

NORTH CAROLINA

Fire Marshals' Association

By-Laws



ARTICLE I – ORGANIZATION

- (A) Name – The organization shall be known as: “THE NORTH CAROLINA FIRE MARSHALS’ ASSOCIATION, INC.” and shall herein be referred to as “Association”.
- (B) Seal – The Association seal shall be used at the direction of the Officers. Changes to the seal shall be accepted by a majority of the Officers and active members in attendance of a single meeting. *The Official Seal, as adopted January 31, 2020 is listed in Appendix B.*
- (C) Affiliation – The Officers of the Association shall have the authority to determine those professional associations with which the Association shall affiliate.

ARTICLE II – OBJECTIVES

- (A) To coordinate the efforts of its members in the fields of Fire Prevention, Fire Safety Education, Fire Protection, Investigation and Suppression of Arson and Unlawful Burnings; and by doing so, endeavor to provide a more efficient and uniform Fire Prevention Program in North Carolina.
- (B) To distribute information to its members pertaining to Fire Prevention, Fire Safety Education, Fire Protection, and Investigation as may be available; and to assist its members in the solution of any problems which may arise in these fields.
- (C) To, at all times, assist and cooperate with such Associations, Organizations, Industries, Government Agencies, or Departments which share our common interest in the protection of lives and property from fire.
- (D) To actively promote participation from all stakeholders to ensure community based risk reduction assessments, plans and services are effectively implemented.

ARTICLE III – MEMBERSHIP

- (A) Active Member – Any legally designated official of a county, municipality, township, fire district, or other person who is authorized and obligated by public law, ordinance, or lawful agreement with the prevention of fire through property inspection, enforcement of fire laws and regulations, public education, and who may also be charged with the duty of investigating the origin and cause of fires in North Carolina.
- (B) Active Life Member – Any person described in one (1) of the four (4) following categories, **wishing to remain active in the Association**, is eligible for consideration as an Active Life Member membership status:
 - 1. Any past Active Member of the Association who has retired from active fire service and who has served 20 years as an active member. **Members approved and selected in this category (1.) shall be exempt from the payment of annual dues thereafter.**
 - 2. Any past Active Member who has served as an officer of the Association.

3. Any past Active Member of the Association who has retired from active fire service and who has rendered exceptional service to the Association.
4. Any past Active Member who has distinguished him/herself by outstanding service in the fields of fire protection, fire prevention, public fire safety education, or fire investigation and by exceptional service to the Association.

-Once a person is recommended and eligibility requirements are verified, a majority vote of the Board of Directors shall be required for approval. The Secretary and Treasurer will document the category that each members is voted on and approved, and will document appropriately to ensure dues and voting right are tracked and conveyed appropriately.

- (C) Associate Member – Any person, other than those described as Active Members, interested in or involved in the prevention of fire in North Carolina. Associate Members shall enjoy the privileges of membership without the privilege to vote and without being eligible to hold elective office.
- (D) Honorary Life Member – Any person dedicated to the protection of life and property, and meeting the requirements as an Active Life Member, regardless of having been approved and selected as an Active Life Member or not, that has also rendered conspicuous service to the Association shall be eligible for Honorary Life Membership upon the recommendation and approval of the Board. Honorary Life Members shall enjoy the privileges of membership, shall maintain voting privileges, and shall thereafter be exempt from holding elective office. Additionally, these members, once selected and approved, if not already exempt shall thereafter be exempt from the payment of annual dues.

-Once a person is recommended and eligibility requirements are verified, a majority vote of the Board of Directors shall be required for approval.

- (E) Chapter Member – Any Active Member or Associate Member of the Association that also holds a current membership in the International Fire Marshals' Association (IFMA) as either an Active Member, or as an Associate Member.
- (F) Chapter Associate Member – Any Active Member, Associate Member or Honorary Life Member not holding membership in the IFMA.
- (G) Chapter Member Officer – The President, 1st & 2nd Vice Presidents, Secretary, and Treasurer shall hold membership in the IFMA, and shall serve as the IFMA Chapter Officers. The Association will pay the dues of those officers who are not members of the IFMA during their terms of office.
- (H) Board of Directors – President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, Immediate Past-President, Chaplain, Regional Directors; (Non-voting Ex-

Officio Members are also included in the Board of Directors as defined in this document).

- (I) Executive Committee – President, 1st Vice President, 2nd Vice President, Secretary, Treasurer
- (J) New membership applications shall be verified and accepted only on a majority vote by active members in attendance of a single meeting in which the new members are presented.

ARTICLE IV – DUES

- (A) The annual dues for each class of membership shall be set by the Board of Directors, and shall be posted to the Association's official website.
- (B) The annual dues are payable by January 31. Any member dues not paid/received by March 31, is subject to have their membership privileges rescinded and a reinstatement fee may apply.

ARTICLE V – OFFICERS

- (A) Officers of the North Carolina Fire Marshals' Association shall include: President, 1st Vice President, 2nd Vice President, Secretary, Treasurer, Immediate Past-President, Chaplain, Regional Directors (6). One person may hold the position of Secretary and Treasurer simultaneously; however, if combined duties are held by a single person, a single vote will be cast in voting situations.
- (B) Nominees for President, and 1st & 2nd Vice Presidents shall have served for a minimum period of one (1) year as an officer of the Association prior to taking office on January 1st following nomination and election. Candidates that have or will have one (1) year of service as an officer as of January 1st or that will have one (1) year of service on the date the term begins in cases of voting on a vacated position, the candidate should be eligible for nomination and consideration of a vote.
- (C) The election of officers shall be held annually (traditionally at the 4th quarter meeting), and officers shall take office January 1st of the following year.
- (D) Annual elections shall be conducted via electronic method (or hybrid) as approved by the Board of Directors.
- (E) Officers of the Association shall be accredited representatives elected by a majority vote of Active Members in attendance at a single meeting.
- (F) The office of President, and 1st & 2nd Vice Presidents, and Regional Directors shall be elected for two-year terms.

- (G) No one member may hold any one office for period exceeding two (2) consecutive years, with the exception of the Secretary, Treasurer, Chaplain, and/or Regional Directors.
- (H) The Officers of Association may elect Ex-officio members including but not limited to The Senior Deputy Commissioner of Insurance Office of State Fire Marshal, or their designee, and the Fire Service appointee to the NC Building Code Council.
- (I) For the purpose of electing directors, the state shall be divided into three regions (East, Central and West). The approved region map is listed as *Appendix A*. A director shall be elected from each region representing where they serve as an active member, with the entire membership voting for all director positions in accordance with Article V Section (E). The nominating committee shall recommend a slate of director nominees for annual election that shall include representation from each region. In the event the nominating committee is unable to obtain a director nomination from a region, the nominating committee shall select members from other regions to be considered for election by the membership. In the event that there is no one nominated from a region, the membership may nominate and elect a director from any region.
- (J) Should an Officer or Director cease to maintain active status, due to promotion, reassignment, etc., that person may choose to have his/her membership changed to Associate status and shall resign from the office which is held in this Association within sixty (60) days of said promotion, reassignment, etc. The Board of Directors may, at the discretion of a majority of the Executive Committee, appoint an Active Member to fill the vacated position, until the next scheduled elections, provided: The vacating of the position(s) of President and/or First Vice President(s) as called for in these Bylaws, and that the person so appointed shall meet the necessary requirements of the open office.

ARTICLE VI – EXECUTIVE DIRECTOR

- (A) An Executive Director may be hired at the sole discretion of the Officers. Selection of the Executive Director shall be based on the experience, availability and knowledge of the association activities. Selection of the Executive Director shall include a person best suited to maintain the culture of the organization and ability to keep the association focused on its mission. The final acceptance of an individual to serve as the Executive Director shall be approved by a majority of the officers and of the members in attendance of a single meeting. This membership vote shall be advertised 30-days before the meeting.
- (B) The duties of the Executive Director shall be focused on the activities of the association as directed by the officers of the North Carolina Fire Marshals' Association.
- (C) Policies involving the employment, pay and other personnel issues shall be established by the Officers and kept by the Secretary.

- (D) The Executive Director shall be an Ex-Officio member of the Board of Directors (non-voting).

ARTICLE VII – DUTIES OF OFFICERS

President:

- (A) The President shall preside at all meetings and conduct all business. The President shall call special meetings at the request of a majority of the Association's Board of Directors, or when the President may deem necessary. The President shall serve as the IFMA Chapter representative. The President will vote only in the event of a tie.

1st Vice President:

- (B) The 1st Vice President shall assume all duties of the President in the President's absence or vacating the office.

2nd Vice President:

- (C) The 2nd Vice President shall assume all duties of the President and 1st Vice President in their absence and that of 1st Vice President should the office become vacant.

Secretary:

- (D) The Secretary shall keep a record of the attendance of all meetings, record, and forward to all members, the minutes of the Association meetings, Board of Directors, and special meetings. The Secretary shall be custodian of the minute book and all records, correspondence, and literature pertaining to the business of the Association. The Secretary shall keep the members informed as to the progress of the Association's business and shall record and answer all correspondence promptly and in an efficient manner. The Secretary shall notify, in writing, all members of the meetings and inform them of any proposed changes to the constitution at least thirty (30) days prior to such meeting.

Treasurer:

- (E) The Treasurer shall receive all moneys payable to the association and shall deposit same in a chartered bank designated by the Board of Directors.
- (F) Accounts shall be paid by check, e-check, or electronic pay means capable of providing a detailed history with a receipt (credit card with statement & receipt, etc.).
- (G) The Treasurer shall be bonded in an amount set by the Board of Directors. The President shall be authorized to sign checks in the event the Treasurer is incapacitated.
- (H) The Treasurer shall present an annual budget to the Board of Directors after consulting with any audit and/or budget committees tasked with future planning, and analyzing past spending.

- (I) For business matters of small monetary value that may be impromptu and outside the approved budget, require some urgency to resolve, and are two hundred dollars (\$200) or less, a vote by the majority of the Executive Committee shall be able to approve the transaction with the following stipulations:
 - 1. Not more than two (2) of these type transactions shall take place within a thirty (30) calendar day period.
 - 2. The Board of Directors shall be informed of the details of the transaction as soon as possible after the transaction.
 - 3. The membership should be notified of the transactions during the next scheduled quarterly meeting during the treasurer's report in the event the transaction was made outside the approved annual budget.
- (J) For business matters that are within the approved annual budget, specific to a line item, no additional approval is needed to purchase.
- (K) For business matters where funding is available within the approved annual budget, but are outside specific budgeted line items, an informal and documented vote from the Board of Directors is required.

Board of Directors:

- (L) The Board of Directors shall present an approved annual budget to the membership at the 4th quarter meeting, or to the membership by other approved means no later than January 1st of the upcoming budget year.
- (M) The Immediate Past President shall be an Ex-Officio member of the Board of Directors (non-voting), unless on the Board as a current member.
- (N) The Chaplain shall be a non-voting member of the Board of Directors and shall serve as an advisor to the elected officers and to the Association membership at large.
- (O) The Chaplain's term of office shall be unlimited.

ARTICLE VIII – COMMITTEES AND BOARDS

- (A) The Board of Directors shall consist of the elected Officers and Directors of the Association and shall deal with such business as may come before it and make recommendations regarding this business to the members; shall be authorized to proceed with such business of the Association, within the confines of the Constitution, and during that period between Annual Meetings, as may be deemed necessary.
- (B) A Quorum, for conducting business, of the Board of Directors shall consist of not less than four (4) of its members.
- (C) Appointees, representatives and committee members to Boards or Special Committees shall be members in good standing with the Association.

- (D) Special Committees shall be appointed by the President with the aid of the Board.
- (E) Each Committee shall elect a Chairman, who shall be responsible for conducting all meetings of said Committee.
- (F) The President and Secretary of the Association shall be non-voting members of all Special Committees. The President shall cast any tie-breaking votes, if needed.
- (G) The President shall appoint a Nominating Committee, consisting of three (3) persons (non-Board members) during the second quarter Meeting and they shall present a slate of Officer and Director nominees eligible for the annual election.
- (H) It shall be the duty of the Nominating Committee to have written permission from each person being nominated prior to their names being submitted for nomination.
- (I) The President shall appoint, during the fourth quarter meeting, three (3) persons (non-Board members) to serve as an Audit Committee. They shall audit the books and accounts of the Treasurer annually and shall present a complete report of all matters pertaining to the finances of the Association for the following, first quarter meeting.
- (J) Board appointments, representatives and committee chairs shall be responsible for submitting a report by written or oral means to the Board of Directors and membership at large for each quarterly meeting.

ARTICLE IX – MEETINGS

- (A) Meetings of the membership shall be convened quarterly by personal attendance, remote electronic means or a combination thereof.
- (B) Board of Directors Meetings shall be called at the discretion of the President or upon the wishes of a majority of the Board of Directors.
- (C) Special Committee Meetings shall be convened upon appointment or election of the Committee and shall meet at a location and time agreed upon by a majority of the Committee Members.

ARTICLE X – VOTING RIGHTS

- (A) Only Active Members, Active Life Members, and Honorary Life Members as defined herein shall be allowed to vote.
- (B) Members present or attending by electronic means may exercise the right to vote on any matter if a means to prevent duplicate or unauthorized balloting is in place.

ARTICLE XI – CONSTITUTION/BY LAWS

- (A) Proposed changes to the Constitution/By-Laws must be submitted to the Secretary, in writing not less than ninety (90) days prior to the meeting when voting will take place.
- (B) Membership shall be notified thirty (30) days prior to the meeting when voting will take place.
- (C) In the event a change to the Constitution/By-Laws must be made due to an emergency situation that prevents the due process as outlined in ARTICLE XI(A) from being followed; The officers and Board of Directors of directors shall make temporary emergency change(s) on an as needed basis. All preventing emergency situations must be mutually acknowledged and approved by **unanimous vote** of the Board of Directors. All temporary emergency changes shall be submitted for ARTICLE XI(A) due process when it is determined by the officers and the Board of Directors that the preventative emergency has ended.

ARTICLE XII – DISSOLUTION

- (A) All remaining monies/assets due to dissolution of this Association shall be distributed to a like non-profit organization as and/or determined by the Board of Directors.

ARTICLE XIII – The North Carolina Chapter of The International Fire Marshals' Association

- (A) Chapter Designation – Upon acceptance as a Chapter of the IFMA, pursuant to the Rules and Procedures of Article VII of the Constitution of the IFMA, this organization shall be designated as a Chapter of the IFMA, International Code Council (ICC), and may indicate such status on its letterhead by use of a chapter number, IFMA logo, and other appropriate indicia.
- (B) Chapter Officers – The officers of the Chapter as designated in Article V of this Constitution shall have all powers and duties commitment with and analogous to their duties as officers in the Association with the addition of preparation of reports and communication with the IFMA Constitution and By-Laws.
- (C) Chapter Meetings – The Chapter shall meet at least once a year for the purpose of electing officers, approval of reports to the International Fire Marshals Association, and conducting its regular business.
- (D) Chapter Reports – The Chapter representative shall submit to the IFMA Executive Secretary, prior to February 1 of each year, a report on the activities of the Chapter, as required by the IFMA Constitution and By-Laws.
- (E) Financial Disclaimer – The International Fire Marshals Association, and the National Fire Protection Association are not responsible for any obligations or responsibilities incurred or assumed by the Association, and shall be indemnified and hold harmless from any such obligations or responsibilities.

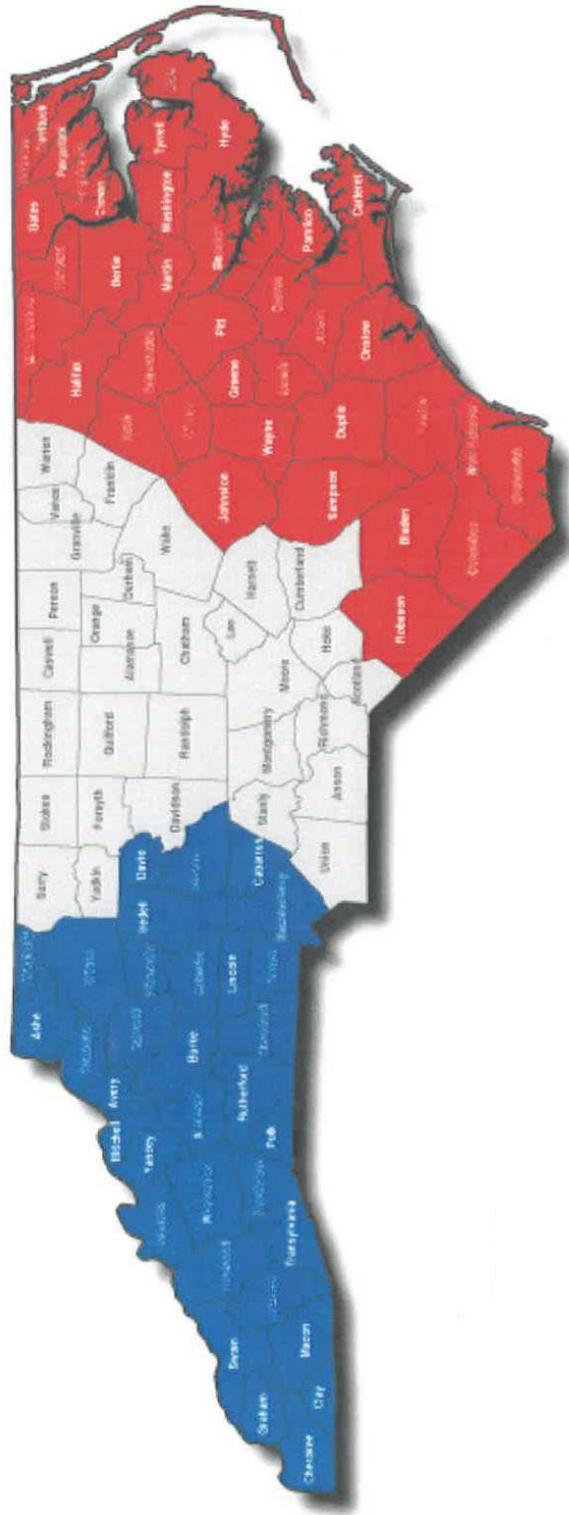
- (F) Priority of Documents – Insofar as matters involving the Chapter are concerned, this Article shall prevail over any other provisions of the Constitution or By-Laws of the Association.

DATE ADOPTED BY THE MEMBERSHIP: May 21, 2021

AMMENDED BY THE MEMBERSHIP: November 01, 2019.

DATE OF TEMPORARY EMERGENCY AMENDMENT: September 1, 2020

APPENDIX A



APPENDIX B

