



# **SOUTHWEST VIRGINIA FIREFIGHTERS ASSOCIATION**

## **CONSTITUTION AND BY-LAWS**



Adopted June 11, 1949  
Revised June 11, 1960  
Amended and Revised June 5, 1965  
Revised June 22, 1991  
Revised June 15, 2002  
Amended and Revised June 16, 2007  
Amended and Revised June 12, 2010  
Amended and Revised January 09, 2011  
Amended and Revised September 16, 2012  
Amended and Revised April 06, 2014  
Amended and Revised January 15, 2017  
Amended and Revised April 14, 2019

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Whereas, pursuant to Article 6, Section 1, By-Laws of the Southwest Virginia Firefighter's Association as revised provides that the Constitution and By-Laws may be amended provided that proposed amendments are submitted in writing, reviewed by the By-Laws Committee, and adopted by the majority vote of the members present at three successive meetings of the Association. Now therefore, it is proposed that the Constitution and By-Laws of said Association adopted June 11, 1949, revised June 11, 1960, amended and revised June 5, 1965, revised June 22, 1991, amended June 15, 2002 and amended and revised June 16, 2007, amended June 12, 2010, amended January 09, 2011, amended September 16, 2012, amended April 06, 2014, amended and revised January 15, 2017, amended and revised April 14, 2019

## **PREAMBLE**

The members of the Volunteer and Career Fire Departments serving the citizens of Southwest and its adjacent areas in the Commonwealth of Virginia, believing that they can thus promote good will among themselves and their departments, and increase the efficiency of their fire fighting methods, do hereby associate and bind themselves together in a common Association, and do ordain and establish the following Constitution for the government and regulations of their common affairs.

# **CONSTITUTION**

## **ARTICLE 1**

### **Name and Purpose**

**Section 1.** The Official name of this Association shall be "The Southwest Virginia Firefighter's Association Incorporated".

**Section 2.** The Association is formed and exists for the following purposes:

- (a) To coordinate the work of its members.
- (b) To disseminate knowledge of fire fighting methods and techniques.
- (c) To promote good will and devoted service to the citizens of the communities served by its members.

## **ARTICLE 2**

### **Membership**

**Section 1.** Any volunteer or career Fire Department or Company in active service in the area defined in the By-Laws of the Association shall be entitled to membership upon payment of such dues as may be prescribed, and all members or member departments and companies shall automatically be members of this Association. Honorary and associate memberships may be created by the Association in such cases, and upon such terms as the Association shall, at any regular meeting, prescribe.

**Section 2.** Any member Department or Company may be suspended or dropped from membership for non-payment of dues as provided by the By-Laws of this Association, and any member Department or Company, honorary member or Associate member may be suspended or dropped from membership for any other cause upon the affirmative vote of the majority of the members present.

## **ARTICLE 3**

### **Officers and Board of Directors**

**Section 1.** The Officers of this Association shall be a President, First Vice President, Second Vice- President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, Chaplain, Convention Coordinator and Sergeant-at-Arms, who shall be elected by the Association to hold office for one year, with the exception of the Convention Coordinator who shall hold office for two years, or until the election of their successors, at the regular meeting of the Association held in June of each year.

**Section 2.** The Board of Directors shall consist of five (5) members elected at the regular meeting of the Association held in June of each year. Board of Director members may succeed themselves in Office. The Board of Directors shall keep minutes of any Board of Directors meetings and provide a copy to the Association Secretary to be included in the Association records.

**Section 3.** Should the office of President become vacant during its term, the First Vice-President shall become President for the unexpired term, and the Board of Directors shall appoint a Vice-President for the remainder of that term. Should a vacancy occur in any other office or on the Board of Directors during its term, the Board of Directors shall fill such vacancy for the unexpired term.

**Section 4.** All elections shall be by roll-call vote of all Departments or Companies present, and a majority of the votes cast shall be required for election

**Section 5.** The President shall preside at all meetings of the Association and of the Board of Directors and shall, decide all points of order, appoint all committees, and perform all functions normally appertaining to the office of President.

**Section 6.** The First Vice-President shall perform all functions of the President in his/her absence, and shall assist the President in the discharge of his/her duties.

**Section 7.** The Second Vice-President shall perform all functions of the President in his/her absence an absence of the First Vice President, and shall assist the President in the discharge of his/her duties.

**Section 8.** The Secretary shall keep in a book provided for that purpose a complete record of all proceedings of the Association and of the Board of Directors; he/she shall receive and answer all communication pertaining to the Association, keep records of membership and applications for membership collect and record funds and submit said funds to the Treasurer securing a receipt.

**Section 9.** The Assistant Secretary shall perform all functions of the Secretary in his/her absence, and shall assist the Secretary in the discharge of his/her duties. The Assistant Secretary shall be the Secretary of the Convention Committee and shall receive all monies from the Annual Convention, record funds and submit said funds to the Assistance Treasurer securing a receipt. Retain a copy of Convention Registration Forms and forward a copy to the Host Department.

**Section 10.** The Treasurer shall receive all funds collected from the Secretary, disburse funds counter-signed by the Secretary, and provide itemized statements of receipts and disbursements at each meeting.

**Section 11.** The Assistant Treasurer shall perform all functions of the Treasurer in his/her absence, and shall assist the Treasurer in the discharge of his/her duties. The Assistant Treasurer shall be the Treasurer of the Convention Committee and shall receive all funds collected from the Assistant Secretary, disburse funds counter-signed by the Assistant Secretary, and provide itemized statements of receipts and disbursements at each Committee meeting.

**Section 12.** The Chaplain shall look after the spiritual and moral welfare of the Association.

**Section 13.** The Convention Coordinator shall be empowered to appoint and Chair the Convention Committee, whose purpose is that of planning and conducting the Annual Southwest Virginia Firefighters Association Convention. The Convention Committee shall include the sitting President. For identification only, sitting Presidents Department shall be considered the Host Department for the Convention.

**Section 14.** The Sergeant-at-Arms shall maintain order at all meetings of the Association, and shall perform such other functions as may be assigned by the President or Association.

**Section 15.** The Board of Directors is empowered to transact all business of the Association during the time between conventions, and shall look after the interests of the Association. A majority of the committee members present shall constitute a quorum.

#### **ARTICLE 4** **Meetings**

**Section 1.** Regular meetings of the Association shall be held on dates to be prescribed from time-to-time by the By-Laws of the Association.

**Section 2.** In the absence of the President, the First Vice-President and the Second Vice-President at any meeting, a temporary presiding officer shall be elected from the members present.

**Section 3.** It shall be the duty of the Secretary to notify the member Departments or Companies of every regular meeting, by mailing notice thereof at least fourteen (14) days prior to such meeting.

**Section 4.** The President may call special meetings when he/she deems necessary, and shall be called upon request of the Board of Directors, or upon request of five member Departments or Companies, and notice thereof shall be given in accordance with the preceding section.

**Section 5.** Representatives from at least five member Departments or Companies in good standing shall constitute a quorum for the transaction of business at conventions or meetings.

**Section 6.** At all meetings of the Association and at the convention, each member Department or Company shall have three (3) votes. If any member Department or Company has less than three (3) persons, such persons as are present shall have the right to cast three (3) votes.

#### **ARTICLE 5** **Dues**

**Section 1.** Each member Department or Company shall pay annually, in advance, to the secretary, dues in such amount as may be prescribed by the By-Laws of the Association, provided that the annual dues shall be in the same amount for each member Department or Company

**ARTICLE 6**  
**By-Laws, Amendments, Miscellaneous**

**Section 1.** The Association shall adopt By-Laws defining the area in which Departments or Companies are eligible for membership, establishing the amount of annual membership dues, and setting the dates for the regular meetings of the Association and, may adopt such other By-Laws not in conflict with this Constitution as it shall from time-to-time see fit to enact. By-Laws may be adopted, amended, or repealed by presenting changes, in writing, to the By-Laws Committee, which will review for possible conflicts with the existing Constitution and By-Laws. The By-Laws Committee shall report its finding and recommendation at the next scheduled meeting of the Association. The proposed change may at that time be read and voted upon, following approval, the proposed changes shall be submitted to all member Departments, Companies and Industrial Brigades by mailing a copy thereof with the regular notice of the second of such meetings. After approval of the proposed changes at the second meeting, notice of the third and final reading will be included in the regular meeting minutes.

**Section 2.** This Constitution may be amended, by such amendments being presented in writing to the By-Laws Committee, which will review for possible conflicts with the existing Constitution and By-Laws. The By-Laws Committee shall report its finding and recommendation at the next scheduled meeting of the Association. The proposed change may at that time be read and voted upon, following approval, the proposed changes shall be submitted to all member Departments, Companies and Industrial Brigades by mailing a copy thereof with the regular notice of the second of such meetings. After approval of the proposed changes at the second meeting, notice of the third and final reading will be included in the regular meeting minutes.

**Section 3.** The term "Volunteer" as used in the expression "Volunteer Fire Department or Company" shall mean that 50% or more of the members of such shall be serving as unpaid volunteers.

**BY-LAWS**

**ARTICLE 1**  
**Membership**

**Section 1.** Any volunteer or career Fire Department or Company in active service in Henry, Franklin, Roanoke, Craig or Alleghany counties, and those Counties, Towns, or Cities west thereof shall be entitled to membership upon approval by the Membership Committee, and upon payment of the prescribed dues. All persons that are members of such individual Departments or Companies shall automatically become members of this Association.

**Section 2.** Honorary membership may be conferred upon individuals upon the majority vote of the members of the Board of Directors and the Membership Committee.

**Section 3.** The Association shall recognize associate memberships and the dues shall be set forth by the Executive Committee and payable annually in advance. Ladies/Spouses Auxiliary Units holding credentials approved by the Membership Committee shall be entitled to Associate Membership. Honorary and associate membership shall not vest the holder thereof with voting privileges.

**Section 4.** Any member department, company or industrial brigade which shall have failed to pay its annual dues on or before the 31<sup>st</sup> of May of each year for which such dues are payable shall be dropped from the membership rolls of the Association. No department, company, industrial brigade or associate member so dropped will be entitled to a year free membership and may not be reinstated until its dues for the year in which it seeks reinstatement has paid in full.

**ARTICLE 2**  
**Meetings**

**Section 1.** Regular meetings of the Association shall be held in September, January, April, June, or as so ordered by the President. Meetings shall be held at a date, time and location, mutually agreed upon and designated in the Secretary's notice of meetings.

**ARTICLE 3**  
**Dues**

**Section 1.** Each department, company or industrial brigades shall be assessed dues in advance as set forth by the Board of Directors. All new Departments or Companies organized within the year will receive one year's dues free. The dues assessed are to defray the expenses of the Association, said dues shall be paid to the Secretary who shall provide a receipt for the same and promptly forward all funds received by him/her to the Treasurer. The Treasurer shall promptly deposit it in the bank and give his/her receipt to the secretary.

**Section 2.** The Secretary shall send out notices soon after January 1<sup>st</sup> that dues are now due.

**Section 3.** Upon payment of all dues to the secretary, the Secretary will furnish each department or company with a certificate of membership from the Association.

**ARTICLE 4**  
**Committees**

**Section 1.** Standing committees of the Association shall consist of: Board of Directors, Legislative, Membership, Training, Welfare, By-Laws, Rules and Contests and Ways and

Means. The Association in assembly or the Board of Directors may from time to time create and add committees. The President shall appoint the Chairperson and members of each committee.

**Section 2.** The various committees provided for in Section 1 of this Article shall perform such duties as may be delegated by the Board of Directors, President, or both. In addition thereto, the Training Committee shall promote, under auspices of the Board of Directors, any state training opportunities.

## **ARTICLE 5**

### **Expenditures of the Association**

**Section 1.** The members at a regular meeting, with the exception of the following, shall approve all expenditures made by the Association:

- (a) The Association shall reimburse a Department or Company its expenses in hosting a regular meeting, not to exceed the sum of \$125.00.

## **ARTICLE 6**

### **Order of Business**

**Section 1.** The order of business at each meeting of the Association, if practicable shall be:

1. Call to order.
2. Reading of minutes.
3. Roll call.
4. Reports of officers and committees.
5. Unfinished business.
6. New business.
7. Selection of the next meeting location.
8. Adjournment.

**Section 2.** The following Rules of Order shall govern at all meetings of the Association, and Roberts' Rules of Order shall govern all points not covered by them.

1. The presiding officer, assisted by the Sergeant-at-Arms, will preserve order at all meetings. All questions of order shall be decided by the chair, but the chair may be overruled by a two-thirds vote of those present entitled to vote.
2. Only one person shall be entitled to the floor at one time. Every person desiring the privilege of the floor shall address the chair, and shall not proceed to speak until properly recognized.
3. No question shall come before the Association until properly moved, seconded, and declared open to discussion by the chair, except that motions for previous question, to lie on the table, or to adjourn, shall be voted on without discussion.
4. No person shall speak more than five minutes at one time, or more than twice on one subject or question, without special permission of the chair.
5. When a question is properly before the Association, it shall be disposed of before another is considered.
6. No subject laid on the table shall be further considered at that meeting.
7. No motion for reconsideration shall be received unless made by a member who voted in the majority in the first instance, and seconded by three members who voted in the majority in the first instance.
8. No motion for adjournment shall be received while a member is speaking or while a vote is being taken on any question.
9. The mover prior to the beginning of a vote may withdraw any motion thereon.
10. The presiding officer shall cast the deciding vote in the event of a tie vote.
11. A majority of the votes cast, unless otherwise provided within the Constitution or By-Laws, shall decide all questions, except that motions to overrule a ruling of the chair and for the previous question shall require a two-thirds vote of those present, and a motion to waive the Rules shall require a unanimous vote.
12. The ayes and nays shall be taken and entered upon the minutes of the Association if requested by one-fifth of the members present.