Dix Hills Fire Department
115 E. Deer Park Rd.
Dix Hills, NY 11746

BY-LAWS

(THIS EDITION SUPERSEDES ALL PREVIOUS EDITIONS.)

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TABLE OF CONTENTS

PREAMBLE 2

ARTICLE I - TITLE 3

ARTICLE II - ORGANIZATION 5

ARTICLE III - MEMBERSHIP 6

ARTICLE IV - OFFICERS AND NOMINATION 14

ARTICLE V - DUTIES OF DEPARTMENT OFFICERS 20

ARTICLE VI - PRACTICE DRILLS 23

ARTICLE VII - MEETINGS 24

ARTICLE IX - TRUSTEES 25

ARTICLE X - UNIFORMS 26

ARTICLE XI - COMMITTEES 27

ARTICLE XII - USE AND DISPOSITION OF EQUIPMENT 29

ARTICLE XIII - DISCIPLINE 30

ARTICLE XV - RULES FOR MEETINGS 33

ARTICLE XVI - ORDER OF BUSINESS 34

ARTICLE XVII - ORGANIZATION OF AUXILIARIES 35

ARTICLE XVIII - FUNDS 36

ARTICLE XIX - ORGANIZATION OF SPECIAL SERVICE SQUADS 39

RECORD OF BY-LAW CHANGES 40

PREAMBLE

With reverence for God and Country and being mindful of the glorious tradition of the volunteer fireman; our duty to uphold and preserve the life and property of the District - BE IT RESOLVED that we, the members of the Dix Hills Fire Department, do adopt the following by-laws to hold ourselves bound in honor and law to conform to and abide same.

I,_____, having regularly applied for membership in the Dix Hills Fire Department, do hereby agree to support, maintain, and abide by all the laws of the State of New York governing firemen, and all rules and regulations made by the Fire Commissioners of the Dix Hills Fire District now in force, or that may be enacted hereafter by the Board of Fire Commissioners. I also agree to obey all orders of the duly elected or appointed officers of the Department.

Section 1

The Dix Hills Fire Department was created October 10, 1947. The Department will be known as the Dix Hills Volunteer Fire Department.

Section 2

The Dix Hills Fire District will comprise that area as shown on the map of the Dix Hills Fire District as approved by the County Office in Riverhead and which map is posted in a conspicuous place in the firehouse.

Section 3

The object of the organization known as the Dix Hills Fire Department will be the prevention and extinguishment of fires and preservation of life and property within the laws of the State of New York and the rules of the Board of Fire Commissioners.

Section 4

The Dix Hills Fire Department will be a non-profit organization.

Said organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such Purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

No part of the net earnings of the organization shall inure to the benefit of, or be distributed to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation 'or services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying an of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on:

(a) by an organization exempt from federal income a tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding; section of any future federal tax code, or
(b) by an organization, contributions tax, which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax.

Upon the dissolution of the organization, assets -shall be distributed for one or more examples 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 a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principle office of the organization is then located, exclusively for such purposes or to organization or organizations, as said Court shall, determine which are organized and operated exclusively for such purposes.

Section 1

The Department will be composed of Companies, each equipped as is deemed necessary, by the Board of Fire Commissioners and approved by the legal voters of the District.

Section 2

Intentionally deleted 6-1-22

ARTICLE III **-MEMBERSHIP**

Section 1

Any resident of the Dix Hills Fire District who is 18 years of age or older will be eligible for membership in the Dix Hills Fire Department, upon investigation and recommendation of the Department Membership Committee and approval by the Department and the Board of Fire Commissioners.

Section 1a

Any member of the Juniors with two years of satisfactory service may upon their 17th birthday apply for membership as a regular fire person with written consent from their parent(s) or guardian(s).

Section 1b

A Junior completing two (2) years of satisfactory service will be placed at the top of the waiting list, maintaining a seniority among Juniors so placed.

Section 1c

All new members must take an oath (Part II - Preamble) before the Chief and the same recorded by the Secretary.

Section 1d

No person will be otherwise denied membership in the Department for the sole reason of race, sex, creed, ethnic origin, disability, or age.

Section 2

If an applicant is rejected, a period of six months will elapse before a second application may be considered. Applicants so rejected must be placed at the bottom of the list of applicants.

Section 3

All applications for membership in the Department will be made in writing on forms provided for this purpose. A majority vote of the members present at a regular Department meeting is necessary for acceptance into the Department. No applicant will be accepted unless he/she has successfully passed the department's entrance physical examination and has satisfied all other entrance requirement as specified by the council of officers.

Section 3a

Membership applications will be presented at a regular Department meeting for a first reading. Applications will then be presented at the next regular meeting for approval by the

membership. Juniors meeting the requirements set forth in Section 1(b) above may be read in at any regular meeting and are exempt from the two reading requirement

Section 4

Within the first year of membership, a member must complete all training as prescribed by the Chief.

Section 4a

Any Rescue Squad applicant shall have a period of 18 months from date of acceptance into the Rescue Squad to successfully complete a NYS EMT course.

Rescue Squad members shall maintain, at a minimum, a valid NYS EMT certification. All Rescue Squad members must be enrolled in a NYS EMT refresher class no longer than three (3) months after expiration of their NYS certification.

Section 4b

All Dix Hills Fire Department probationary firefighters shall have a period of 18 months from date of probationary period commencement to complete Suffolk County Fire Academy Firefighter I course and all other trainings prescribed by the chief.

Section 5

At no time will the membership exceed the number of members allowed. When vacancies occur, the top name on the list of applicants shall be eligible for membership, if the provisions of the by-laws have been fulfilled by the applicant.

Section 6

All property issued will remain the property of the Department and is subject to recall by the Department.

Section 7

DELETED

Section 8

Any member in good standing may apply in writing to the Department for a leave of absence, in accordance with the by-laws. Such leave is not to exceed one year with the exception of administrative leave or military leave.

Section 8a

The DHFD will maintain a point system for the purpose of determining a member in good standing. Members in good standing for the purposes of this Department will be defined as those members who have performed all those obligations assigned.

In order to remain in good standing, a member must maintain a total point accumulation equal to or greater than the predetermined monthly point requirement as set by the member's departmental service qualification. Failure to remain a member in good standing will subject a member to a hearing by the council of officers and may lead to dismissal from the Department. Notice of such a dismissal will be sent by certified mail to the individual.

The breakdown of the required points are as follows:

1. A probationary member must maintain a minimum of twenty (20) points per month.
2. A member completing probation but less than five years must maintain a minimum of eighteen (18) points per month.
3. A member with more five years but less than ten years must maintain a minimum of fifteen (15) points per month.
4. A member with ten years but less than fifteen years must maintain a minimum of ten (10) points per month.
5. A member with fifteen years but less than twenty years must maintain a minimum of seven (7) points per month.
6. A member with twenty years or more of service shall have a point waiver.

Section 8b Point Evaluation

A call for the purposes of the required monthly points will be determined by one of the following departmental service qualifications: (Effective January 1, 2009)

Fire Only:

- Fire response - 1 point

Fire and EMS Driver:

- Fire response - 1 point
- Rescue response – 1 point

Fire and EMS:

- Fire response - 1 point
- Rescue response – 1 point

EMS Only:

- Fire response – 1 point
- Rescue response – 1 point

All department members, regardless of their departmental service qualification, will receive the following points for all non-call activities:

- Department, company, squad and committee meetings - 0.5 point
- Officer's council meeting - 0.5 point
- Sunday duty - 0.5 point
- Training, other than Sunday duty - 0.5 point
- Special event authorized by the Chief - 0.5 point
- Rescue Squad duty crew/Able operator – 4(four) hours – 0.5 point
- Rescue Squad duty crew on Fire District property- 4(four) hours- 1 point

Section 8c

A person at the scene of an emergency response for over two (2) hours will receive one additional point.

Section 8d

The year will be divided into four activity periods, for the purpose in reviewing a firefighter's department participation in response, training duties, company, department, and squad meetings, etc.

1st period - January through March
2nd period - April through June
3rd period - July through September
4th period - October through December

Section 8e

The Council of Officers at their discretion may waive the recommended percentage requirement for members who petition them to do so for a good reason.

Section 8f

Leave of Absence: Definition -The temporary separation of any member in good standing from the Department. Leave of absence may be granted to any member in good standing under any one of the following categories: (a) Military Leave, (b) Medical Leave, (c) Line of Duty (LOD) Medical Leave, or (d) Personal Leave.

a) *Military Leave* - A member who is serving in the Armed Forces of the United States will automatically be granted a Military Leave of Absence for the term of service not to exceed five (5) years.

b) *Medical Leave* -A member who is injured or becomes otherwise disabled by illness and is rendered physically unfit to perform firematic or emergency medical duties can apply for a Medical Leave. Application for such leave will be made in writing to the Chief of the Department. The Chief shall refer all such applications to the Council of Officers for investigation and approval, and may grant such a leave for a period not to exceed one (1) year.

c) *Line of Duty Medical Leave* - Where a member is unable to perform firematic or emergency medical duties due to an injury or illness sustained in the line of duty, said member will be granted an automatic point waiver with all rights and privileges until the member is certified by the Department Surgeon as being capable to return to active duty.

   Where a disabled member fails or is unable to apply for a Medical Leave, the Chief may institute such action and order an investigation by the Council of Officers and the submission of a report. The Council may, grant such leave for a period not to exceed one (1) year.

Board of Fire Commissioners Directive- Effective April 17, 2000

This policy is in accordance with NFPA 1500 recommendations.

Any firefighter who becomes pregnant should be offered the opportunity at any time during the pregnancy to be voluntarily removed from firefighting duties and from other duties involving the hazards or physical stress that might endanger the fetus. If practical, the firefighter should be offered voluntary reassignment to an alternative position. When the pregnant firefighter can no longer be certified medically as capable of performing firefighting duties, the firefighter should be reassigned to other duties. When the firefighter is no longer pregnant, the firefighter should be reinstated to the position she held prior to her pregnancy. Nursing firefighters also should be advised about the potential effects of exposures on their infants.

d) *Personal Leave* -Any member with one (1) year of service, off probation and in good standing may apply for a Leave of Absence for personal reasons. Such application must be in writing and directed to the Chief. The Chief shall instruct the Council of Officers to investigate and furnish a report. Upon review of the Officer's Council's recommendation, the Department membership may by a 2/3 vote of the members present at a regular or special meeting, grant such leave for a period not to exceed one (1) year.

e) *Administrative Duty* - May be granted to any member of the Department for a period in excess of one year who has previously been on Medical Leave as authorized by the Council of Officers. These members shall be expected to perform administrative assignments as ordered by the Chief of Department. Additionally these members may participate in department, company, squad and committee meetings, firematic and emergency medical education. These duties shall not include heavy lifting or any repetitive or strenuous activity. These members shall not respond to alarms or ride on any department engine, ladder truck or ambulance. This members participation shall be evaluated by the Chief of Department and Council of Officers on a quarterly basis and may result in disciplinary action.

f) *Reinstatement* - Members on leave shall be required to submit in writing to the Chief of Department requesting reinstatement, Members on Medical Leave or Administrative Duty shall submit a medical report to the Department Surgeon from a licensed practicing physician attesting to the physical fitness of the individual to perform firematic or emergency medical duties

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Failure to submit required documentation ten (10) days prior to the date of termination of leave shall result in automatic termination from the Department.

Time spent on a Personal Leave or Non-Line of Duty Medical Leave of Absence shall not to be used for Department seniority purposes. No person on a Leave of Absence, except military leave, will be permitted to participate in firematic or emergency medical activities. Members on Personal Leave shall not be permitted to vote in any Company, Squad, or Department election.

Section 8g

Intentionally deleted.

Section 9

Honorary Membership - May be extended to any person who has rendered a service to the Department, promoted its welfare, or is considered worthy of such honor by virtue of his/her service to the community. Said Honorary Membership carries no rights or privileges of any character by reason thereof, except upon invitation of the Chief or membership.

Section 9a

Honorary membership is to be extended only with the consent of the person so honored.

Section 9b

Honorary membership will be granted on presentation of a written petition signed by ten (10) members in good standing and approved by 2/3 of the members in attendance at a regular Department meeting.

Section 10

Senior Active Members - For faithful services extended to the District and Department, it will be understood that all Ex-Chiefs automatically become Senior Active Members upon leaving office in good standing, unless they formally request in writing to continue on the point system.

Section 10a

All Ex-Chiefs are to become members of the advisory board for the Fire Department and may serve as an advisor at the pleasure of the Chief.

Section 10b

Any member in good standing who had served ten (10) years or more as an active member of this Department, and has become physically incapable of firematic duties, upon presentation of a Doctor's certificate to that effect, may apply for senior active membership.

Section 10c

Senior active members may hold office as Secretary, Treasurer, Corresponding Secretary, and Trustee. They may participate on all committees and have a voice and vote at all meetings of the Department.

Section 10d

Any member who has served twenty (20) years or more as an active member of the Department and has attained the age of 50 may apply for senior active status.

Section 10e

Senior active members must make 25% of assignments as directed by the Chief, including drills, fire calls, parades, special duties, Department and Company meetings.

Section 10f

Senior active members will be carried over and above Department quotas.

Section 11

Any false statement on an application will result in immediate dismissal from the Department or disapproval of the application.

Section 12

Conviction of any felony will result in immediate dismissal from the Department or disapproval of an application.

Section 13

Life Membership - May be extended to any member for faithful service rendered to the District and Department by way of saving life or property.

Section 13a

The Department may extend to any member permanently disabled in the line of duty, a life membership upon 2/3 vote of the membership present at a regular or special meeting.

Section 13b

Life members will be carried over and above Department and Company quotas.

Section 13c

Life members must make 25% of assignments as directed by the Chief and have a voice and vote at all meetings of the Department.

Section 1

The officers of the Department will consist of: Chief, First, Second, and Third Assistant Chiefs; Medical Director; Recording and/or Corresponding Secretary(s); Treasurer; Assistant Treasurer; and Sergeant at Arms. The Chief shall act as Chairman and the Assistant Chiefs as Assistant Chairmen. In order to be appointed Department Medical Director, the proposed member shall be:

1. A member in good standing.
2. An active practicing physician.
3. Hold a license of Medical Doctor.
4. Be New York State board certified.
5. Hold a Suffolk County Field Physician number.

Section 2

No member will be nominated to hold the office of Chief of Department until he/she has been a member in good standing for five (5) years and held the position of Assistant Chief for a period of one (1) year. No member will be nominated to hold the office of an Assistant Chief until he has been a member in good standing for five (5) years and held the position of Company Captain for a period of one (1) year, with a consecutive service as Company Officer for at least 24 months. All nominees shall be certified as an interior (class A) firefighter by a physician authorized by the Board of Fire Commissioners.

June 12, 2000

BOARD DIRECTIVE

As of this date in order to be appointed by the Board of Fire Commissioners to the position of Chief or Assistant Chief of the Dix Hills Volunteer Fire Department, a candidate must fulfill the following criteria in addition to the Dix Hills Fire Department By-Law requirements:

- Be the holder of a valid EMT-B certification
- Have served on the Dix Hills Fire Department Rescue Squad for a minimum of one year within the past five years. The individual must have been in good standing for that year according to the requirements of Rescue Squad By-Laws. This requirement cannot be fulfilled by service as a rescue driver.

BOARD DIRECTIVE (continued)

Failure of an individual to maintain a valid EMT-B certification while in office will result in the individual's suspension from the Chief's position until recertification is completed.

Any current Chief, who does not fulfill the above criteria, will be exempted from them for the duration of his continuous tenure in the Chief's Office.

For the calendar year 2001, the Board will waive the above criteria for the position of Third Assistant Chief. As of January 1, 2002 this waive will automatically terminate.

This directive supersedes all previous directives on this subject.

Section 2a

No member will be nominated or hold any other Department office until he has been a member in good standing for one (1) year.

Section 2b

1. Nominations for all officers will be made from the floor at the regular meeting of the month preceding election.
2. Any member of the Dix Hills Fire Department nominated for a department, company or squad officer position shall submit copies of all certifications required to hold the intended position to the election committee at the conclusion of nominations.

Section 2c

All officers of the Department, Company, and Special Squad will be elected by a majority of ballots cast. In case of a tie or a minority vote, the two (2) candidates receiving the greatest number of votes will have a run-off ballot. Ballots marked in any manner other than for candidates nominated or eligible candidates written in, are null and void and will not be counted in number of ballots cast.

Section 2d

A committee will be appointed by the Chief to check the eligibility for office of all nominees and the standing of all members to vote as provided for in the by-laws. After nominations for office have closed the Committee shall arrange for the official ballots to be created electronically using the Fire District's balloting software with the names of all duly nominated nominees listed and a space created for a write-in vote for each office on the ballot. Further, this Committee shall provide the opportunity for members to vote for two (2) weeks prior to the

election meeting. No ballots will be valid unless received by the Committee before the final count on the date set for the election meeting. In case of a tie or a minority vote, the two (2) candidates receiving the greatest number of votes will have a run-off ballot to be created electronically and provide a forty-eight (48) hour opportunity for members to vote.

In the event of a failure of the balloting software the following procedure will apply;

The Committee shall have the ballots printed and distributed with the names of all nominees; one blank space will be left after each office for the purpose of write-in nominees. Further, this Committee shall provide absentee ballots two (2) weeks prior to the election meeting. No ballots will be valid unless received by the Committee before the final count on the date set for the election meeting.

Section 2e

Absentee ballots - Absentee must personally pick up ballot at Headquarters, fill out same, place it in one envelope, seal, place in second envelope and sign his/her name across sealed portion of envelope and leave it with the dispatcher. Absentee ballots for individuals who are still candidates will be counted in run-off elections. Absentee ballots cast for persons no longer candidates will be voided.

Absentee ballots will not be able to be voided by Absentee at such time as the Department Elections officially begin.

Section 2f

The Department, Company, and Squad elections shall be held on the first Thursday in December.

Section 2g

To be eligible to vote in any department, company, or squad elections a member shall complete one (1) year of membership and be off probation.

Section 2h

To be nominated or hold the office of Captain or Lieutenant, an individual shall*:

1) Be certified as a Basic Fire Fighter or to the Firefighter I level by the Suffolk County Fire Academy or any other school recognized by the Dix Hills Fire Dept. Council of Officers.

2) Be qualified drivers and pump operators of all apparatus regularly assigned to his/her respective station six months prior to nominations.

3) Have been members in good standing for at least one (1) year.

4) Have completed Suffolk County Officer's Training Course, Volunteer Emergency Service Management, or Introduction to Fire Officer by the Suffolk County Fire Academy or any other school recognized by the Dix Hills Fire Dept. council of Officers.

5) All nominees for the position of Company Captain must first have served as Company Lieutenant.

6) All nominees for the position of Company Captain must be certified as an Advanced firefighter or to the Firefighter II level by the Suffolk County Fire Academy or any other school recognized by the Dix Hills Fire Dept. Council of Officers.

7) Be certified as an Interior/indoor Class A firefighter by a physician authorized by the Board of Fire Commissioners.

*- Similar courses offered by other jurisdictions acceptable to the Council of Officers.

Section 2i

To be nominated or hold the office of Captain or Lieutenant of the Dix Hills Fire Department Rescue Squad, an individual shall*:

1) Intentionally deleted.

2) Have been a member in good standing of the Squad for at least one year.

3) Have completed Suffolk County, Officer's Training Course or Volunteer Emergency Management and be certified by the same.

4) Hold a valid EMT-B, EMT-CC, or EMT-P Certificate.

5) Be qualified chauffeur of all apparatus regularly assigned to the Rescue Squad six months prior to nominations.

6) All nominees for position of Rescue Squad Captain must have served as a Rescue Squad Lieutenant.

7) Intentionally deleted.

*- Similar courses offered by other jurisdictions acceptable to the Council of Officers.

Section 2j

To be nominated or hold the office of Captain or Lieutenant of the Fire Police, an individual shall:

1) Be certified by Suffolk County Fire Academy basic fire police course or any other equivalent fire police training course and be certified by same.

2) Have completed Suffolk County Officer's Training Course, Volunteer Emergency Service Management, or any other equivalent Officer's training course and be certified by the same.

3) All nominees for the position of Fire Police Captain or Lieutenant must have served a minimum of 1 year as a member of the Fire Police.

Section 2k

The Rescue Squad will consist of one Captain and three Lieutenants of equal rank. The Captain will be nominated from any company, provided he or she has all the qualifications provided for in Article IV, Section 2i. The Rescue Squad will nominate members for the rank of Lieutenant that have the qualifications of Article IV, Section 2i. One from each company will be elected. If the Rescue Squad cannot nominate a member for Lieutenant from a company for any reason, then the person conducting nominations shall accept a nomination for another member to fill the quota of three Lieutenants.

Section 2l

In order to be appointed Medical Director, the individual shall:

1) Be a member in good standing of the department for one year.
2) Possess a degree of Doctor of Medicine.
3) Be licensed to practice medicine in the state of New York.
4) Be designated as a Suffolk County Field Physician with a duly assigned field identifying number.

Section 3

The members of the Fire Department shall meet on the first Thursday in December of each year to nominate persons for the office of Chief and Assistant Chiefs, as may be provided for in the rules and regulations adopted by the Department, and approved by the Board of Fire Commissioners. Each nominee shall be a member of the Fire Department and a resident of the Dix Hills Fire District. All voting will be by secret ballot. The names of elected Chief and Assistant Chiefs shall be submitted to the Board of Fire Commissioners for their approval. Should the name of any Chief be disapproved by the Board of Fire Commissioners, another election shall be held.

This procedure will continue until a full set of Officers is approved. In the event a vacancy occurs in any Department office, such vacancy shall be filled at the next meeting by nomination and ballot.

Section 4

Officers elected will hold office for one year.

Section 4a

Should any office or position be vacated, nominations for that office will take place at the next Department or Company meeting. Elections to this office shall take place at the following meeting. The elected official will hold office until the next annual election.

Section 5

All other positions of the Department referred to in Article IV, Section 1, will be filled by secret ballot at the same meeting as the elections for Chief and Assistant Chiefs.

Section 6

Trustees will be elected at a meeting referred to in Article IV Section 3. Trustees will be the same in number as there are Companies in the Department. They shall be elected from the general membership of the Department.

Section 7

The Chief will appoint all committees as provided for in the by-laws, except the Welfare Committee. He will call a meeting of all committees before the next regular meeting of the Department. A complete list of all committees will be placed on the bulletin board.

Section 8

(Intentionally Deleted)

ARTICLE V **– DUTIES OF DEPARTMENT OFFICERS**

CHIEF:

Section 1

The Chief shall see that all laws, ordinances, rules, and directives for the governing of the Department are properly enforced.

a) The Chief shall report to the Board of Fire Commissioners any matter he deems necessary.
b) In the case of death of a member or a member of his immediate family, it shall be his duty to purchase, at the expense of the Department, a floral piece not to exceed $50.00. It shall also be his duty to immediately notify the Secretary who, in turn, shall notify all members of the Department in a timely manner, so as to give the membership time to pay their last respects.
c) The Chief shall hold all Company Captains and Officers responsible for the cleaning of all apparatus and equipment assigned to them.
d) The Chief shall keep an accurate account of all business transactions of his office.
e) The Chief shall have control and direction of the Department and be responsible to the Board of Fire Commissioners for the proper management of the Department.
f) The Chief shall have full control over all apparatus and equipment and their proper assignment. A complete inventory shall be taken annually of all public property in the firehouse, and a report submitted to the Fire Commissioners immediately upon completion.
g) All orders given by the Chief at a fire shall be binding on any member so ordered, unless the member considered that in carrying out the order he may endanger his life or the life of someone else.

ASSISTANT CHIEFS:

Section 2

It shall be the duties of the First, Second, and Third Assistant Chiefs to assist the Chief in all his/her duties, and to perform any of the Chief's duties the Chief may assign to him/her. This assigning of duties does not in the least relieve the Chief of his/her responsibility for them. The Assistant Chiefs in the absence of the Chief, shall assume all of his/her tasks and duties.

SECRETARIES:

Section 3

Recording Secretary - It shall be the duty of the Recording Secretary to keep a book containing the minutes of the meetings. He/she shall keep a roll call and record of attendance at each meeting.

a) In the event that the Chief or Treasurer be absent for a period of seven consecutive days, the Department Recording Secretary may countersign checks for the Chief.

Corresponding Secretary - It shall be the duty of the Corresponding Secretary to attend to all correspondence, send out all notices of meeting, and perform such other duties as assigned by the Chief.

TREASURER:

Section 4

It shall be the duty of the Treasurer to have charge of the Department funds. The funds shall be kept in a bank designated by the Department, in the name of the Department. The Treasurer shall make all transactions by check only, when so authorized by a majority vote of the Department, properly countersigned by the Chief.

The treasurer shall have no responsibility for the funds of the Benevolent Association. These funds will be handled by the Benevolent Association Board of Directors in accordance with the Benevolent Association By-Laws.

It shall be the duty of the assistant Treasurer to assist the Treasurer in the performance of his/her duties as stated above. The assistant Treasurer will act as the Treasurer in his/her absence, with the approval of the Treasurer and the Chief. The assistant Treasurer will be elected by a majority vote of the membership.

COMPANY OFFICERS:

Section 5

It shall be the duty of all Company Officers to have complete responsibility for men and equipment that are under their charge as the Chief so directs. They shall work in harmony with the Chief and all other Company Officers for the purposes of fostering a fine, well-trained Department.

SQUAD OFFICERS:

Section 6

It shall be the duty of all Squad Officers to have complete responsibility for the personnel and equipment under their charge as the Chief so directs. They shall work in harmony with the Chief and all other Company officers for the purpose of fostering a fine and well-trained Department.

DEPARTMENT SURGEON:

Section 7

The Department Surgeon shall perform all tasks assigned by the Chief.

DEPARTMENT PUBLIC INFORMATION OFFICER:

Section 8

The Department Public Information Officer shall perform all tasks assigned by the Chief.

Section 1

Drills will be held by order of the Chief.

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Section 1

All regular meetings of the Dix Hills Fire Department and its Companies and Squads will be held at a Fire Station.

Section 2

The regular meetings of the Department will be held on the first Wednesday of each month at 2000 hours. In the event of a legal holiday, the date of the meeting will be determined by the assembly at the preceding meeting. It shall be the duty of the Recording Secretary to call attention to this fact at the preceding meeting.

Section 3

Thirty (30) members of the Dix Hills Fire Department will constitute a quorum for the transaction of business at a Department meeting.

Section 4

No subject of a sectarian or political nature not related to the Fire Service, will be introduced before the assembly.

Section 5

The Chief shall call **Special Meetings** when he deems it necessary, or at the written request of five (5) members in good standing, provided forty-eight (48) hours notice by mail is given to each member by the Corresponding Secretary. No other business but that specified by the call shall be transacted, unless the nature of the other business has a direct bearing on the subject to be discussed or if it would necessitate another meeting before the regular meeting of the month.

Section 6

Company meetings will be held according to each Company practice. They shall make known their meeting night to the Department and post same on the bulletin board. It will be the privilege of the Chief to attend the Company meeting.

Section 1

It shall be the duty of the Trustees to inspect and check the Treasurer's records and all accounts belonging to the Dix Hills Volunteer Fire Department every three months. They will report their findings to the Department and countersign same.

ARTICLE X **– UNIFORMS**

Section 1

Uniforms of the members of the Dix Hills Fire Department will be as prescribed by the Dix Hills Fire District.

Section 1

It shall be the duty of the Committees to formulate a program for the year of their appointment, and present same to the assembly for approval at the next meeting after appointment with the exception of the Entertainment Committee.

Section 2

Membership

It shall be the duty of this committee to check all applications for correctness and fitness. All means possible are to be used to bring the Department to full strength at all times, and to solicit members who will be an asset to the Department. This committee will be composed of at least three (3) members in good standing.

Section 3

Entertainment

Will consist of a Chairman and at least (4) members in good standing. This committee will elect its Chairman at the first meeting after appointment. It shall be the duty of this committee to plan and execute all necessary arrangements for the social events of the Department. They shall, at the earliest time, give the membership their complete proposal for the year. The dates for events will be set immediately or as soon as arrangements can be made and approved. The Chairman shall make a financial report of every event to the Department. This committee will request, at the regular meetings, any help they may require to fulfill their plans.

Section 4

Welfare

(Intentionally Deleted).

Section 5

By-Law

Will consist of five (5) members of the Department in good standing; one of which will be elected Chairman at the first meeting of this committee. This committee shall be responsible for all amendments and changes duly placed before it, for presentation to the Department, and for the printing and proper distribution of the changes. It shall be the duty of this committee to present interpretation of the by-laws when necessary.

Section 5a

Presentation of Amendments and Rules for Amending By-Laws

To amend the by-laws, the proposal will be presented to the By-Law committee in writing. The proposal shall be taken under consideration for presentation to the Department. All decisions shall be made by a majority of three out of the five at a by-law meeting. The proposed amendment shall be read at three successive meetings. After the third reading, the Department will vote on the proposal. A two-thirds majority of those present is required for approval. If rejected by the body, the proposal may not be represented for a period of at least six (6) months.

Section 6

Committees Appointed by the Chief

Will consist of at least two (2) but no more then five (5) members of the Department in good standing; one of which will be elected as Chairman and one elected as Treasurer at the first meeting of this committee. It shall be the duty of this committee to handle assignments or programs of the Dix Hills Fire Department. If any Department funds are required, a two-thirds majority vote at a Department meeting is required for approval.

ARTICLE XII **– USE AND DISPOSITION OF EQUIPMENT**

Section 1

No apparatus, hose, or any equipment will be taken from the fire station, except by permission of the Chief, or in the line of firematics.

Section 2

No member shall drive Department vehicles unless he/she has a valid New York State driver's license. Drivers must be approved by the Chief and their names sent to the Board of Fire Commissioners. The names of all the drivers shall be posted on the bulletin board.

Section 3

Members will be appointed as Fire Police upon the recommendation of the Chief and approved by the Board of Fire Commissioners.

Section 4

All members will be fully instructed in the use of all equipment in the Department regardless of Company. Each member will have sufficient practice in the location of every piece of equipment, its name, and its use. It shall be the duty of every member to be an accomplished fire person and familiarize him/herself with all phases of fire fighting. Every officer is responsible for the efficiency of his Company and shall be so held by the Department.

Section 5

It shall be the duty of all Officers of the Department and Companies to organize and execute a practical training program for all fire persons.

Section 1

Any member preferring charges against the Chief of the Department or any Assistant Chief will abide by section 10 of this article.

Section 2

No Officer or member of the Department will be subject to any disciplinary action, other than suspension, except after a hearing held before the Council of Officers, for the purpose of recommending action for the Chief's consideration.

Section 3

Any member in good standing may prefer charges against any other member or Officer for any of the following reasons:

a) Failure to obey the lawful order of any Officer whenever on duty or at a fire or rescue scene.
b) Violating any section of these by-laws.
c) For disorderly conduct at a firematic function.
d) For leaving the scene of a call without the permission of an Officer of his/her Company or Department.
e) For contracting a debt in the Department's name, without authority.
f) For intoxication at a meeting, or while on duty.
g) For failing to report the loss of a driver's license.
h) For loaning or borrowing Department property without obtaining the necessary permission.
i) Incompetence, incapacity, or failure to perform properly assigned duties.

Section 4

Charges must be in writing, signed by the member preferring the charges, and submitted to the Chief or Acting Chief within thirty (30) days after the occurrence.

Section 5

Upon receipt of the charges, the Chief or Acting Chief, not-withstanding Section 2 above, may immediately suspend the member charged. In this event, written notice of suspension, the date of hearing, and a copy of the charges shall be sent to the member charged within four (4)

days of the receipt of the charges or suspension, whichever is later. In the event that the member charged is not suspended, then a copy of the charges, and notice of hearing, shall be sent within ten (10) days of receipt. The charges and any notice set forth in this section must be sent by Certified Mail, Return Receipt Requested.

Section 6

The Council of Officers must hold a hearing on the charges within thirty (30) days of the date notice of charges are mailed.

Section 7

If the Council of Officers finds the member charged to be guilty of any of the charges preferred, the Chief may impose any of the following:

a) Suspend the member from the Department for a period not to exceed one (1) year.
b) In addition to, in lieu of suspension, if the member is an Officer, remove him/her from his/her office.
c) Dismiss the member from the Department.

Section 8

If the Council of Officers finds the member charged to be guilty, it must send to the member involved, by Certified Mail, Return Receipt Requested, a written copy of its decision and action taken within ten (10) days of the date of its decision.

Section 9

If the member charged is found guilty, he has the right of appeal to the Board of Fire Commissioners. Notice of appeal must be sent to the Fire District Secretary within thirty (30) days of the date the member receives the decision. Notice will be sent by Certified Mail, Return Receipt Requested.

Section 10

Any member in good standing may prefer charges against the Chief or any Assistant for any reason set forth in Section 3 above. The charges must be in writing, signed by the member preferring charges, and delivered to the Fire District Secretary for action by the Board of Fire Commissioners within thirty (30) days after the occurrence.

Section 11

The Council of Officers will consist of the Chief of Department, Assistant Chiefs of the Department, Company Officers, Rescue Squad Officers and Fire Police Officers.

The following will apply to the Council of Officers for a disciplinary hearing and vote:

- If a member of the Council of Officers prefers the charges, this member will be disqualified from participation in the hearing and the vote on the grounds of prejudice or personal involvement.
- Only the Chief, Assistant Chiefs, Company Captains, Rescue and Fire Police Captains, or their subordinate officer, will have the right to vote.

Section 12

The Chief, or in his absence or disqualification, his next superior Officer, shall act as Chairman of the Council of Officers.

Section 13

The Chairman of the Council of Officers shall disqualify any voting member for the following reasons:

a) A voting member preferring charges shall be denied the right to vote.
b) For cause.

ARTICLE XV **– RULES FOR MEETINGS**

Section 1

Any member may appeal the decision of the chairman on a question of order, first by being recognized, and then stating: "Shall the decision of the Chair be sustained?" It shall then be decided by a majority vote.

Section 2

Any member wishing to speak must raise his/her hand and address the Chair. If two members rise at the same time, the Chairman will decide who shall speak first.

Section 3

No member will speak twice on any subject until all other members have been given a turn. No member will speak longer than the time allotted by the Chair.

Section 4

When a motion is properly put before the assembly, it must be disposed of before another can be entertained.

Section 5

Any motion at a department meeting will be published in the monthly department newsletter.

Section 6

Any point not covered by the foregoing rules of order shall be decided by Robert's Rules of Order.

Section 1

The following order of business shall prevail:

a) Meeting called to order by the Chairman.
b) Pledge of Allegiance to the Flag.
c) Reading of minutes of previous meeting for information and/or correction.
d) Reading of alarms.
e) Chief's reports.
f) Company any Squad reports.
g) Committee reports.
h) Unfinished business.
i) New business.
j) Communications and bills.
k) Treasurer's Report.
l) Adjournment.

ARTICLE XVII **– ORGANIZATION OF AUXILIARIES**

Section 1

Department auxiliaries may be created. Such auxiliaries must be authorized by an act of the Board of Fire Commissioners of the Dix Hills Fire District.

Section 2

The position of Chaplain and Department Surgeon of the Dix Hills Fire Department may be created; such positions to be filled by appointment by the Chief of the Department.

Section 1

There shall be established a separate Benevolent Association for the purpose of giving aid to fire persons and their families in need. The duties and responsibilities of this Association will be described separately. That portion of the Department funds representing the proceeds of the fire insurance premium tax on foreign and alien insurers (Sections 9104 and 9105 of the Insurance Law-Fire Insurance Tax on Foreign and Alien Insurers), shall be paid over to the Dix Hills Volunteer and Exempt Firefighter's Benevolent Association (hereinafter "Benevolent Association"). All such funds will be paid to the Benevolent Association within 10 days of receipt by the Department Treasurer. Said funds shall be handled in accordance with the BY-Laws of the Benevolent Association. Said funds are the exclusive responsibility of the Benevolent Association for the use and benefit of the Department and its members.

Section 1a

The administration and responsibilities of Benevolent Funds are described in separate By-Laws of said Association (attached hereto).

Section 1b

Benevolent Association shall keep a separate account for Benevolent Funds.

Section 1c

The Treasurer of the Benevolent Association shall issue checks at the request of the Benevolent Association Board of Directors, in the amount to be decided by the Board of Directors.

Section 1d

These funds shall be audited in accordance with the Benevolent Association By-Laws.

Section 1e

Benefits will be distributed in accordance with Benevolent Association By-Laws upon approval of the Board of Directors.

Section 2

Division of Funds
The closing of the Fund drive and division of any and all funds collected by mail will be at the discretion of the Fund Raising Committee and the Chiefs, and shall be divided as follows:

a) 30% of the net amount earned shall be put into the Benevolent Association Fund Account.
b) 49% of net amount earned shall be given to the Department.
c) 21% of net amount earned shall be divided among the Companies on a per capita basis.

In years when the Benevolent Association Fund exceeds three hundred thousand dollars:

a) 10% of the net amount earned shall be put into the Benevolent Association Fund Account.
b) 80% of the net amount earned shall be given to the Department.
c) 10% of the net amount earned shall be divided among the Companies on a per capita basis.

Section 2.1

To determine Company per capita head count, the following members shall be counted:

a) Members in good standing.
b) Senior active members.

Section 2.2

Head count for distribution of funds will be determined at the conclusion of the November Department Meeting.

Section 2a

Any funds donated to the Department that are not expressly solicited, shall be deposited to the operating account of the Department.

Section 2b

Toward the end of the annual Welfare Fund Drive, the Welfare Fund Committee and the Officers Council may make provisions for the various Companies to re-canvass those residents who have not yet contributed. The proceeds are to be divided as follows:
a) 90% to the Company collecting the funds.
b) 10% to the Department.

The areas to be re-canvassed may be rotated among the Companies annually.

Section 3

No money will be donated to any cause outside the Fire Department unless an official written request is received. This request and amount shall be recorded and filed.

Section 4

A motion requiring the expenditure of more than $500, without the prior authorization of the Chiefs, will only be approved at the next monthly scheduled Department meeting, following that at which the motion was made.

ARTICLE XIX – **ORGANIZATION OF SPECIAL SERVICE SQUADS**

Section 1

There may be an Emergency Rescue Squad and a Fire Police Squad, and such other Squads as may hereafter be organized by an act of the Board of Fire Commissioners of the Dix Hills Fire District.

RECORD OF BY-LAW CHANGES

	Date	Article	Section (Title)	Member
1.	8/2/95	III	8d (Point Review)	J. Wagner
2.	12/12/96	III	4a (EMT Course)	L. Feld
3.	1/2/97	V	5 (By-Law Comm.)	D. Wagner
4.	1/2/97	V	5a (By-Law Comm.)	D. Wagner
5.	4/2/97	IV	2 (Chief of Dept.)	I. Goldstein
6.	4/2/97	III	4b (New Member)	J. Barth
7.	9/3/97	IV	1 (Dept. Surgeon)	J. Juliano
8.	9/3/97	IV	2l (Dept. Surgeon)	J. Juliano
9.	9/3/97	IV	1 (Dept. Medical Dir.)	J. Juliano
10.	4/1/98	I	4 (Non-profit)	F. Pellegrini
11.	12/6/98	III	8a & 8b (Point Requirement)	Chief's Office
12.	3/1/99	IV	2h & 2i (courses)	D. Wagner
13.	12/18/99	III	8g (Past time)	J. Wagner
14.	2/9/00	IV	2 (Chief's Nomination)	Board Directive
15.	3/1/00	IV	2f (Dept. Elections)	D. Wagner
16.	4/17/2000	III	8f (b) (Medical Leave)	Board Directive/
17.	12/5/2003	XVIII	Funds/Benevolent Assoc	B. Elliot
18.	3/3/04	IV	2h sub 4(officer requirements)	W. Stio
19.	3/3/04	IV	2h sub 6(officer requirements)	W. Stio
20.	3/3/04	IV	2i sub 3(officer requirements)	W. Stio
21.	3/3/04	IV	8 (welfare committee)	W. Stio
22.	3/3/04	XI	4 (welfare)	W. Stio
23.	9/8/04	IX	1 (Treasurer)	W. Stio
24.	3/1/06	XVIII	2(Division of funds)	W. Stio
25.	7/5/07	IV	2e(absentee ballots)	F. Rosciano
26.	4/2/08	III	4,4a,4b,(membership)	F. Rosciano
27.	4/2/08	III	8b(membership)	M. Dantone
28.	4/2/08	IV	2i(officers and nominations)	L. Feld
29.	4/2/08	XIII	4,10(discipline)	F. Rosciano
30.	4/2/08	XVIII	4(funds)	F. Rosciano
31.	11/4/09	IV	2j(Fire police officers)	R Adcock
32.	5/5/10	III	3(Sponsors for membership)	R Sorrentino
33.	8/5/10	XII	1(charges for chiefs)	F. Rosciano
34.	8/5/10	IV	1,4 & 7 Req for rescue officers	Adcock

RECORD OF BY-LAW CHANGES

35. 9/1/10 ..... IV ..... 2h-1,4,& 6 Req for fire officers Adcock
36. 12/10…….III……8g, Membership credit other dept…..L.Feld
37. 7/12.....IV.....2i(6) Req for rescue capt.....S DiPino
38. 7/13……..IV……...2d Absentee ballot ……W Stio
39. 12/13.....V.....8..Public Information Officer.....T Magno
40. 1/14……..IV……..2b Officers and nominations……P Tepe
41. 6/14……III……8a department points……..H Kaplan
42. 4/18……..IV……2 Chief qualifications……L Feld
43. 4/18……..IV……2g Voting requirements……L Feld
44. 4/18……..IV……2h(7) Co officer requirement……B Stio
45. 4/18……..IV……2f….Dept voting……..W Stio
46. 6/2/21……..IV……2….Delete CPR for chief & asst….S DiPino
47. 6/2/21……..IV……2i…Delete CPR for rescue officer….S DiPino
48. 6/2/21……..III……8f…New leave section……..W. Stio/L Feld
49. 6/1/22……..II……..2…deleted number of members…T Farrell