

# Manville Fire District By-Laws

Effective October 25, 1988

## ARTICLE I

### Section 1

The annual meeting of the Manville Fire District shall be held on the second Tuesday of September at 7:30 p.m. of each and every year.

### **Notice of Meetings**

### Section 2

The Clerk of this District shall give notice of the time and place of the annual meeting by posting notices not less than fourteen (14) days before each meeting and in eight public places within the District and by advertising in two (2) local newspapers three (3) days prior to said date.

In the event of death or inability of the Clerk, the Moderator shall post said notices.

### **Special Meetings**

### Section 3

Special meetings of this District may be called upon a written request of thirty (30) or more qualified voters of this District, or by all the Fire Wardens of said District, setting forth specifically the whole purpose of the desired meeting. It shall thereupon be the duty of the Clerk or Moderator to issue notices of the proposed meeting in the manner prescribed in Section 2, which notices shall specify the subject to be acted upon, and no other business shall be transcribed thereat.

### **List of Members**

### Section 4

At all meetings of said District, the Clerk shall have present a list of all members qualified to vote.

### **Ballot May Be Demanded**

### Section 5

Upon demand of a voter of said District for a ballot on any question pending at any meeting of the said District, a ballot shall be ordered by the Moderator.

### **Votes To Be Counted**

### Section 6

All votes, except on motion to adjourn or on amendments to a proposition pending, shall be required to be so taken that the votes, affirmative and negative, may be counted by three tellers and the Moderator and the result entered upon the minutes by the Clerk.

When any vote is passed, any member voting with the majority thereon may move to reconsider it at the same meeting or any adjournment thereof; and when this motion or reconsideration has passed and the reconsideration of the previous motion has been decided upon, a second reconsideration of that same motion shall not be allowed.

## ARTICLE II

### **Officers**

#### Section I

The officers of the District shall consist of a Moderator, Clerk, Tax Collector, Treasurer, three Tax Assessors, an Auditing Committee of two members, a five member Board of Fire Wardens, all of whom shall be qualified electors of said District. The officers of the District shall be appointed in accordance with Sections 5, 6, and 8 of the Charter.

#### Section 2

The District at the annual meeting may also elect all other officers for the good and welfare of the Fire District.

## ARTICLE III

### **Duties of Officers**

#### **Moderator**

#### Section I

At all meetings the Moderator of said District shall preside and in his absence a temporary Moderator may be elected by a majority of the legal voters present.

#### Section 2

At every meeting of said District, the Moderator shall strictly enforce and observe the provisions of the Charter and By-Laws. He shall enforce order and decorum. His decisions as presiding officer may be appealed upon by those present and entitled to vote and a 2/3 majority of the voters will be required to sustain the appeal and overrule his decisions. The appeal, however, must be stated simply and correctly and must not be debatable.

#### **Clerk**

### Section 3

The Clerk shall keep full, fair, and accurate minutes of every meeting of said District, recording in full all resolutions and votes thereon.

At the request of the Clerk, the Moderator shall require all motion\* to be written by the members offering the same.

The Clerk shall countersign all bonds issued by the District, give due notice of all meetings as provided by Article 1, Section 2, and shall faithfully perform all duties pertaining to this office as required by the Charter and By-laws.

### **Tax Collector**

#### Section 4

The Tax Collector shall collect and pay to the District Measurer, in accordance with the vote of the District, all taxes levied and assessed and the interest collected on the same and report at the annual meeting the amount collected in taxes and interest and also the uncollected amount of taxes.

The Tax Collector shall give bond for ten thousand dollars (\$10,000) for the faithful performance of these duties; said bond to be approved by the Board of Fire Wardens and the premium thereon paid by the District.

### **Treasurer**

#### Section 5

The District Treasurer shall receive all monies from the Tax Collector, the sale of bonds and other sources and shall promptly deposit said monies in the bank or banks approved by the District in the name and to the credit of the Manville Fire District.

The Treasurer shall sign all notes and register the bonds, issued by the District or the authority thereof and shall cause the seal of the District to be affixed thereon.

The Treasurer shall close the financial records on the last day of September in each and every year and make, at the annual meeting a written report of the conditions of the department and he shall enumerate the receipts and the expenditures for the year preceding the annual meeting.

The Treasurer shall give bond for ten thousand dollars (\$10,000) for the faithful performance of these duties; said bond to be approved by the Board of Fire Wardens and the premium thereon paid by the District.

### **Tax Assessors**

#### Section 6

The Tax Assessors shall meet annually with the Tax Collector to review the records maintained by the Tax Collector in the performance of those duties. In addition shall review unpaid taxes and assist in the determination of inactive accounts.

Said taxes shall be made payable at such time and manner as the District shall determine.

The Assessors shall be a Board of Relief for the correction of errors in the assessment.

## **Auditors**

### Section 7

The Auditing Committee shall consist of two taxpayers in good standing with the Manville Fire District. They shall carefully audit annually (By the last day of November) all books of the Tax Collector and the Treasurer, verify the checking and savings accounts and books, and make a complete written report of their findings (receipts anti disbursements) and deliver it to the Fire Wardens by their December meeting. The auditors report will also be made at the next annual meeting.

To enable them to perform their duties, all officers are hereby required to deliver to them upon demand all books, papers, and records of the Fire District. On refusal or neglect of any officer to comply with these rules he shall be fined, suspended or expelled as the Fire District may determine.

## **Board of Fire Wardens**

### Section 8

The Board of Fire Wardens shall be the custodians of all the property of the District.

It shall see to it that the fire station and other property of the District are kept in good condition, properly repaired and insured. It shall have charge of all repair-, and purchases for the District when not otherwise ordered.

In case of an emergency, but not otherwise, when it is necessary to renew equipment for the Fire Department, the Board may expend an additional amount not to exceed three thousand dollars (\$3,000) without the express vote of the District, but the aggregate of such expenditures without express vote of the District shall not exceed six thousand dollars (\$6,000) in any one year.

All bills against the District shall he submitted to the Board of Fire Wardens for approval before being sent to the Treasurer for payment.

The salary of no officer of the District may be increased or decreased by the Board of Fire Wardens.

On the first Sunday in October after the annual District meeting, the Board shall meet and elect a Chairman and a Clerk, who shall attest all acts of the Board or a majority of its members.

The Clerk shall keep a record of the Board's meetings and transactions and report same at the annual meeting of the District.

The Board shall adopt rules for the government and guidance of the Fire Department in accordance with state laws.

The Board shall see to it that the By-laws and Charter of the District are enforced and obeyed and that at all times the interests of the taxpayers are conserved to the best of its ability.

## **Fire Chief**

### Section 9

The Fire Chief shall have the general supervision and command of the Fire Department's activities. He shall at. all times see that the Fire Department's property, apparatus equipment, and the fire alarm system are kept in good order for instant use.

He shall see that his officers and all personnel perform their duties promptly and efficiently.

He shall respond promptly to every emergency within the district and all orders given by him to any officer or member of the Fire Department shall be promptly obeyed.

He may call upon any and all persons to assist in extinguishing fires.

He shall see that all the rules of the department are enforced and shall summarily decide all disputes or questions arising out of matters connected with the department when the parties thereto are on duty at a fire and it shall be his duty to suppress or call on the police to suppress any tumult at a fire and to order the person or persons engaged in such tumult to leave the neighborhood.

He shall certify all bills against his department and make a written report of the work and condition of his department at the annual meeting of the district.

The Fire Chief and the Deputy Fire Chief shall be members, shall be members ex-officio of the Board of Fire Wardens, with a voice at its meetings but shall not have voting power.

The Fire Chief shall make all appointments to the force of the Fire Department.

### **Deputy Fire Chief**

#### Section 10

The Deputy Fire Chief shall aid and assist the Fire Chief in the discharge of his duties at all fire alarms and to any other duties that the Chief may require of him. He shall have full command of the Fire Department in the absence or disability of the Fire Chief, assume all his duties and be vested with his authority.