

SIMSBURY FIRE DISTRICT

Proposed New Bylaws.

DELETED language is italicized

New Language is Underlined and Bold.

At the Annual Meeting of the Simsbury Fire District held *May 10, 1999* **May 12th, 2014**, the voters of the District adopted the following ordinance:

ORDINANCE RATIFYING, CONFIRMING AND AMENDING THE BY-LAWS OF THE SIMSBURY FIRE DISTRICT

BE IT HEREBY ORDAINED,

(a) The By-Laws of the Simsbury Fire District as approved and adopted at the adjourned meeting of the District held June 19, 1944 and as amended at the meeting of the District held *May 14, 1990*, **May 12th 2014** are hereby ratified, confirmed and amended to read as follows:

SIMSBURY FIRE DISTRICT

BY-LAWS

ARTICLE I – Name

Section 1 - This organization shall be known as the Simsbury Fire District.

ARTICLE II – Territory

Section 1 - The territorial limits of the Simsbury Fire District shall be the same as the territorial limits of the Town of Simsbury.

ARTICLE III – Object

Section 1 - The purpose of the Simsbury Fire District shall be to prevent and extinguish fires.

ARTICLE IV – District Meetings

Section 1 - The annual meeting of the Simsbury Fire District shall be held on the second Monday in May of each year.

- Section 2 - Special meetings of the Simsbury Fire District may be called at any time by the President or any three members of the Executive Committee. A special meeting of the District shall be called upon the application of ten percent of the total number of legal voters of the District, or twenty legal voters, whichever is less, requesting the call of such meeting for a legal purpose of the District, which special meeting shall be held within twenty-one days after the receipt of such application.
- Section 3 - Notice of the holding of the annual meeting and all special meetings of the Simsbury Fire District shall be given by publication of a notice of such meeting in a newspaper having a general circulation in the District at least ten days before the day of such meeting signed by the President or any three members of the Executive Committee.
- Section 4 - Fifteen legal voters shall constitute a quorum for the transaction of business at any meeting of the Simsbury Fire District, but a lesser number may adjourn a meeting.
- Section 5 - *[Meetings of the Simsbury Fire District shall be conducted in accordance with standard parliamentary procedure as set out in the current edition of Robert's Rules of Order Newly Revised]. **Robert's Rules of Order, newly revised, shall be in full form and effect for meetings of the Simsbury Fire District unless superseded by a specific provision of these Bylaws***

ARTICLE V – Officers

- Section 1 - The officers of the Simsbury Fire District shall consist of a President, a Vice President, a Clerk and a Treasurer. *[and a Collector.]*
- Section 2- **The President shall appoint a nominating committee no later than the February monthly executive meeting. The nominating committee will meet to create a slate of officersto be voted on at the May annual meeting. They shall deliver said slate of nominees to the Clerk of the Simsbury Fire District. The Clerk shall post the slate of nominees in a place available to the public at least 45 days prior to the May annual meeting. In the event that a qualified candidate wishes to be on the ballot they shall comply with the following Petitioning Candidates procedure: The Petitioning Candidate must be a registered voter in the Simsbury Fire District. The Petitioning Candidate must file the request on forms provided by the Clerk of the Simsbury Fire District. The Petitioning Candidate must have at least 15 signatures of Simsbury registered voters on the petition forms. The completed forms shall be submitted to the Simsbury Fire District Clerk no later than 4pm 15 days prior to the Simsbury Fire District's annual meeting held at the Main Station, 871 Hopmeadow Street. The Clerk shall validate said signatures**

with the Registrar of Voters prior to the annual meeting. There shall be no nominations from the floor at the annual meeting.

- Section 3 - The Executive officers shall be elected each year by the legal voters of the Simsbury Fire District at the annual meeting. In the event that any officer resigns or otherwise is unable to discharge the duties of his/**her** office, the Executive Committee may appoint a successor to fill out the uncompleted term of his/her office.
- Section 4 - Their term of office shall commence on July 1, following the election each year and shall terminate on June 30 of the following year or when their successors shall have been elected and shall have duly qualified.
- Section 5 - The duties of the President shall be those usually performed by such officer. He/**she** shall preside at all regular or special meetings of the Simsbury Fire District.
- Section 6- The duties of the Vice President shall be to assist the President in the discharge of his/**her** duties and, during the absence of the President, shall assume his/her duties.
- Section 7 - The duties of the Clerk shall be to keep an accurate record of the meetings of the Simsbury Fire District in a permanent record book and shall perform such other duties as may be assigned to him/**her** by the President.
- Section 8 - The duties of the Treasurer shall be to receive all money due to the Simsbury Fire District and shall keep a just and accurate account of the same. He/**she** shall deposit such money in a suitable bank or banks. He/**she** shall pay out such money only on duly certified orders signed by *the President and Clerk* **two members of the Executive Committee. The Executive Committee** shall be bonded in an adequate and reasonable amount.
- Section 9 - **There shall also be a Collector** The duties of the Collector shall be to collect all money due to the Simsbury Fire District and shall once a month pay this money into the hands of the Treasurer, taking his/**her** receipt for the same. He /**she** shall observe the laws of the State of Connecticut made and provided for the collection of taxes. **The Collector shall be appointed by the President of the Simsbury Fire District annually immediately after the annual Meeting.**

The Collector shall not be considered an Officer nor Member of the Executive Committee.

ARTICLE VI – Executive Committee

- Section 1 - There shall be an Executive Committee, **also known as the Board of Directors**, which shall be composed of the President, Vice President, Clerk and Treasurer of the District and the Chairman of the Fire Commissioners.
- Section 2 - The Executive Committee shall have the general management and supervision of the affairs of the District subject to the limitations of these By-laws.
- Section 3 - Regular monthly meetings of the Executive Committee shall be held the second Monday each month. If the second Monday of any month is a holiday, the regular monthly meeting of the Executive Committee shall be held on the Tuesday immediately following. The regular meeting schedule for the following year shall be recorded with the Town Clerk prior to December 1 of the current year.

ARTICLE VII – Fire Company

- Section 1 - There shall be established a fire company for the Simsbury Fire District, to be known as the “Simsbury Volunteer Fire Company.”
- Section 2 - The Fire Company shall be empowered to draw up their own By-laws. Such By-laws shall be subject to the approval of the Executive Committee.

ARTICLE VIII – Fire Commissioners

- Section 1 - The first President shall appoint three Fire Commissioners to serve as follows: One for a 1-year term, one for a 2-year term, and one for a 3-year term; and annually thereafter there shall be appointed by the President one Commissioner for a term of 3 years. The term of each Fire Commissioner shall continue to the regular Executive Committee meeting next following the annual meeting of the Simsbury Fire District in the year in which such Fire Commissioner’s term expires, or until a successor is duly appointed. In the event that a vacancy occurs in the position of Fire Commissioner by resignation or other cause, the President shall appoint a successor Fire Commissioner to fill the remainder of the vacated term. All appointments of the Fire Commissioners shall be subject to confirmation by a majority vote of the entire Committee, less the Chairman of the Fire Commissioners.
- Section 2 - The duties of the Fire Commissioners shall be:
- (1) To appoint a Fire Chief, who shall serve at the pleasure of the Fire Commissioners and may be removed by the Fire Commissioners at any time, with or without cause, with the approval of a majority vote of the entire Executive

Committee, less the Chairman of the Fire Commissioners, and upon written notice to the Fire Chief.

(2) to supervise any and all buildings that may be provided to house the fire apparatus and equipment, and to make such rules and regulations as may be necessary as related to such buildings.

(3) Subject to the budgetary processes of the Simsbury Fire District, to buy, lease, rent, or otherwise obtain suitable equipment for the use of the Fire Department; and to approve, obtain, condemn and sell any equipment, provided it meets with the approval of the Fire Chief, irrespective of the source of such equipment. All such equipment shall be subject to such rules as have been or may hereafter be established by the Fire Commissioners.

Section 3 - Annually, immediately following the regular Executive Committee meeting next following the annual meeting of the Simsbury Fire District, the Fire Commissioners shall elect one of their members as Chairman, who shall serve as such until the regular Executive Committee meeting next following the next annual meeting of the Simsbury Fire District. In the event that a vacancy occurs in the position of Chairman by resignation or other cause, the Fire Commissioners shall appoint one of their members as Chairman to fill the remainder of the vacated term.

ARTICLE IX – Fire Chief

Section 1 - The Fire Chief shall appoint the subordinate officers of the Simsbury Volunteer Fire Company, who shall serve at the pleasure of the Fire Chief and may be removed by the Fire Chief at any time, with or without cause, with the approval of a majority of the Fire Commissioners, and upon written notice to such subordinate officer.

Section 2 - The Fire Chief shall be in full charge of the subordinate officers and the Fire Company.

Section 3 - The Fire Chief shall be held accountable to the Fire Commissioners only. He/she shall make such verbal and written reports as they may require.

Section 4 - The Fire Chief shall be responsible for the maintenance, repair and condition of the equipment. Subject to the budgetary processes of the Simsbury Fire District, expenditures for these purposes shall be subject to the approval of the Fire Commissioners except in cases of emergency, when the Chief shall be free to act. The Chief shall report monthly the condition of the apparatus and equipment and submit his recommendations.

Section 5 - The Fire Chief and Fire Marshal shall submit to appropriate parties, the number of fires, the dates, the time, and their location, the cause, and an estimated amount of the loss; the number and purpose of all other runs and the number of Company members responding to each fire or run.

ARTICLE X – Fire Marshal

Section 1 - The Executive Committee shall appoint a fire marshal, and may appoint such deputy fire marshals as it deems necessary or desirable, in accordance with the provisions of Section 29-297 of the Connecticut General Statutes, as amended from time to time.

ARTICLE XI – Budget

Section 1 - The Fire Commissioners and Fire Chief shall annually submit a proposed budget and suggest a tax rate to the annual meeting of the Simsbury Fire District for approval.

Section 2 - The annual meeting of the Simsbury Fire District shall adopt an annual budget for the upcoming fiscal year appropriating sufficient money to meet the administrative, operating, and other expenses of the District and the Fire Company, and, with due provision for uncollectable taxes, abatements and corrections, shall lay such tax on that portion of the last perfected Grand List of the Town of Simsbury lying within the territorial limits of the Simsbury Fire District and fix a tax rate as shall be sufficient, in addition to the other estimated yearly income of the District and in addition to such revenue surplus, if any, as may be appropriated, not only to pay such expenses for the upcoming fiscal year, but also to absorb the projected revenue deficit of the District, if any, at the end of the current year.

Section 3 - Such taxes shall become due and payable on July 1 of each year.

Section 4 - The laws governing the assessment and collection of taxes shall otherwise pertain.

ARTICLE XII – Fiscal Year; Reports

Section 1 - The fiscal year of the Simsbury Fire District shall be from July 1 each year to June 30 of the following year.

Section 2 - The President *Clerk* and Treasurer shall prepare an annual report to be presented at the annual meeting of the Simsbury Fire District.

Section 3 - The Executive Committee shall annually appoint **an auditor or Certified Public** Accountants who shall examine the books of the Simsbury Fire District and report their findings at the annual meeting of the District.

ARTICLE XIII – Effective Date; Amendments

Section 1 - These By-laws shall be in force upon approval and adoption by the Simsbury Fire District.

Section 2 - These By-laws may be changed, altered or amended by ordinance adopted in accordance with the provisions of the Connecticut General Statutes.”

(b) That this ordinance shall not take effect until the fifteenth day after its publication following approval by the voters present and voting at a District Meeting.

Dated at Simsbury, Connecticut, *this 10th day of May 1999.* **May 12th, 2014**

Kevin A. North

President, Simsbury Fire District