall be subject to inspection of the Department. All invoices will be paid within the time frame set forth by the purchase agreement unless otherwise directed by the Board to withhold payment for services received that may be in dispute

**Section 9.03** It shall be the duty of the Treasurer to pay and endorse all expenditures of the organization as follows:

**Section 9.04** No payment shall be made unless reviewed by the Trustees and approved at a meeting of the organization.

**Section 9.05** Regular monthly bills, such as mortgages, vehicle or other bank loans, utility payments may and shall be made as an exception to Section 9.04 to avoid late payment penalties.

**Section 9.06** The Treasurer shall not write any check or make any payment without a co-endorsement by any of the following officers as noted in Section 17.04 – Signature Authority and only after the invoice has been reviewed and approved by the Trustees.

**Section 9.07** The Treasurer is authorized to utilize electronic banking to satisfy any debts that have been approved for payment at a Department meeting. Such payments will not be viewed as a violation of Section 17.0 of these By-laws. Electronic banking may include but not limited to: on-line web banking (account transfers, bill payment, checking account debit cards) etc.

**Section 9.08** The Treasurer shall maintain accurate financial records of all monies collected and expended. The maintenance of records shall include: Account Ledgers, Deposit Records, Expenses (Invoices), Bank Statements, voided/cancelled checks.

**Section 9.09** Maintain and keep an accurate running balance of all accounts.

**Section 9.10** Maintain and keep copies of all invoices paid, bank statements, cancelled and voided checks, purchase orders/requisitions.

**Section 9.11** Maintain and keep copies of all receipts for money collected.

**Section 9.12** The Treasurer shall submit written financial reports of all financial accounts of the organization at each regular meeting and shall make the financial books available for inspection or audit annually or immediately upon the request of the Board or membership.



# Columbia Borough Fire Department Constitution & By-laws

---

**Section 9.13** The Treasurer shall maintain the security of the organization's financial books, records, papers, computers, usernames and passwords, keys, etc. under lock and key within the organization's building.

**Section 9.14** The Treasurer shall prepare the department's administrative operating budget, and with the assistance of the Board of Officers and submit it at the Board of Officers meeting in November. The Department shall vote on the budget at the regular membership meeting in December.

**Section 9.15** Annually, the Treasurer shall prepare the Federal 990 Tax Exempt 501 (c)3 documentation and filings and submit said filings within the required timeframe allowed by law. A third party Certified Public Accountant (CPA) may be secured to assist with the successful completion of this task.

**Section 9.16** The Treasurer shall be responsible for securing all PA Liquid Fuels Tax Rebates (if applicable) and maintaining the current state and federal tax exempt status requirements; completing reports and up-dates as requested by governing agencies.

**Section 9.17** The Treasurer shall deliver all books, records, papers, computers, usernames and passwords, keys, etc. to a successor within two days of leaving office.

## **Article X** **Duties of the Assistant Treasurer**

**Section 10.01** The Assistant Treasurer shall attend general, Board and Special Meetings of the Department shall assist the Treasurer in the performance of that office's duties and shall assume the duties of that office in the Treasurer's absence.

**Section 10.02** The Assistant Treasurer shall maintain an accurate account of receipts and expenditures of the Social Club.

**Section 10.03** The Assistant Treasurer shall receive all money belonging to the Social Club and deposit the same within (10) business days in to a bank account of the Social Club and provide a receipt for the same; pay any taxes, repairs, and other proper obligations of the Social Club; keep an exact account of all receipts and expenditures; and shall be subject to inspection of the Board of Officers. All invoices will be paid within the time frame set forth by the purchase agreement unless otherwise directed by the Board to withhold payment for services received that may be in dispute.

**Section 10.03** The Assistant Treasurer shall prepare a budget by and with the assistance of the Club Steward and the House Committee and submit it at the regular Social Club meeting in November.



## Columbia Borough Fire Department Constitution & By-laws

---

The Social Club membership shall vote on the budget at the regular Social Club meeting in December.

**Section 10.04** The Assistant Treasurer shall, before assuming office, be bonded in the amount equal to the liquid assets of the Department for the faithful performance of their duties, the premium of said bond to be paid by the Department. Said bond to be approved should be reviewed annually by the Board.

### *Article XI* *Duties of the Trustees*

**Section 11.01** Trustees shall have the authority to negotiate leases or sale of excess property, which must then be approved by the Board of Officers, and then sanctioned by the Department. The Trustees have the authority to dispose of company property with a sum total value less than \$1000 without the approval of the Board.

**Section 11.02** The Trustees shall see that a member or members use no property of the Department for private purpose without written consent.

**Section 11.03** The Trustees shall hold all of the Department's property, real and personal, and shall control such property except the apparatus and associated equipment, which will be controlled by the elected Board of Officers. They shall make periodic inspection of the Department's property, and survey the need for making repairs or replacements where necessary. In any instance where the nature of the damage inflicted upon the Department's property warrants immediate and emergency relief, with approval the majority of Trustees shall arrange for the immediate repair or replacement. The Trustees shall also maintain sufficient insurance upon Company property. (See Section 13.04)

**Section 11.04** The Trustees shall examine the records of the Secretary, Assistant Secretary, Treasurer, and Assistant Treasurer, and promote the financial interests of the Department.

**Section 11.05** It shall be the duties of the Trustees to review and endorse all invoices and bills against the organization for payment.

**Section 11.06** To maintain integrity of the policy and separation of duties, Trustees shall not have endorsement authority for any checks.

**Section 11.07** The Trustees shall perform a bank reconciliation of all financial accounts within (30) days of receipt of bank statements. The Treasurer and Secretary shall make available all books,





# Columbia Borough Fire Department Constitution & By-laws

records, papers, computers and will be granted Administrative Rights as needed for these functions to be performed.

**Section 11.08** The Trustees shall promulgate rules of conduct for the Fire Department and Social Club by and with the consent of the Board of Officers and are authorized to enforce the Rules. The Trustees may suspend a member of the Department until the next meeting of the Board of Officers for a violation of Company Rules provided that a majority of the Trustees authorize such action.

**Section 11.09** The Trustees shall promulgate rules governing membership conduct, including harassment of all forms including social media etc.

**Section 11.10** The Trustees shall be in charge of all employees of the Company and shall serve as the House Committee for the Social Club. The House Committee (more than one member) shall weekly reconcile and account for all receipts and expenditures of the Social Club. All receipts of the Social Club shall be turned over to the Assistant Treasurer in a secure manner within the day the receipts are reconciled. The Trustees shall ensure compliance with all current PA Liquor and Small Games of Chance Laws.

**Section 11.11** The Trustees shall submit a written report to the Board of Officers in a format directed by the President at the monthly meeting of meeting of the Board of Officers.

## ***Article XII Duties of Fire Chief***

**Section 12.01** The Fire Chief shall be responsible for the overall efficient operation and management of the fire and rescue services; he/she shall oversee the operation of the EMS services, fire police and shall develop, maintain and enforce Standard Operating Guidelines and/or Standard Operating Procedures and Operational Policies.

**Section 12.02** The Fire Chief shall take full charge of all personnel in the performance of their duties in the firehouse, at drills, parades, fire and emergency scenes, and at other times related to the fire/rescue service.

**Section 12.03** The Fire Chief shall be responsible to assure the care and upkeep of the apparatus and equipment of the fire/rescue service.

**Section 12.04** The Fire Chief shall appoint Line Officers as deemed necessary for the efficient operation of fire, rescue, fire police, and EMS operations. These Line Officers will assist the Fire Chief and/or Assistants with their duties in case of their absence.



## Columbia Borough Fire Department Constitution & By-laws

---

**Section 12.05** The Fire Chief shall be responsible for assuring that members receive adequate drills and instruction in fire/emergency operations, and announcing and posting various regulations. The Fire Chief shall develop a training matrix annually to assure firefighters receive the necessary training to comply with the Department SOG training requirements.

**Section 12.06** The Fire Chief shall be responsible for inventories and upkeep of the office, firefighting equipment, related material and supplies as well as the disbursement of this equipment, materials and supplies.

**Section 12.07** The Fire Chief must approve all drivers on the operation of the apparatus and equipment before they can be appointed as a driver. The Fire Chief shall approve all current drivers of the apparatus annually.

**Section 12.08** The Fire Chief shall meet with elected or appointed officials and community and business representatives on a regular basis to identify potential risks that may affect the community, promote the fire department and request funding in an amount to be determined by the Board of Officers .

**Section 12.09** The Fire Chief shall oversee the Information released to the public regarding or in reference to all fire line activities.

**Section 12.10** The Fire Chief shall adopt proactive measures that will ensure an ISO rating equivalent to the current rating now held by the borough or that will increase the rating that will provide for a better fire department.

**Section 12.11** The Fire Chief shall coordinate with the other fire line officers in preparing an annual operating budget for firefighting activities. The Fire Line Budget shall be for the general maintenance and operation of the apparatus, training programs, portable equipment, and related tactical operations as directed by the Board of Officers. The Budget shall be prepared and submitted to the Board of Officers at the November Meeting of the previous year. (See Section 9.14)

**Section 12.12** The Fire Chief shall maintain liaison between other fire departments and emergency service organizations.

**Section 12.13** The Fire Chief shall follow and adhere to recognized standards (local and national) that give direction to the operation or organizational functions of the fire service.



# Columbia Borough Fire Department Constitution & By-laws

---

**Section 12.14** The Fire Chief shall coordinate at his/her discretion Fire Line Officer meetings and firefighter meetings.

**Section 12.15** The Fire Chief shall prepare and submit monthly and annual reports to the fire department, county, state (PNFIRS) and borough on firefighting related activities, including but not limited to: Fire Loss and Incident Reports.

**Section 12.16** The Fire Chief shall maintain current training and certifications as required, to keep abreast of trends in the field.

**Section 12.17** The Fire Chief shall promote in a positive manner the objectives of the Fire Service set forth by this Department, Columbia Borough and applicable ordinances.

**Section 12.18** The Fire Chief shall attend a minimum of 50% department meetings and Officer Meetings per calendar year.

**Section 12.19** The Officer in Charge (OIC), in the case of misconduct or insubordination, have the authority to order a member to immediately cease whatever operations or actions he/she is currently undertaking and wait at a designated position until the incident is terminated. Should such actions be deemed necessary by the OIC, a written report to the Board of Officers must be filed by the OIC?

**Section 12.20** The Deputy Chief shall be responsible for assisting the Fire Chief in the performance of his /her duties and to take over for the Chief in his/her absence.

## **Article XIII**

### ***Duties of the Board of Officers***

**Section 13.01** Except as specifically reserved to the membership under these By-laws, the Board of Officers shall have the full power to conduct, manage and direct the business and affairs of the Department. All powers not specifically vested in the members by law or under these By-laws are granted to and vested in the Board of Officers.

**Section 13.02** At no time shall any action taken at a membership meeting rescind or overrule a decision of the Board of Officers with respect to: (1) penalties for violation of the rules, or (2) any other decision of the Board, unless such Board decision is one that is specifically vested in the membership by law or under these By-laws.



# Columbia Borough Fire Department Constitution & By-laws

**Section 13.03** The Board of Officers shall hold regular and special meetings as set forth in Sections 3.06 and 3.07 of these By-laws. All Board meetings will be held with seven of the Board of Officers, which shall constitute a quorum for the meeting.

**Section 13.04** The Board of Officers may make emergency purchases up to an amount of two thousand five hundred dollars (\$2,500.00) without membership approval.

**Section 13.05** The Board of Officers shall have the authority to regulate and adopt any policy, directive or house rule as deemed necessary for the efficient functional and operational needs of the Department.

**Section 13.06** The Board of Officers shall appoint three (3) Officers to sign a bank signature card, of which any two (2) shall appear on all checks.

**Section 13.07** Any Officer shall, upon leaving his/her office, transmit all property of the Department entrusted to his/her care, to his/her successor in office, free of all encumbrances, within fifteen (15) calendar days, unless otherwise stated in these By-laws.

## **Article XIV** **Duties of the Members**

**Section 14.01 Compliance with Law and Rules.** All members, those desiring to become members, and those serving a probationary period, shall at all times comply with all federal, state, and local laws and regulations, these By-laws, and all Standard Operating Guidelines (SOGs) Standard Operating Procedures (SOPs), policies, directives, and house rules of the Department. Any violation of this Section shall be subject to disciplinary action as deemed necessary and appropriate by the Board of Officers, up to and including termination from membership.

## **Article XV** **Social Club**

**SECTION 15.01 Membership.** A Company member twenty-one (21) years of age or older may apply for membership in the Social Club by submitting an application provided by the Social Club. No vote shall be required on any application.

**SECTION 15.02 Meeting.** The Social Club meeting shall immediately follow the regular scheduled membership meetings of the Company in the following months: January, April, July, September, November, and December.





# Columbia Borough Fire Department Constitution & By-laws

---

**SECTION 15.03 Dues.** Annual membership dues shall be fixed by the Social Club in an amount not less than One (\$1.00) Dollar.

**SECTION 15.04** The Social Club shall be governed by the House Committee.

**SECTION 15.05** The Social Club shall comply with all state laws and regulation governing liquor licenses and with any order of the Pennsylvania Liquor Control Board.

**SECTION 15.06** The Social Club shall comply with all provisions of the Company's Charter, Constitution and By-laws unless otherwise provided for.

## **Article XVI Committees**

**Section 16.1 Description of Committees.** Except as otherwise provided in these By-laws, all Committees shall be appointed by the President. Except as otherwise directed by the President or by the Board, no Committee shall have the authority to bind the organization. Committees are defined as those standing or ad-hoc committees that serve in an investigatory capacity and/or to make limited decisions without Board or officer approval, as determined and as specifically delegated to the Committee from time to time, by these By-laws, or by the President or the Board, and must have Board approval prior to rendering any decision on behalf of the organization.

**Section 16.2 Standing Committees.** Standing committees shall be those Committees specifically named and set forth in these By-laws. Standing committees shall have and may exercise all of the powers provided by these By-laws and as directed by the President and/or the Board. Standing committees shall be thoroughly informed of their duties, shall give careful consideration to matters of policy and are expected and empowered to make recommendations to the organization. Standing Committees of the Department shall be: Fire Prevention, Safety and Education, Fundraising, Training, Grant Writing, Fire Police and Firefighter's Relief Association.

**Section 16.03 Ad-Hoc Committees.** Ad-hoc (temporary) committees shall be created and appointed by the President from time to time, as the needs of the organization require.

**Section 16.04 Committee Members' Term of Office.** Except as otherwise set forth in these By-laws, each member of a Committee shall be appointed for a year (unless otherwise specified in these By-laws), and shall continue in office until his/her successor is appointed or unless the committee of



## Columbia Borough Fire Department Constitution & By-laws

---

which he/she is a member shall be sooner terminated by the President or until the sooner, death, resignation or removal of such member as a committee member.

**Section 16.05 Committee Meetings.** Meetings of any Committee may be called by the chairperson of such Committee by giving notice of such meeting, setting forth its time and place, and given to the Committee member at least the day before the committee meeting. Unless otherwise provided in these By-laws, a quorum is not necessary for the transaction of business at Committee meetings. Each Committee shall keep minutes of its meetings and provide a copy of these minutes to the Board and the President. Actions of any Committee may also be taken without any formal meeting of such Committee.

**Section 16.06 Resignation or Removal of Committee Members.** A member of any Committee may resign at any time by tendering his/her resignation in writing to the chairperson of the Committee or to the President. Resignation as a member of the organization shall also constitute resignation as a member of any Committee. The President may, with or without cause, remove any member of any Committee, and may also remove any such member for failing to attend three meetings of a Committee in any year.

**Section 16.07** It shall be the responsibility of the Committee Chairperson, at conclusion, to submit a complete financial report detailing all income and expenditures for any committee or fund raiser.

**Section 16.08** All income received in the form of cash shall be counted by the Committee Chairperson and at least one (1) member, and documented, prior to turning the cash over to the Secretary. See Section 7.03

### ***Article XVII*** ***Expenditures***

**Section 17.01** All purchases made by the Department are subject to prior approval at a Department meeting, except as defined in Sections 11.03, 13.04 or 17.02. Notification prior to a vote will be made in writing to all members eligible to vote on all purchases over fifty thousand dollars (\$50,000).

**Section 17.02** Supplies necessary for any appointed Committee to conduct its scheduled activities may be purchased. This section is intended to authorize the purchase of supplies but not equipment. Examples of authorized purchases include but are not limited to food, paper goods, prizes, etc. Examples of unauthorized equipment purchases include but are not limited to cooking utensils, appliances, etc., unless justified by Sections 11.03 or 13.04.



## Columbia Borough Fire Department Constitution & By-laws

---

**Section 17.03** Any and all purchases made by a member and charged to the Department or charged on the Department's debit/credit card(s) must be documented and ALL receipts must be given the Treasurer in a timely fashion.

**Section 17.04** Signature Authority. No check shall be written or payment made without at least two (2) signatures from any of the following officers:

- a) Treasurer
- b) Secretary
- c) President

**Section 17.05** Pre-signing of checks is not permitted.

**Section 17.06** The use of Signature Ink Stamps or electronically reproduced signatures shall not be permitted

### ***Article XVIII***

#### ***Violations and Penalties***

**Section 18.01** Any member interfering with any officer on duty, or commencing a quarrel with another member, making derogatory public comments regarding the organization (or any of its members, officers, Board or employees), committing any other offense which the Board of Officers deems will reflect unfavorably on the Department, or appearing visibly intoxicated while on duty, parade or in the engine house at any time whatsoever, shall be subject to disciplinary action. In addition to other types of public comments, it is also a violation of this Section when members make derogatory comments about the organization (or any of its members, officers, Board or employees) on any website, forum, blog and/or chat room. The organization may utilize information it obtains from website forums, blogs, and/or chat rooms in taking disciplinary actions against members for making derogatory comments about the organization. Further, as set forth in Section 2.14 of these By-laws, all members, regardless of classification, shall be of good moral character and must actively support the mission of the Company. Any member who denigrates the Company or communicates a position opposing the official position of the Company in speech or writing outside the membership of the Company may be reprimanded, suspended, or expelled from membership, in accordance with these By-laws.

**Section 18.02** If any officer refuses or neglects to perform his/her duties for a period of sixty (60) days after his/her election/appointment or at any other time during his/her term of office, his/her office shall be declared vacant by the Board of Officers. Any officer who is found guilty of any violation of any Department policy or rule that results in suspension shall forfeit his/her office for the remainder of their elected term. No excuses other than sickness or absence from town will be acceptable.



# Columbia Borough Fire Department Constitution & By-laws

---

**Section 18.03** Any member refusing to meet at the time and place specified to answer charges against him/her shall have his/her name removed from the roll at the next regular meeting.

**Section 18.04** Any officer or member accused of any infraction of rules or who has any unpaid debt(s) on which he or she is not actively making payments shall not serve on any committee or attend any Board meetings.

**Section 18.05** Any member accused of a rules infraction, disobedience of orders or neglect of duty will appear before the Board of Officers at such time and place as shall be set by the Board of Officers. He/she shall be judged by the Board, whose decision shall be final. Any member refusing to meet at the time and place specified to answer charges against him/her shall have his/her name removed from the roll at the next regular meeting.

**Section 18.06** Damaging or defacing of any Department property in any manner whatsoever shall be dealt with at the discretion of the Board of Officers, who will impose proper penalty.

**Section 18.07** Any member or officer found to have stolen, embezzled, misappropriated or otherwise used any company funds for personal use shall be immediately suspended from the organization and local law enforcement shall be contacted and an external, independent audit shall be conducted.

## Article XIX Indemnification

**Section 19.01 Limitation of Personal Liability.** An officer, Board member, member or agent of the organization shall not be personally liable for monetary damages as such for any action taken, or any failure to take any action, unless:

1. The officer, Board member, member or agent has breached or failed to perform the duties of his/her office or position, and
2. The breach or failure to perform constitutes self-dealing, willful misconduct or recklessness.

The provisions of this Section shall not apply to: (1) the responsibility or liability of an officer, Board member, member or agent pursuant to any criminal statute; or (2) the liability of an officer, Board member, member or agent for the payment of taxes pursuant to local, state or federal law.

**Section 19.02 Indemnification.** The organization shall indemnify any Board member or officer, and may indemnify any other member or agent, who was or is a party to, or is threatened to be made a party to, or who is called as a witness in connection with, any threatened action, whether civil, criminal, administrative or investigative, by reason of the fact that he or she is or was a Board





# Columbia Borough Fire Department Constitution & By-laws

---

member, officer, member, or agent of the organization or a Board member, officer, member, employee or agent of another corporation, partnership, joint venture, trust or other enterprise at the request of the organization, against expenses, including attorney's fees, judgments, fines and amounts paid in settlement actually and reasonably incurred by him in connection with such action, suit or proceeding unless the act or failure to act giving rise to the claim for indemnification is determined by a disinterested majority of the Board of Officers, which may retain independent counsel in making a determination as to whether the person's actions may have constituted willful misconduct, recklessness, or self-dealing.

## **Article XX Amendments**

**Section 20.01** Amendments to these By-laws shall be proposed in writing by five (5) or more members and read (or given to the members to read) at a regular or special meeting of the members. Such amendments shall be posted at least two (2) weeks before being discussed at the next meeting. Amendments shall be acted upon at the general meeting three (3) months from the time the amendments were first proposed.

**Section 20.02** At the meeting for the adoption of any amendment(s), the amendment(s) shall be read, and, upon approval of two-thirds ( $\frac{2}{3}$ ) of eligible members who are present and voting at the meeting at which such a vote is taken, such amendment(s) shall become a part of these By-laws.

**Section 20.03** In the event any court ruling or law would invalidate any part of these by laws, the remaining By-laws will remain in effect.

## **Article XXI Questions**

**Section 21.01** Any ruling at any meeting shall not supersede these By-laws, unless said Bylaw is amended as per Section 20.01

**Section 21.02** All questions at membership meetings not herein provided for and not set forth in a resolution of the Board shall be decided by a majority vote of the members present, eligible to vote and voting. All questions at Board meetings not herein provided for and not set forth in a resolution of the Board shall be decided by a majority vote of the Board members present and voting. For a point of clarification, no question(s) and/or procedure(s) need to be resolved in accordance with the latest edition of Robert's Rules of Order, but instead may be decided by a majority vote of the members present.



# Columbia Borough Fire Department Constitution & By-laws

---

## Article XXII Miscellaneous

**Section 22.01 Corporate Seal.** The organization shall have a corporate seal containing such details as may be approved by the Board.

**Section 22.02 Contracts.** Except as otherwise provided in these By-laws, the Board may authorize any officer or officers, agent or agents, to enter into any contract or to execute or deliver any instrument on behalf of the organization, and such authority may be general or confined to a specific instance.

**Section 22.03 Annual Report of the Organization.** The Treasurer of the organization shall present a report showing in appropriate detail the following:

1. The assets and liabilities, including the trust funds, of the organization of the end of the fiscal year immediately preceding the date of the report.
2. The principal changes in assets and liabilities, including trust funds, during the year immediately preceding the date of the report.
3. The revenue or receipts of the organization, both unrestricted and restricted to particular purposes, during the year immediately preceding the date of the report, including separate data with respect to each trust fund held by or for the organization.
4. The expenses or disbursements of the organization, for both general and restricted purposes, during the year immediately preceding the date of the report, including separate data with respect to each trust fund held by or for the organization.
5. The report shall be presented at the meeting in April for the preceding year, and at the discretion of the Board of Officers .

This annual report shall be filed with the minutes of the meeting of the Board of Officers

**Section 22.04 Audit.** The organization shall regularly have an audit/review performed on the books of the organization. The audit shall be performed by a certified public accountant who is qualified to examine the books and records of a nonprofit organization.

**Section 22.05 Books and Records.** The organization shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board meetings, and committees, and the Secretary or his/her designee shall keep at the principal office, a record giving the names and addresses of the members entitled to vote. All books and records of the



# Columbia Borough Fire Department Constitution & By-laws

---

organization may be inspected by any member, designee or his/her attorney, for any proper purpose, at any reasonable time.

## Article XXIII

### Duties of the Auditors

**Section 23.01** There shall be an Audit Committee of three (3) members appointed by the President at the December meeting for the purpose of auditing all accounts. The Audit Committee shall serve a term of three (3) years with one (1) new auditor being appointed annually to succeed the senior member with the most years of service to the committee.

**Section 23.02** The auditors will meet and examine the records of the various offices of the Department. The Treasurer need not be present; however, all records must be available upon reasonable request for examination. They shall make their report no later than the April meeting of the following year, unless an extension has been granted at a Department meeting.

## Article XXIV

### Dissolution

**Section 24.01** In the event the Department is to be dissolved or its functions or assets transferred to any other organization, all members shall be notified by a letter from the President of this proposed dissolution action, notifying them when and where a meeting will be held to vote on said proposal. This vote must be passed by two-thirds ( $\frac{2}{3}$ ) of the members present, eligible to vote and voting at said meeting. For a point of clarification, all members in good standing shall be eligible to vote on this proposal and not be subject to the provisions in other Sections of this document dealing with voting privileges. The proposal shall include, among other things, provisions for the disposition of any assets, and an authorization for an officer or individual member to take all steps necessary to execute this dissolution and disposal of assets.

**Section 24.02** Upon the dissolution of the Department, assets shall be distributed for one (1) or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not so distributed shall be disposed of by the Court of Common Pleas of the County in which the principal office of the organization 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 charitable purposes.



# Columbia Borough Fire Department Constitution & By-laws

## Article XXV Adoption

**Section 25.1** We the Officers representing the Columbia Borough Fire Department have reviewed and affirm these By-laws as compiled and submitted by the Columbia Borough Fire Department Consolidation Administrative Committee comprised of:

- Joseph Felus – Columbia Number One Fire Department
- Charles Anderson – Columbia Number One Fire Department
- Henry Reese – Susquehanna Fire & Rescue Co. #4
- Eugene Schmitt – Susquehanna Fire & Rescue Co. #4

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

### **COLUMBIA BOROUGH FIRE DEPARTMENT – STATION 80**

BY: \_\_\_\_\_  
Department President

BY: \_\_\_\_\_  
Department Secretary