

CONSTITUTION AND BY-LAWS
OF THE
WARNER FIRE DEPARTMENT
WARNER, NEW HAMPSHIRE

ORIGINALLY ADOPTED

FEBRUARY 5, 1974

REVISION ADOPTED

SEPTEMBER 23, 1997

APRIL 2016

PREAMBLE

Where as, the strict observance of order constitutes the basis of all improvement and is the only guarantee of the prosperity of the The Department and as it is the duty of every member to respect and obey the officers, therefore be it:

Resolved, that we solemnly pledge ourselves to sustain our officers in the discharge of their duties and hold ourselves bound in honor to abide by and conform to, in every respect, the By-Laws contained herein.

MEMBERS OBLIGATION

I, _____, a resident of the Town of Warner, having regularly applied for membership in the Warner Fire Department, do hereby agree to support, maintain and abide by all the laws of the State of New Hampshire governing Fire Departments and all rules and regulations made by the Selectmen of the Town of Warner now in force or that may be enacted by said Selectmen. I also agree to obey all orders of duly elected or appointed officers of the Department as well as all the laws of the Department and Company.

ARTICLE I

NAME, OBJECT AND ORGANIZATION

SECTION 1 – This Department shall be known as the Warner Fire Rescue Department, Town of Warner, County of Merrimack and State of New Hampshire. This Department shall be known as the Warner Fire Rescue Department and shall consist of the Silver Lake Hose Company No. 1, established in 1830 and such other Companies as may herein after be organized and approved by the Selectmen of the Town of Warner.

SECTION 2 – The object shall be the prevention and extinguishment of fire, protection of life and property, and delivery of prehospital emergency medical care within the laws of the State of New Hampshire and under the rules, policies and regulations of the Selectmen of the Town of Warner.

ARTICLE II

MEMBERSHIP

SECTION 1 – The membership of the Department shall consist of forty-three (43) members. The membership may be expanded upon request of the Chief to the Selectmen of the Town of Warner and with their approval.

SECTION 2 – A citizen of the United States at least eighteen (18) years of age and a resident of the Town of Warner for one (1) year may become a member of the Warner Fire Department, except that a member of another fire department having moved into Town, may be voted into the Department with less than the required one (1) year resident requirement, providing he is mentally and physically fit. In addition a resident with less than one (1) year may be elected onto the Department if they are certified Firefighter I or Emergency Medical Technician. A candidate residing outside the Town of Warner may be considered for membership if they are currently certified Firefighter I or Emergency Medical Technician at the discretion of the Fire Chief.

SECTION 3- Every candidate for membership shall complete an application form supplied by the Department. All questions on said form (application) shall be answered in full.

SECTION 4- A candidate or candidates for membership shall be elected from a list of nominees who were nominated by members of the Department at a regular monthly meeting at least one (1) month prior to their election.

SECTION 5- Every candidate for election to the Department shall be screened by the Screening Committee following nomination by the membership of the Department. Said Screening Committee shall be appointed by the Chief.

SECTION 6- Every candidate recommended by the Screening Committee shall be required to submit to a medical examination, criminal record check and motor vehicle check prior to appointment.

SECTION 7- Members shall be elected to the Department only when a vacancy shall occur.

SECTION 8- Newly elected members shall be on probation for a period of one (1) year from date of their election to the Department.

SECTION 9- Newly elected members shall attend at least one NH Fire Academy certification program in Firefighting or Emergency Medical Responder (or above).

SECTION 10- Newly elected members shall attend all meetings and drills unless excused by a Chief Officer.

SECTION 11 – Each member of the Department shall be issued personal equipment as follows:

- (a) Approved safety helmet
- (b) Bunker coat

- (c) Bunker pants and hood
- (d) Fireman's safety boots
- (e) Gloves and/or mittens
- (f) Badge and cap device
- (g) Auto identification marker
- (h) Copy of By-Laws
- (i) Eye protection device
- (j) Radio pager
- (k) Forestry shirt and pants
- (l) Rescue jacket if EMR, EMT, AEMT or Paramedic

SECTION 12– Any member of the Department reaching the age of sixty-five (65) years may retire from active service with the Department and become an Honorary Member. Any member having served twenty (20) years or more upon their retirement may become an Honorary Member.

SECTION 13– A member of the Department who ceases to be a resident of the Town of Warner shall be dropped from the rolls of the Department immediately. All property belonging to the Department which the aforementioned member has been issued or has in his possession shall be returned to the Chief.

SECTION 14– Any member of the Department whose membership ceases, for whatever reason, shall immediately return all equipment issued to him by the Department to the Chief.

SECTION 15 – Any member of the Department that commits three (3) infractions of the By-Laws or create unsafe conditions shall be subject to disciplinary action up to and including termination.

ARTICLE III

DEPARTMENT OFFICES

SECTION 1 - The line officers of the Warner Fire/Rescue Department shall be, Chief, First Deputy Chief, Second Deputy Chief. The Administrative officers shall be, Clerk-Treasurer, Sergeant-at-Arms and two (2) Auditors. Their term of office shall be for one (1) year from 0001, January 1st to 2400, December 31st. Vacancies shall be filled immediately by appointment of the Chief. Said appointment shall be of the unexpired term of the office.

SECTION 2 – If a vacancy should occur in the office of Chief, the First Deputy Chief shall ascend to the office of Chief and assume the duties of said office. The Second Deputy Chief shall ascend to the office of the First Deputy Chief and assume the duties of said office. All of the above will be for the unexpired terms of the offices.

SECTION 3 – Nominations and elections of Chief, First Deputy Chief, Second Deputy Chief, Clerk\ Treasurer, Sergeant-at-Arms and two (2) Auditors shall take place at the December meeting each year. Election of office shall be by two-thirds (2/3), vote of a quorum of the members eligible to vote.

SECTION 4 – The Chief shall appoint at his discretion up to three (3) Fire Captains, one (1) Rescue Captain, three (3) Fire Lieutenants and one (1) Rescue Lieutenant. The announcement of said elections and appointments will be posted at the Fire Station on or before the first of January of each year. However, they shall assume their duties immediately upon appointment and serve for one (1) year or until they are relieved of said duties and assignments. In such case, they will return to duty as firefighter unless they are dismissed or otherwise leave the Department.

ARTICLE IV

DUTIES OF DEPARTMENT OFFICERS

CHIEF

SECTION 1 – The Chief shall have exclusive control of the members at the incidents, inspections, drills, funeral services and at any time when assigned to special fire duty. He shall have supervision of all apparatus owned or hired by the Department.

SECTION 2 – The Chief, or his designee, shall arrange for schools of instruction at such time as he deems the same to be necessary or desirable.

SECTION 3 – The Chief, or his designee, shall immediately answer every General Alarm or rescue call of which he may receive knowledge and take absolute command of the apparatus and personnel working in connection with said alarm.

SECTION 4 – The Chief, or his designee, shall hold the officers and members of the Department strictly to account for neglect of duty and may suspend them at any time, with just cause.

SECTION 5 – The Chief, or his designee, shall preserve order faithfully, impartially and firmly enforce the by-laws, rules ;and regulations of the Department.

SECTION 6 – The Chief, or his designee, shall immediately after every fire, examine into and ascertain, if possible, the cause thereof. In case of suspicion of arson, he shall secure and preserve all possible evidence for future use and may request of the State Fire Marshal a complete investigation.

SECTION 7 – The Chief, or his designee, shall cause to be kept, on the forms provided, a detailed report of all fires and alarms and the action taken.

SECTION 8 – The Chief, or his designee, shall have the authority at any and all times, in the performance of the duties imposed upon him, to enter upon and examine any premises and take possession of the same when an incident occurs and also such building on premises adjacent thereto as may be necessary for the proper handling of the incident or the safety of residents or pedestrians. Such to be consistent with appropriate state statutes.

SECTION 9 – The Chief, or designee, shall be responsible for the training of the personnel and the periodic testing of equipment for adequacy of operation. They shall see that the apparatus is in proper working order at all times. They shall inspect, or cause to be inspected by members of the Department, the fire hydrants, cisterns and other sources of water.

SECTION 10 – The Chief, or his designee, shall be responsible for and direct all fire prevention and inspection activities conducted by the Department.

SECTION 11 – The Chief, or his designee, shall in January of each year, forward to the Selectmen of

the Town of Warner, NH a report of the activities of the Department for the previous year. The report shall cover the activities from 0001 hours, January 1 to 2400 hours, December 31 inclusive.

FIRST DEPUTY CHIEF

SECTION 1 – It shall be the duty of the First Deputy Chief to immediately answer every general alarm or rescue call of which he may receive knowledge. At said alarm, he/she shall report to the Chief and issue or obey such orders as he/she may be given by the Chief.

SECTION 2 – In the absence of the Chief, he/she shall perform all the duties and have the same powers and be subject to the same rules as pertain to the office of the Chief, when acting as such.

SECTION 3 – In addition to the duties listed in Sections 1 and 2 above, the First Deputy Chief may be assigned other special duties as designated by the Chief.

SECOND DEPUTY CHIEF

SECTION 1 – It shall be the duty of the Second Deputy Chief to immediately answer every general alarm or rescue call of which he may receive knowledge. At said alarm, he/she shall report to the Chief or the First Deputy Chief and issue or obey such orders as he/she may be given by the Chief.

SECTION 2 – In the absence of the Chief or First Deputy Chief, he/she shall perform all the duties and have the same powers and be subject to the same rules as pertain to the office of the Chief, when acting as such.

SECTION 3 – In addition to the duties listed in Sections 1 and 2 above, the Second Deputy Chief may be assigned other special duties as designated by the Chief.

CLERK-TREASURER

SECTION 1 – He/She shall keep the records of the Department, a roll of all members of the Department and all members who shall have been dismissed, expelled or suspended from the Department.

SECTION 2 - He/She shall attend to all correspondence, publish all orders issued by the Chief and perform such other duties as pertain to the office.

SECTION 3 – He/She shall record all the business that is transacted at any regular monthly or special meeting of the Department.

SECTION 4 - He/She shall receive and disburse all funds belonging to the Department with the approval of the membership. He/She shall report all bills received.

SECTION 5 – He/She shall give a true and accurate account of the office annually.

SERGEANT-AT-ARMS

SECTION 1 – He/She shall assist the Chief in maintaining order at all meetings. He/She shall collect the ballots any time it is necessary to take a vote by secret ballot. During the meeting, he/she shall meet and assist anyone who enters the fire station, and is not a member so the meeting will not be interfered with or the members disturbed.

SECTION 2 – He/She shall assist in the counting of the ballots when the same are used.

AUDITORS

SECTION 1 – It shall be the duty of the Auditors to perform a complete audit of the financial records of the Department after December 31 of each year and shall make a report of their findings no later than the February meeting. They shall also audit the financial records immediately after resignation of the Clerk-treasurer and before the records are turned over to the new Clerk-treasurer. The auditors may also audit the records of the Department at any other time upon notification to the Chief and Clerk-treasurer.

ARTICLE V

DUTIES OF COMPANY OFFICERS

CAPTAIN

SECTION 1 – It shall be the duty of each Captain, and in his/her absence, the Lieutenant to:

A – Immediately respond to every alarm with the apparatus to which he/she is assigned, ready for service.

B – To see that all equipment is picked up at the scene of fire or emergency and to return to quarters immediately when ordered to do so by the Chief in charge, to see that the apparatus and equipment is in condition for immediate response to another alarm.

C – He/She shall be held responsible to see that each member who answered an alarm or rescue call receives credit for such response.

D – He/She shall instruct all members assigned to his/her command, in the proper method of handling, using and caring for all equipment.

E – He/She shall see that the equipment and apparatus are kept in first class condition; when found otherwise he/she shall immediately report same to the Chief or designee.

F – He/She shall see that personnel injured in the line of duty receives first aid and other care that may be required.

G – He/She shall see that a “Report of Injury” is made within twenty-four (24) hours to the Chief upon notification of an injury by a member.

H – He/She shall see that an inventory of the equipment on the apparatus is completed annually as assigned by the Chief.

SECTION 2 – In the absence of the Chief, First Deputy Chief or Second Deputy Chief, the first officer at the scene shall assume command until he/she is relieved by superior officer.

SECTION 3 – In addition to general duties specified above, a Captain may be assigned special duties as designated by the Chief.

LIEUTENANTS

SECTION 1 – It shall be the duty of the Lieutenant to immediately answer every alarm of which he / she may receive knowledge. He/She shall issue or obey such orders as may be given by the superior officers.

SECTION 2 – In the absence of the Captain, the Lieutenant shall perform all the duties and have the same powers and be subject to the same rules as pertain to the office of the Captain when acting as such.

SECTION 3 – In addition to all other duties assigned to him/her, a Lieutenant may be assigned special duties as designated by the Chief.

RESCUE CAPTAIN

SECTION 1 – It shall be the duty of the Rescue Captain, and in his/her absence, the Rescue Lieutenant to:

A – Immediately respond to every medical alarm or other alarm as requested with the apparatus to which he/she is assigned, ready for service.

B – To see that all equipment is picked up at the scene of fire or emergency and to return to quarters immediately when ordered to do so by the Chief in charge, to see that the apparatus and equipment is in condition for immediate response to another alarm.

C – He/She shall be held responsible to see that each member who answered an alarm or rescue call receives credit for such response.

D – He/She shall instruct all members assigned to his/her command, in the proper method of handling, using and caring for all equipment.

E – He/She shall see that the equipment and apparatus are kept in first class condition; when found otherwise he/she shall immediately report same to the Chief or designee.

F – He/She shall see that personnel injured in the line of duty receives first aid and other care that may be required.

G – He/She shall see that a “Report of Injury” is made within twenty-four (24) hours to the Chief upon notification of an injury by a member.

H – He/She shall see that an inventory of the equipment on the apparatus is completed annually as assigned by the Chief.

RESCUE LIEUTENANT

SECTION 1 – It shall be the duty of the Rescue Lieutenant to immediately answer every medical alarm or other alarm as requested of which he /she may receive knowledge. He/She shall issue or obey such orders as may be given by the superior officers.

SECTION 2 – In the absence of the Rescue Captain, the Rescue Lieutenant shall perform all the duties and have the same powers and be subject to the same rules as pertain to the office of the Rescue Captain when acting as such.

SECTION 3 – In addition to all other duties assigned to him/her, a Rescue Lieutenant may be assigned special duties as designated by the Chief.

HONORARY MEMBERS

Upon becoming an Honorary Member, the member may attend meetings, but shall not have the privilege of a vote.

ARTICLE VI

DUTIES OF MEMBERS

SECTION 1 - The following obligation shall be taken by all applicants, elected to membership in the Warner Fire Department, before the membership.

OATH: I _____ do solemnly swear that I will uphold the Constitution of the United States, the laws of the State of New Hampshire and will abide by the By-Laws of the Warner, NH Fire and Rescue Department, so help me God.

SECTION 2 - Each and every member of the Department shall be subject to the orders of the Officer to whom he is assigned, Chief or Deputy Chief at the time of alarm or other emergency, when on parade, drill, inspection or when upon any special duty to which he may be assigned. If no officer is present, the most senior member or his designee shall assume command.

SECTION 3 – All members shall conduct themselves at all times in such a manner so as not to bring disgrace or adverse criticism or ill feeling against the Department. Charges may be preferred against any member for violation of this section.

SECTION 4 – Any member not attending eight (8) regular drills and six (6) regular meetings within each full calendar year, unless he/she has a reasonable excuse, shall explain to the Advisory Council the reasons for his/her inactivity and be placed on probation for ninety (90) days. If attendance does not improve during this period and continues through the ensuing year, he/she will be dropped from the rolls of the Department. The following shall be considered reasonable excuses: sickness, working, vacation or family commitment.

SECTION 5 - No member shall take any property of the Department for personal use, without prior approval of a Chief Officer.

SECTION 6 – No member shall arbitrarily touch or interfere with the working parts of any equipment/ apparatus. Any member guilty of violation of this section shall be subject to suspension or dismissal.

SECTION 7 – At any alarm, members shall report to the fire station and if apparatus has proceeded to the scene of an alarm, such members shall comply with the orders of the Officer in Charge. If they do not report to the scene, they will remain at the station, and upon the return of the apparatus, assist in getting it ready for the next alarm, until dismissed or excused prior thereto by the Officer in Charge.

SECTION 8 – At the scene of an alarm all members are to report to Command.

SECTION 9 – No member is authorized to sign any statement, application, contract or incur any debt against the Department except when authorized to do so by a Chief Officer.

SECTION 10 - No smoking shall be permitted in or on any apparatus or in the fire station.

SECTION 11 – The minimum attire for responding to and receiving credit for an alarm shall be appropriate to preserve the safety of the member.

SECTION 12 - All members, when riding on any apparatus and attending or participating in outdoor drills, shall wear the protective clothing and equipment issued to them. Personnel, when driving apparatus, are not required to wear protective clothing until they reach the scene and after beginning pumping operations. Exception to this section may be used during forest fire incidents as prescribed by the officer in charge. All members shall wear seat belts.

SECTION 13 - No member of the Department shall board or attempt to board any moving apparatus.

SECTION 14- Members shall maintain appropriate certifications for their positions. Failure to maintain necessary certifications may result in dismissal from the Department.

SECTION 15 - Other than in the line of duty, any member who sustains any serious injury, illness or infirmity shall, after onset of said injury, illness, or infirmity, submit a report to the Department from his attending physician pertaining to the diagnosis, prognosis and members ability to remain as an active member of the Department. They shall not respond to incidents or shall not return to active duty until report from the attending physician allows. Injuries shall be reported to an Officer immediately.

ARTICLE VII

DUTIES OF DRIVERS

SECTION 1 - No member shall be eligible for training unless he/she is recommended by an Officer and approved by the Chief.

SECTION 2 – Qualification for Appointment:

(A) Must possess a valid proper class drivers license issued by the State of New Hampshire to operate Department vehicles which require such a license.

(B) Must be able to properly handle apparatus in traffic, and while responding to alarms.

(C) Must be able to operate any and all equipment which is part of the specific apparatus.

(D) Must be tested and approved by the Chief, or designee. Such test results will be duly recorded and filed in the member's personnel file.

(E) Must be on the Department for one (1) year or approved by Chief or designee

SECTION 3 – Drivers shall be held responsible and accountable for the safety of their apparatus. They must be prudent in the operation of the apparatus in responding to alarms. When operating apparatus, he/she shall comply with all vehicle and traffic laws.

SECTION 4 – No one but a member of the Department shall drive any apparatus at any time, unless authorized by the Officer in Charge. (For example, a mechanic taking apparatus to repair).

SECTION 5 - The driver of each piece of apparatus shall make an inspection of his/her apparatus after each run. Such inspection shall include, checking oil, gasoline, water, battery and tires. During the winter months, he/she shall also check the anti-freeze and tire chains. He/she shall fill out all records pertaining to the apparatus.

SECTION 6 – A driver of any apparatus involved in any accident shall be investigated by the appropriate authority and submit a written report to the Chief attested to by the officer in charge.

SECTION 7- Drivers must stay with assigned vehicle at emergency scenes unless directed by an Officer.

SECTION 8 - The Chief or any subordinate officer shall have the authority to suspend any driver for any stated cause. Causes for removal shall be as follows:

(A) Infraction of Department By-Laws or Rules and Regulations.

(B) Careless or imprudent driving.

(C) Carelessness in handling and operating apparatus while responding to, or at the scene of an alarm, or lack of proper attention to his/her assignment.

(D) Physical or mental impairment due to being under the influence of alcohol or drugs, (prescription or other).

ARTICLE VIII

ADVISORY COUNCIL

SECTION 1 – The Advisory Council shall consist of six (6) members, Chief, Deputy Chief, Captain or Lieutenant and two (2) firefighters and one (1) rescue member.

SECTION 2 – The Chief shall chair all meetings of Council and shall appoint one of the members to be clerk of the Advisory Council. All members of the Council shall be appointed by the Chief.

SECTION 3 – The Council shall meet at the call of the Chief or any three (3) members of the Council or membership and keep minutes of each meeting.

SECTION 4 – Duties of Council:

(A) To make recommendations for changes in the By-Laws, Rules and Regulations for the good and welfare of the Department.

(B) To render a copy of the minutes of the meetings of the Council to the Department at the regular meeting following the Council Meeting, with the exception of personnel matters. Personnel matters shall be confidential.

(C) To set as a tribunal in cases of disciplinary action taken against a member of the Department.

(C1) Disciplinary action against the Chief is to be heard by the governing body of the Town of Warner.

(D) Any member of the Advisory Council absenting themselves from three (3) consecutive meetings, without reasonable excuse shall be replaced.

ARTICLE IX

LEAVE OF ABSENCE

SECTION 1 – MILITARY LEAVE – All members of the Department who are drafted or enlist and are ordered into military service shall be granted military leave of absence for the length of time in the service. All members on military leave of absence shall be kept on the Department rolls. Any member on a military leave of absence may not vote for any office or vote on any question that may occur.

(A) – Members on military leave of absence may be replaced by the addition of one new member for member on military leave of absence.

(B) – If the Department's authorized strength is exceeded as a result of a member returning to active duty from military leave the Department's strength shall be reduced to its authorized strength by not replacing members who subsequently terminate their membership in the Department.

(C) - Any member on military leave of absence must make a written application for reinstatement within thirty (30) days after the date of Honorable Discharge, or release from active duty. A doctor's certificate may be requested at the same time request is made for reinstatement certifying the member is physically fit to resume active duty.

SECTION 2 – REGULAR LEAVE – Any member may apply for a leave of absence. Said leave of absence shall be for a maximum of ninety (90) days. If additional time is needed a new request must be submitted. Any member on leave of absence may not vote for any office or vote on any question that may occur.

SECTION 3 – SICK LEAVE - Any member who becomes ill or is injured, may apply for a sick leave. While on sick leave the member may not vote on any question or for any office. All members on sick leave are prohibited from attending any emergency duties.

SECTION 4 – EDUCATIONAL LEAVE – Any member may apply for educational leave of absence. Said leave of absence shall be granted while a member is a student away from Warner, attending college, technical school, or any type of post-secondary school. Members on educational leave may be replaced by the addition of one new member for each member on leave. Procedures as indicated in Section 1(B) shall be followed regarding return to active service. All members in educational leave may not vote for any office or vote on any question which may occur, however, while in Warner for vacations, time off or other reasons, he may respond to call and attend Department functions.

ARTICLE X

UNIFORMS AND INSIGNIA

SECTION 1 – Insignia of Department Officers

Chief – 5 Crossed Gold Trumpets
First Deputy Chief – 4 Crossed Gold Trumpets
Second Deputy Chief – 3 Crossed Gold Trumpets

SECTION 2 – Insignia of Company Officers

Captain – 2 Upright Silver Trumpets
Lieutenant – 1 Upright Silver Trumpet

SECTION 3 - Insignia for Firemen/Rescue

Cap Device – Silver Maltese Cross
Breast Badge – Prescribed Department breast badge appropriate to office.

SECTION 3 (A) – Badges and insignia of office will be issued by the Department as will as appropriate cap device, collar brass and name bars.

SECTION 4 – Uniforms

(1) Dress Uniform – Chief Officers

White uniform shirt – long sleeve in winter, short sleeve in summer
Dark blue uniform trousers without cuffs
Black tie, socks, belt, shoes or boots
White gloves (optional), used when called for by the Chief
Dark blue uniform jacket (optional), waste length, lined or unlined

(2) Dress Uniform – Officers and Members

Light blue uniform shirt – long sleeve in winter, short sleeve in summer
Dark blue uniform trousers without cuffs
Black tie, socks, belt, shoes or boots
White gloves (optional), used when called for by the Chief
Dark blue uniform jacket (optional) waist length, lined or unlined
Bell crown type hat

(3) Non-Dress Uniform – Chief Officers, Officers and Members

Light blue uniform shirt – long sleeve in winter, short sleeve in summer
Dark blue uniform trousers without cuffs
Black socks, belt, shoes or boots
Dark blue uniform jacket (optional)

Department issue baseball style hat

(5) Patches

(A) On all uniform shirts and jackets, the Department shoulder patch (Maltese Cross) shall be worn on the left sleeve, one-half ($\frac{1}{2}$) inch from the shoulder seam.

(B) Capital Area Mutual Aid shoulder patch shall be worn on right sleeve one-half ($\frac{1}{2}$) inch from should seam.

(C) Emergency Medical Technician (EMT) patch shall be worn on the left sleeve one-half ($\frac{1}{2}$) inch below Department patch, if authorized to be worn.

(D) Certified New Hampshire Firefighter patch shall be worn one (1) inch over right breast pocket, if authorized to be worn.

(6) Breast Badge

Badge shall be worn on left breast of shirt or jacket above the pocket.

(7) Name Bars

Name bar shall be worn on right breast of shirt or jacket above pocket.

SECTION 5 – Cap style will be firefighter's bell crown type.

Officers will wear white caps and firemen will wear blue caps. Chief Officers will wear gold chin straps. Company Officers will wear silver chin straps. Firefighters will wear black chin straps. Caps will be issued by the Department – Members are to acquire rest of uniform according to current policy in effect.

SECTION 6 – Members are required to keep uniforms clean and shoes and badges polished when appearing in uniform. Uniforms are to be worn at Department or special functions as specified by the officer in charge.

ARTICLE XI

DISMISSAL OR SUSPENSION OF MEMBERS

SECTION 1 – Any member of the Department may be dismissed or suspended for incompetence or misconduct. Except for absenteeism at meetings, drills or other required activities, removal from office or membership shall be made only after a hearing before the Department Advisory Council.

SECTION 2 – Such charges of misconduct shall be in writing and shall state in detail the nature of the offense and the date and time offense took place. A copy of such charges together with a notice of hearing shall be served on the officer or member at least five (5) days, but not more than ten (10) days before such hearing. Said notice of hearing shall specify the date, time and place of hearing. Witnesses will be heard to establish the innocence or guilt as the case may be.

SECTION 3 – A member may be dismissed from the Department if:

(A) Within one (1) year after being elected to the Department, fails to comply with training requirements.

(B) Fails to attend the required number of meetings and drills.

(C) If he/she reports for duty under the influence of alcohol or drugs, so as to render him/her unfit for said duty.

SECTION 4 – Any member may be suspended if:

(A) He/She violates any of the By-Laws herein.

(B) He/She reports for duty in such a state on intoxication, from whatever source, so as to render him /her unfit for said duty, the officer in charge shall suspend him/her immediately.

SECTION 5 – Any member who commits an act of insubordination shall be suspended immediately.

SECTION 6 – All suspended members have the right to a hearing to be held within two (2) weeks of said suspension, before the Advisory Council. He/She also has the right to appeal, before the Selectmen of the Town of Warner, the action taken by the Chief and/or the Advisory Council.

ARTICLE XII

DEPARTMENT MEETING

SECTION 1 – There shall be a meeting of the Department on the first Tuesday of each month at 1900 hours at the fire station unless otherwise voted by the membership. Any individual monthly meeting may be rescheduled by the Chief due to unforeseen problems, or due to conflicts with holidays, municipal meetings or training schedules, with at least one (1) week notice to the membership. Meetings may be postponed for a period of (2) days due to emergencies.

SECTION 2 – The Chief or his/her designee shall chair the meeting.

SECTION 3 – The meeting held in the month of January shall be considered the Annual Meeting. The annual reports of officers and committees shall be presented to the Department.

SECTION 4 – A quorum shall be twelve (12) members.

SECTION 5 – All Department committees shall give their reports at these meetings and all matters pertaining to the Department shall be discussed at this time.

SECTION 6 - The following shall be the order of business:

- Pledge to the flag
- Roll call
- Swearing in of new members
- Reading of minutes
- Treasure's report
- Reports of committees
- Communications and bills
- Unfinished business
- New business
- Critique of fires and alarms
- Good and welfare of department
- Adjournment

SECTION 7 – A special meeting may be called by the Chief or any five (5) members in good standing with the approval of the Chief, or the Advisory Council.

SECTION 8 - No business, other than that for which the special meeting was called shall be transacted.

SECTION 9– Notice of such special meeting shall be made to each member twenty-four (24) hours prior to the meeting by departmental pager.

SECTION 10 – All meetings shall be conducted according to Robert's Rule of Order. However, committee meetings may be conducted informally.

ARTICLE XIII

GENERAL

SECTION 1 – Records – The records of the Department shall be closed on November 31st of each year .

SECTION 2 – Screening Committee – There shall be a five (5) member screening committee to interview all candidates for membership in the Department. There shall be a chairperson (either fire or rescue), 2 firefighters and 2 EMT's. The following guidelines shall be used by said committee in their interviews:

- (A) Interest in service to the Department
- (B) Availability to the Department
- (C) Previous experience and/or training
- (D) Physical or mental suitability for the required tasks of the position
- (E) Any other information beneficial to the membership

The committee, after interviewing the applicant, shall vote to either recommend or not recommend the applicant for election by the general membership. If the applicant is recommended by the Screening Committee, then the membership shall vote when the next opening arises. If the applicant is not recommended, the reasons shall be documented on the application and it shall be placed on file and not brought up to the general membership.

SECTION 3 – The twenty-four (24) hour military clock shall be used to record all time within the Department and on all Department records.

SECTION 4 – In the absence of any officers, no new member shall assume the duties of an acting officer until he has completed one (1) year of active duty.

SECTION 5 – When operating the Department radio, mobile radio or portable radio there shall be no profanity or obscene language used. There also shall be no unnecessary conversation.

SECTION 6 - All resignations from the Department shall be submitted in writing by the member resigning.

SECTION 7 – Excuses for absence from drills and meetings may be made in writing, in person or by telephone to a Chief Officer by the member absenting himself. The Chief Officer shall approve or disapprove the excuse. A record of excuses shall be forwarded to the Clerk for notation.

SECTION 8 – A library shall be maintained, containing a file of publications pertinent to the department, so as to be put to use to the best advantage of the membership. This library shall be kept current by the Chief or his designee.

SECTION 9 – There shall be twelve (12) regular drills each year and they shall normally be held on the

third (3rd) Tuesday of each month.

SECTION 10 - Only the Chief Officer in charge or designee shall make statements to the press, media, or others in regards to incidents handled by the Department.

SECTION 11 – The Department may authorize by its vote the appointment of special advisory or technical personnel on an individual basis to assist the Department on special matters. These special matters shall not have the privilege of a vote on any Department matters or any authority in the function or performance of the Department or its members. Specific titles given to these special members will be decided by the Department upon recommendation of the Chief.

ARTICLE XIV

AMENDMENTS

SECTION 1 - These By-Laws may be rescinded, revised, amended or altered with the approval of the membership. Any changes in the By-Laws shall be submitted in writing and posted for two (2) months and voted on at the third month's regular meeting. Such amendments to be carried by two-thirds (2/3) vote of the members present.

SECTION 2 - Every active member of the Department shall receive a copy of the proposed amendments and changes in the By-Laws and any amendments thereto.

ARTICLE XV

DEATHS

SECTION 1 - A member who dies in the line of duty shall be entitled to:

- (A) All fire stations to be draped for thirty (30) days
- (B) Flag at half mast for thirty (30) days
- (C) Flowers from the Department
- (D) The following with the approval of the family of the deceased:
 - (1) Guard of Honor to be posted
 - (2) Wake service, conducted by the chaplain of the deceased members faith, to be attended by all members of the Department
 - (3) Engine and Rescue to be used as hearse or flower car
 - (4) Any members to act as Pall Bearers and/or Honorary Bearers
 - (5) Department to attend funeral services (if any)

SECTION 2 - A member who dies, other than the line of duty shall be entitled to:

- (A) Station to be draped for thirty (30) days
- (B) Flowers from the Department
- (C) The following with the approval of the family of the deceased:
 - (1) Company to detail guard of honor for entire wake
 - (2) Wake service to be held by chaplain of deceased faith
 - (3) Engine or Rescue to be used as hearse or flower car
 - (4) Any members to act as Pall Bearers and/or Honorary Bearers
 - (5) Department members to attend funeral service (if any)

SECTION 3 - An active member's wife, single children, mother or father who dies is entitled to:

- (A) Flowers from the Department

SECTION 4 - A retired member who dies shall be entitled to:

- (A) Flowers from the Department
- (B) Department to attend wake service (if any)
- (C) Department members to attend funeral services (if any)
- (D) Department members to act as Pall Bearers and/or Honorary Bearers, if requested

ARTICLE XVI

EFFECTIVE DATE

SECTION 1 – These By-Laws shall take effect immediately upon the voted approval of the membership.

Amended _____