**BY-LAWS**

Mountain Lake Fire Company

Revised June 13, 1995, Revised December 9, 2002,

Revised and adopted December 13, 2004 (Fire Police)

Revised and adopted April 14, 2009 (Fire Police Application)

Revised and adopted June 13, 2016 (Bereavement Policy)

Revised and adopted May 8, 2017 (Updates)

Revised and adopted October 8, 2018 (Social Membership)

Revised and adopted July 13th, 2020 (Article XIII and Social Media)

ARTICLE I – GENERAL

Section 1 The stated meeting of the Company shall be held on the second Monday of each month at ***1930 hours at the firehouse.***

Section 2 The annual meeting of the Company shall be held on the second Monday of January at 7:30 pm at which time installation of officers shall be held.

Section 3 The President shall call special meetings at written request of five members or whenever he/she thinks is proper or necessary. At least 24 hours’ notice must be given to members in calling said special meeting.

Section 4 If for any reason the regular or annual meeting shall not be held on the date and hour designated in Sections 1 or 2 of this article, it will be the duty of the President to request the Secretary to issue a call as promptly as possible.

Section 5 At least five members and two officers will and must be present to constitute a quorum for the transaction of business.

ARTICLE II – ORDER OF BUSINESS

Section 1 1. Roll call

1. Minutes of preceding meeting read and approved
2. Correspondence
3. Reports of committee
4. Election of new members
5. Old business
6. New business
7. Report of Chief
8. Report of Treasurer
9. Election of Officers (December’s meeting)
10. Has any member anything to offer for the benefit of the Company
11. Adjournment

ARTICLE III – MEMBERSHIP

Section 1 No person shall be eligible for membership who is under the age of 18 years. An application form must be completed and presented to the President of the Company. The President will then present same to the Membership Committee for review. All members shall live within a reasonable distance of the Mountain Lake Fire Company response area as defined by the 911 coverage map.

 The Membership Committee will inquire into the character and qualifications of applicants. If majority of the Committee report favorably, the candidate will be balloted for. The vote will be by ***voice vote***. If the applicant is accepted as a probationary member, he/she will fill out a “Basic Information Form”. All information is kept for fire department use only and will be kept strictly confidential. Completed basic information forms will be returned to the chief officer within 14 days of being accepted a probationary member. All applicants shall be considered probationary members for the first 24 months. The probationary period shall begin when application is approved by written vote. All probationary members must complete Firefighter I within 24 months after being accepted as a probationary member. While on probation, member must attend a minimum of 75% of all meetings and respond to a minimum of 60% of all fire calls and drills. Probationary members are not allowed to drive a Mountain Lake Fire Company owned vehicle or enter a burning structure. Probationary members shall keep their personal protective equipment at the firehouse and report to the firehouse for all calls. Upon successful completion of Firefighter I, having completed at least a 12 month probationary period, and having the approval of the company, the applicant shall be presented to the Liberty Township Committee for final approval.

Section 2 An applicant who has previously completed Firefighter I or an acceptable equivalent of training will still be considered a probationary member. The applicant must submit written proof of successful completion of an aforesaid course to the membership committee / chief officers when an original membership application is submitted. If acceptable, applicants standard 24 month probationary period shall be reduced to a 12 month duration. All other requirements will remain the same as written in Article III Section 1.

Section 3 All applicants upon acceptance as a probationary member will complete an application for the New Jersey State Fireman’s Relief Association. Aforesaid probationary member will be required to submit to and pass a physical examination. The physical examination shall be the same or more stringent than the new Jersey State Firemen’s Relief Association physical examination guidelines. In no case will it be allowed to be less than the above minimum requirements. This physical examination must be completed prior to the newly accepted probationary member being able to take part in fire company activities including but not limited to fire-fighting, drills, fire department fundraisers, etc. The probationary member will be required to undergo and submit the results of the aforesaid physical examination with 14 days of being accepted.

 The fire department will pay the probationary members out of pocket expenses not covered by the member’s health insurance.

 Newly elected probationary members shall have the option of receiving or not receiving a Hepatitis “B” vaccination. If the member chooses not to receive the vaccination, he/she will be required to sign a waiver that states, “If said member contracts Hepatitis “B”, he/she cannot hold Mountain Lake Fire Company liable.” Member’s intent to the above must be made known to the chief officer within 14 days of acceptance as a probationary member. The above waiver is also known as a “Hepatitis B Vaccine Declination Form” as per Appendix A, 29 CF 1910.1030 – Occupational Exposure to Blood borne Pathogens.”

Section 4 Probationary members and regular members under the age of 21 years will not ***be allowed inside of the firehouse without an active member present. During a fire a probationary member may standby in the engine bays.***

Section 5 Upon becoming an active member, each member will swear his/her allegiance to the Company the by “Obligation”,

 ***I do solemnly promise, in the presence of the members of the Mountain Lake Fire Company herein assembled, that I will so far as lies in my power, faithfully perform all the duties devolving upon me as an active member. Also to abide by the Constitution and By-Laws of the Company.***

Section 6 Upon being accepted as a probationary member he/she will receive a copy of the Mountain Lake Fire Company Constitution, By-Laws, and Standard Operating Procedures (S.O.P.’s). All members shall abide by the aforesaid rules and regulations.

**ARTICLE IV – ACTIVE MEMBERSHIP**

Section 1 All active members shall attend at least 50% of the regular meetings of the Fire Company each year, unless a valid excuse is presented. Anyone not attending 50% of the regular meetings shall be removed from the active roster after notification in writing. Review of attendance records will be held every six months and members notified. It shall be the duty of every active member to respond to every alarm and stand at such station as their respective officer may direct, no member shall leave his station without permission of the ***officer in charge***. This act shall be enforced by the penalty of expulsion if not complied with. All members shall report back to the fire house after each alarm.

Section 2 On the occurrence of a false alarm or a drill, the members shall be equally under the government of the Officers as though a fire has really occurred.

Section 3 Any member disorderly at a meeting of the Company or at a fire or a drill shall be fined or disciplined as directed by the Company, and a statement of their conduct entered into the minutes.

Section 4 All active members must attend 60% of combined fires and drills. A review of attendance records will be held every six months and members will be notified by the Chief.

Section 5 Members shall live within a reasonable distance of the Mountain Lake Fire Company response area as defined by the 911 coverage map. When an active member moves from this area, he/she shall notify the Chief and/or President in writing. The President will notify the membership committee, who will then reevaluate the address change and recommend to the body whether the new address is still within a reasonable distance of the 911 coverage area. The body will then vote on the membership committee’s recommendation.

Section 6 When an active member moves outside the 911 coverage area member will be granted an inactive status for six months. After six months, member must notify the Company in writing of their future plans. If not moving back, this member will be removed from the membership as an active Fire Fighter. All current members as of February 8, 1993, are exempt from Article IV, Section 5.

Section 7 To be eligible for an Officer position, a member must be an active member in good standing for a period of two years. Minimum requirements for a Chief Officer position are:

1. Fire Fighter I & II
2. Fire Officer Level I & ***Level II*** (within one year)
3. Company Training Officer (within one year)
4. ***Two years*** as a Business officer (Pres., V.P., Sec., Treas.)
5. Complete Incident Command ***300*** (within two years)
6. ***Comply with all state regulations***

Section 8 Any member not obtaining set percentage (see Section 1&4) will be notified by mail and must respond as requested to their intent.

**ARTICLE V – FIRE POLICE MEMBERSHIP**

Section 1 No person shall be eligible for membership who is under the age of 18 years. A Fire Police application form must be completed and presented to the President of the Company. The President will then present same to the Membership Committee for review. All members shall live within a reasonable distance of the Mountain Lake Fire Company response area as defined by the 911 coverage map.

Fire Police shall be considered Active Members of the Company and shall enjoy all the privileges as any other member***, except their membership shall be non-firematic.***

 Fire Police who are also qualified Firefighters shall not be limited to the provisions of Article V of these By-Laws.

Section 2 All Fire Police members shall successfully complete a basic fire police training course formulated or approved by the N.J. Division of Fire Safety.

Section 3 All fire Police members shall take an oath that they will justly, impartially, and faithfully discharge their duties according to the best of their ability and understanding. The oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of the oath shall be filed with the municipal clerk and the copy filed with the Chief of the Fire Company.

Section 4 Upon acceptance, fire police members shall be considered probationary and cannot respond to any calls until they have successfully completed the aforesaid training.

Section 5 Newly elected probationary fire police members shall have the option of receiving or not receiving a Hepatitis “B” vaccination. If the member chooses not to receive the vaccination, he/she will be required to sign a waiver that states, “If said member contracts Hepatitis “B”, he/she cannot hold Mountain Lake Fire Company liable. Member’s intent to the above must be made known to the chief officer within 14 days of acceptance as a probationary member. The above waiver is also known as a “Hepatitis B Vaccine Declination Form” as per Appendix A, 29 DFR 1910.1030 – Occupational Exposure to Blood borne Pathogens.”

Section 6 Fire police members must attend 50% of combined fires, drills, and meetings. A review of attendance records will be held every six months and members failing to meet this attendance requirement will be notified by the Fire Police Captain.

**ARTICLE VI – HONORARY MEMBERSHIP**

Section 1 To encourage general support toward the Company as well as establish more friendly relations, there shall be a classification known as Honorary Membership. These members shall enjoy all the privileges as any other member, except they shall have no vote in the administration of the Company’s affairs. Also, this membership shall be non-firematic.

**ARTICLE VII – LIFE MEMBERSHIP**

Section 1 To be eligible for Life Membership, a member must have a minimum of 20 years Active membership. ***Refer to Active Membership Article IV Section 1.***

Section 2 ***Life members will receive a metal card stating they are a life member.***

Section 3 Life members who ***engage in firefighting duties must*** ***maintain an active membership status*** and certifications for performing these duties.

***Section 4 Life Members are required to attend 50% of monthly meetings to maintain their active voting status. They are not required to attend fires or drills to vote. If a life member does not meet this requirement they will be considered inactive. Inactive life members are still eligible to attend all department functions. They must also fulfil the requirements discussed in Article VIII.***

***Section 5 Any active member who suffers a career ending injury in the line of duty shall be granted life membership. Any member who has been active for at least 10 years and suffers a career ending illness or injury will be granted life membership.***

***Section 6 The Lewis Buckenmyer Sr. Award will be granted to any life member who has gone above and beyond the set 20 years. The life member must continue to be an active member for an additional 10 years after receiving life membership. The member must also have served as any combination of Chief, President, Secretary, Treasurer, or Vice President for no less than five years. The recipient must be nominated by an active life member. The president is to be notified of the nomination. The president and chief will then be the sole deciding factor if the nominated member is eligible. The recipient will be given a plaque at the annual banquet and have their name added to a plaque in the firehouse. It is understood that most years there will be no recipient.***

**ARTICLE VIII – INACTIVE MEMBERSHIP**

Section 1 Criteria for Inactive Membership:

1. Member must have successfully completed Firefighter 1.
2. Member must be a member in good standing for the previous 24 months and has met all requirements of Article IV – Active Membership.

Section 2 All requests for inactive membership will be handled on a case by case basis by a committee. The committee will consist of the Chief, 1st Assistant Chief, 2nd Assistant Chief, President, and Vice President.

Section 3 All members granted inactive status must return all fire company property. This is to include, but not be limited to Parade Uniform, Turn-out Gear (helmet, coat, pants, boots, Nomex hood, gloves), ***flashlight,*** minipager, plates, badges, keys, and any papers or files, along with any other items issued or given to the individual which belongs to the Fire Company.

Section 4 Members granted inactive status will not have any fire company voting rights or be able to report for drills or respond to fires or other emergencies.

Section 5 Members on inactive status will help with the general support and good will of the fire company and participate in a minimum of 2 fire company fund raisers yearly. Members not participating in 2 events yearly will be notified by mail and dropped from the rolls.

Section 6 A member on inactive status who wishes to be reactivated to a full member status must resubmit an application to the membership committee for consideration.

Section 7 Upon adoption of these revisions, any current member wishing to become an inactive member will have 90 days to submit a request per Article VIII, Section 2

***Section 8 Members inactive on military leave must notify the fire company of their intentions 90 days after discharge. Active duty military members will not be held to Section V.***

**ARTICLE IX – SOCIAL MEMBER**

Section 1 Social Membership is a non-firematic/non-administrative position

Section 2 Social Membership application must be completed in full and sponsored by two active members

Section 3 The completed Social Membership application will be presented at the monthly meeting by the membership committee, for a majority vote for approval

Section 4 Social Member cannot attend fires, drills or meetings unless requested by the OIC

Section 5 Social Members are expected to assist at all fundraisers including Auxiliary events

Section 6 Social Members attendance will be recorded by the Administrative officers

Section 7 Social Members will be reviewed annually at the Fire Company December meeting and approved by majority vote for the upcoming year

Section 8 Social Membership can be revoked at any time by majority vote at a monthly or special meeting

Section 9 Social Members are not allowed in building without Auxiliary or Fire Company Member present.

**ARTICLE X – ELECTIONS**

Section 1 At the October meeting, the President shall appoint a Nominating Committee. The Nominating Committee shall include a representative sample of the membership. The Nominating Committee shall meet with each prospective candidate at the Fire House before the November meeting. The nominating Committee shall present their slate of Officers at the November meeting. Nominations for each office will then be open to the Company.

Section 2 Elections shall take place at the December meeting. A plurality of votes cast by hand shall be necessary and sufficient for the election of any office. If more than one person is seeking the same office, voting will be done by secret ballot. The President shall appoint two “Tellers” at the November meeting to set up a private voting area, and they will also tabulate the ballots. The Vice President shall only vote in the case of a tie. Elected Officers shall take office in January at the regular meeting.

***Section 3 Only members that meet the requirements as an active member or active life member can vote.***

**ARTICLE XI – RESIGNATION OR REMOVAL**

Section 1 No resignation shall be accepted from or granted to any member unless it is in writing and accompanied by a certificate from the Treasurer that such member is not indebted in any way to the Company.

Section 2 Any member resigning or removed from the Company shall return all property in his/her possession belonging to the Company. The member shall be responsible for the cost of replacing any items that are not returned.

Section 3 Any Officer tendering their resignation shall at the same time deliver to the Company or Secretary all books, papers, and other property in their possession belonging to the Company.

**ARTICLE XII – EXPULSION**

Section 1 All charges preferred against Officers or members shall be laid before the Company in writing and referred to a committee of five members appointed by the President, whose duty it shall be to thoroughly investigate such charges and report to the Company at the stated meeting subsequent to that of their appointment. The action of the Company then shall be by ballot. A majority of the members present, exclusive of the accused, may expel the member.

Section 2 No member shall be expelled at any time who shall not have been furnished with a copy of the charges against him by the Secretary at least two weeks previous to the decision in order that such member may have time to prepare a defense.

Section 3 Any Officer proven guilty of conduct meriting dismissal under the rules and regulations of this organization shall be removed forthwith and a successor chosen until the next regular meeting when a new election will be held.

**ARTICLE XIII – CONDUCT**

Section 1 Every member shall be expected to conduct themselves in an orderly and courteous fashion. Any member of this company whether on a parade or drill or when wearing the uniform of the Mountain Lake Fire Company, or anything bearing the Mountain lake Fire company name or logo, shall act in a manner so as not to bring any disgrace to the Fire Company. Members will also not at any time discuss Mountain Lake Fire company business with any non-members which could be construed as speaking for the Mountain Lake Fire Company without prior consent and the express approval from the company officers.

Section 2 Any member bringing friends or relative as guests to the firehouse shall be responsible for their conduct.

Section 3 In the event of misconduct by any member this statement of general guidelines will be followed.

1. Minor Offenses: The procedure for the handling of minor offenses shall be as follows:

Step One: A written warning, with or without oral counseling by the immediate supervising officer, will be given to the member for the first minor offense. The written warning will be placed in the members personnel file.

Step Two - A suspension will be given to a Member for each subsequent minor offense in violation of any Company rule, policy or practice for which he or she has already received a warning. A corrective interview will also be given and the written record of the interview

and reprimand will be placed in the Member's personnel file.

Step Three - Following receipt of a written reprimand and corrective interview, the next offense may result in discharge at the discretion of the Company according to Article XII.

1. Major Offenses: Proper cause for immediate suspension or discharge, shall include, but not limited to being involved in any act that could tarnish the company name.

***Section 4 Media release is to be approved by the chief or officer in charge of said incident.***

**ARTICLE XIV – USE OF FIREHOUSE OR GROUNDS**

Section 1 Use of the firehouse and /or grounds shall be granted to active and life members. Use will be on a first come, first serve basis. Members must request use of the firehouse ***through the hall rental committee***. Emergency use may be granted by an executive officer and a chief officer. If permission is granted, for the use of the building and grounds, there will be ***a $100*** charge to active or life members. If non-members request to use the firehouse and /or grounds ***there will be a minimum $400 charge.***

Section 2 In the event that alcohol is to be served at the ***function*** being held at the firehouse and/or on the grounds, ***the renter*** will be responsible for the purchase and distribution of the alcoholic beverages. In no way will the fire company purchase for or give aforesaid member any alcoholic beverages. ***The renter*** shall also be required to provide written proof of valid liquor liability insurance. Mountain Lake Fire Company shall be listed as the additional insured. This must be provided to the ***hall rental committee*** prior to the date of the function.

**ARTICLE XV – DISSOLUTION**

Section 1 This Company shall not be dissolved as long as seven are willing and able to continue. If the company is dissolved, any and all remaining funds will be forfeited to ***any non-profit fire or rescue organization of the current president’s choice.***

**ARTICLE XVI – ALTERATION AND AMENDMENTS**

Section 1 No alternation or amendment shall be made to these by-laws unless due notice has been given in writing one month previous and only by a vote of two-thirds of those present to carry it.

**ARTICLE XVII – BEREAVEMENT POLICY**

Section 1 Flowers – will be sent upon the death of any member’s immediate family (Spouse, Children, Grandchildren, Parents, Grandparents, In-laws)

 The value spent should always be approximately the same based on past

 purchase history, this cost can/will increase over time

Section 2 Flag – to be lowered upon death of members to half-staff per below:

* 1. Chief – flag will remain lowered for 14 days beginning on first day flag is lowered
	2. Ladies Auxiliary – flag will remain lowered for 10 days beginning on first day flag is lowered
	3. Fire Police - flag will remain lowered for 10 days beginning on first day flag is lowered
	4. Junior Members - flag will remain lowered for 10 days beginning on first day flag is lowered
	5. In addition to the lowering of the US flag, the Memorial flag will be attached and flown. Also the memorial bunting will be placed over the Bay doors for the same time period as defined for the flag.

Section 3 Viewing and Funeral Services

1. Member attendance at such will be defined by Chief officer in charge. The COIC will also state the uniform for attendees
2. The COIC will coordinate with the bereaved family the amount of involvement of the Fire Co. (honor guard, use of trucks in procession, other companies) and the Fire Service in the funeral proceedings
3. The COIC will coordinate with the family and funeral service director any requests for a Fire Service

**Article XVIII – SOCIAL MEDIA POLICY**

* The purpose of this social media policy is to provide guidance to members to clarify the boundaries between appropriate and inappropriate use of social media. Inappropriate use of social media may lead to actual harm and disruption to the department in terms of the public’s perception of the organization. Engaging in social media and social networking activities is a form of speech. Nothing in these rules is intended to unlawfully restrict a member’s right to discuss as a private citizen, matters of public concern, nor, inhibit on the 1st amendment right of Freedom of Speech. Members have an affirmative obligation to avoid being perceived as a spokesperson for the department except when authorized. Lastly, members shall hold themselves to the highest standard, and must always remember they are in the public eye. They must also remember the overall mission of the Mountain Lake Fire Company; to protect and serve the people of Liberty Township and surrounding communities.

**Definitions:**

-**Spokesperson for the department:** a member who makes a statement on behalf of the department in such a way that it is perceived they hold an officer position or position of authority.

-**Private Citizen:** Any general active/inactive member who does not currently, and has never in the past, held an officer/chief position.

**-Harassment:** is the systematic and/or CONTINUED unwelcome actions of one party or group intended to demean, threaten, intimidate, or alarm another party or group.

**-Hate speech:** is speech that attacks a person or group on the basis of attributes including race, ethnic origin, national origin, skin color, gender (including status as pregnant or nursing), religion, disability, age, or sexual orientation, indicating a level of intolerance or hostility that is incompatible with a commitment to serve all members of the community. Included is speech that threatens violence or harm towards any person or group, encourages others to commit violence or harm, or threatens to or encourages others to withhold public safety services from any person or group.

**Key Points**

1. No member, while speaking as a **private citizen** on a matter of public concern, shall speak in such a way as to cause harm or disruption to the department.
2. Members may speak on a matter of public concern as a spokesperson for the department only with permission through the chain of command. For example, members are not to post anything related to a call on social media unless given permission by the OIC. This includes: any and all pictures of incident, such as a damaged car or house, other members, or anything that could be used against the Mountain Lake Fire Company in a court of law.
3. The use of FD logos, FD owned images, or anything linking you to the Mountain Lake Fire Company should be first cleared by an officer before being posted.
4. Members are prohibited from discussing fire department matters that are not a matter of public concern.
5. Members shall not engage in speech that is false, deceptive, slanderous, misleading, or causes harm to others, including speech that constitutes hate speech, or harassment; nor shall members discuss protected or confidential matters of the department, including:

-matters that are under investigation,

-patient and member information protected by HIPAA/medical confidentiality laws, or

-personnel matters that are protected from disclosure by law. (Personnel meaning members of this fire company)

6. Members should shy away from posting about their personal political and/or religious beliefs and remain in as much of a neutral position as possible to the public eye.

**Code of Conduct**

* When engaging in social media or social networking activities, all personnel will maintain a high level of professionalism, bearing in mind they are being scrutinized by the public eye, and that their actions have an impact on the Mountain Lake Fire Company, including positive and negative implications.
* Members are recommended to refrain from condolences for LODD, injuries, sicknesses, or accidents, until the victim’s family has been notified.
* Members should act as if every single post, picture, comment, and like will be seen by everyone in our community, surrounding communities, and their employer/future employers. Members are strongly encouraged to think twice about what they are posting. Questions to ask yourself before making a post:
1. Will this post have a negative effect on the reputation of the Mountain Lake Fire Company?
2. Will my boss/future boss appreciate this post?
3. Will this post perceive me as using hate speech or otherwise inappropriate?
4. Does this hold myself to the highest standard of professionalism?

**A message from 72 Fire President**

Spreading awareness of the company and what we are up to is very important. More eyes on us=more attention. More attention for our events means more money to our bottom line. That means we can afford to buy high quality supplies, gear, and apparatus, to name a few. By letting people know about the great things we do each day, we are forming a positive reputation in the eyes of the public. In the end, our reputation is everything. By holding ourselves to the highest standard possible, we are leading by example. Going forward, let’s all remember why we do what we do; we answer the call, when others stay home; we go out towards the danger, when others run away; we push forward, when others retreat. And we do all of these things to selflessly help others in their time of dire need, quite possibly the worst day of their lives. So, just as we fight fires and handle motor vehicle accidents with our best foot forward, I challenge each and every one of you to do the same when it comes to our online profiles, proudly displaying our ability to protect and serve.