

Texas Fire Marshals' Association
Constitution and Bylaws
Adopted October 21, 2015

ARTICLE I
NAME AND OBJECTIVES

SECTION 1.

This organization shall be known as the "TEXAS FIRE MARSHALS' ASSOCIATION' and is hereinafter referred to as the 'ASSOCIATION' The name of the ASSOCIATION shall not be used for publicity by any member other than by the use of their membership card for identification purposes without the expressed permission of the Board of Directors. This shall not restrict the officers or appointees or agents of the ASSOCIATION in the use of the name to carry out the purpose of the ASSOCIATION

SECTION 2. OBJECTIVES

Mission Statement

The Mission of the Texas Fire Marshal's Association is to unite for mutual benefit those public officials and private persons who champion fire prevention in the State of Texas; promote high professional standards within the Texas fire marshal community; provide an outlet for the exchanging of the most up-to-date technical information and developments in fire prevention; foster partnerships and close cooperation between governmental and industrial fire service organizations, law enforcement agencies, news media, the insurance industry, local fire prevention committees, and state agencies; and to complement the objectives of all other fire service organizations.

The ASSOCIATION shall not be operated for profit.

ARTICLE II
MEMBERSHIP

SECTION 1. APPLICATION FOR MEMBERSHIP

Application for membership shall be made to the chair of the membership committee, upon the recommendation of some member of the ASSOCIATION and admission shall be by vote of such committee as provided in Section 6 of this article.

SECTION 2. ACTIVE MEMBERSHIP

Any person engaged in some phase of fire prevention or fire prevention education in any governmental, industrial or educational organization, at the time they make application, provided such person possesses the other qualifications for membership in the discretion of the membership committee. All applicants for active or associate membership, if accepted, will be on a temporary status until the next meeting of the Board of Directors. If the applicant is not rejected by the Board within the specified time limit, full membership is automatically granted.

SECTION 3. ASSOCIATE MEMBERSHIP

Persons not qualified for active membership may become associate members, after determination of their qualifications by the membership committee. Associate members shall have the privileges of an active member, except voting and holding office. Employees of the Texas State Fire Marshal's Office may be Associate Members, if they attend the Annual Conference. If the employee pays the annual dues required for Active Membership they may be granted Active Membership.

SECTION 4. SUSTAINING MEMBERSHIP

Individuals or organizations interested in carrying out the purposes of the ASSOCIATION shall be granted sustaining members upon contributions of not less than Fifty Dollar (\$50.00) annually.

SECTION 5. LIFE MEMBERSHIP

The ASSOCIATION may bestow Life Membership upon any qualified member of the ASSOCIATION who has met the following requirements.

- a. Individual must be or have been an active member in the ASSOCIATION.
- b. Individual must have been an active member in good standing for ten (10) or more years.
- c. Individual must have rendered distinctive service to the ASSOCIATION through participation as an officer, member of the Board of Directors, participated on committees or other activities of the ASSOCIATION.

A Life Member shall have all of the privileges and rights of an active member without paying dues. Nomination for Life Membership shall be made in writing stating the qualifications, to the Board at least sixty (60) days prior to the annual meeting for voting thereon. No more than two nominations for such membership may be approved in any year.

SECTION 6. PERSONAL QUALIFICATIONS

The membership committee shall have the authority to approve or disapprove an application for membership.

SECTION 7. TERMINATION

- a. Membership in the ASSOCIATION shall be terminated by (1) voluntary withdrawal, or (2) membership shall be terminated by the secretary/treasurer when after notice member is in arrears of the payment of dues or any other obligation to the ASSOCIATION.
- b. The Board may censure any member or may terminate the membership of any member in the event:
 1. Such member falsified their application or made any misrepresentation therein, or
 2. Such member had conducted themselves in such a manner as is prejudicial to the good name and best interest of the ASSOCIATION, or
 3. Such member has exhibited traits of character or conduct inconsistent with the qualifications for membership in the ASSOCIATION.
 4. Any member censured or terminated by Section 7-B shall be notified, in writing by the secretary/treasurer, and may be granted a hearing upon his/her written request,
 5. A majority of the Board present in a duly constituted meeting shall be sufficient to cause censure or termination for any reason specified in Section 7-B.

SECTION 8. REINSTATEMENT

Any former member may be reinstated in the ASSOCIATION at the discretion of and by the consent of a majority of the Board, provided however, that the former member shall have been in arrears in the payment of their dues or other financial obligation to the ASSOCIATION at the time of their separation, they shall be required to pay the ASSOCIATION all such arrears as a condition of their reinstatement, unless the Board, by majority vote and for good cause, shall waive the payment thereof

ARTICLE III **ELECTION, TERMS AND OFFICES**

SECTION 1. OFFICES

The officers of the ASSOCIATION shall be the President, a First Vice President and a Second Vice President.

SECTION 2. BOARD OF DIRECTORS

The officers and nine (9) other members of the ASSOCIATION, duly elected, shall constitute the Board of Directors, hereinafter referred to as the Board, and only one member from each entity shall serve on the Board as an elected officer.

SECTION 3. TERMS OF OFFICE

The officers shall hold office from the time of their election and qualification for terms of two (2) years, or until the election and qualification of their respective successors. Other member of the Board shall hold office from the time of their election and qualification for terms of three (3) years. Their term shall be so arranged that three (3) retire each year. No member of the Board shall succeed themselves from an expiring two (2) full consecutive terms or office. An Ex-Officio member of the Board being the immediate Past-President shall serve for two (2) years, or until the qualification of their respective successor.

SECTION 4. VACANCIES

In the event of a vacancy occurring on the between annual meetings, the vacancy or vacancies shall be filled by the President, and confirmed by the Board. Such newly appointed member or members of the Board shall hold office only until the next annual meeting.

ARTICLE IV **GOVERNMENT**

SECTION 1. BOARD OF DIRECTORS

The government of this ASSOCIATION shall be vested in the Board of Directors. Seven (7) members of the Board shall constitute a quorum to convene an official meeting.

SECTION 2. DUTIES AND POWERS

The Board shall have the power to initiate and transact business necessary to the existence of the ASSOCIATION and the observance of its purpose. The Board shall determine the date and location of the annual meeting and shall outline the program or activities during such meeting. The Board shall have general powers to direct, control and supervise the affairs of the ASSOCIATION.

SECTION 3. PRESIDENT

The President shall be the chief executive officer of the ASSOCIATION, and it shall be the President's responsibility to supervise and coordinate the activities for the ASSOCIATION and to preside at meetings of the ASSOCIATION and of the Board. The President shall appoint committees for the conduct of the activities of the

ASSOCIATION, and shall require at each annual meeting, and as otherwise directed from the committees appointed and from the officers of the ASSOCIATION.

SECTION 4. FIRST VICE-PRESIDENT

In the absence or at the direction of the President, the First Vice-President shall be the chief executive officer and shall act as such. The First Vice-President shall serve as chair of the Finance Committee.

SECTION 5. SECOND VICE-PRESIDENT

In the absence of the President and the First Vice-President, or at their direction, the Second Vice-President shall perform the duties of the President and such other duties as the President may designate.

SECTION 6. SECRETARY-TREASURER

The Secretary-Treasurer shall be appointed by the President, subject to the approval of the Board of Directors. The Secretary-Treasurer shall keep the records and minutes of the ASSOCIATION and shall maintain current, the roll of membership, the CONSTITUTION AND BYLAWS, and all other documents of value.

It shall be the duty of this office to receive and acknowledge all communications of the ASSOCIATION addressed to them or that may be submitted to them by the officers of the ASSOCIATION, and perform such duties as may be assigned by the President. The Secretary-Treasurer shall be the custodian and sole depositor of the funds of the ASSOCIATION, and shall disperse such funds by check as herein authorized or upon approval of the Board for the purposes, which promote the welfare and objectives of the ASSOCIATION. The Secretary-Treasurer shall render a complete summary of all income, disbursements and balances whenever requested by the Board, and to the members at each meeting. A written copy of the report shall be made available to any active member upon request. The Secretary-Treasurer shall furnish bond to the ASSOCIATION in the form and amount as designated by the Board, the cost thereof to be paid by the ASSOCIATION.

SECTION 7. CHAPLAIN

The Board of the ASSOCIATION shall appoint the Chaplain and Assistant Chaplain.

SECTION 8. EX-OFFICIO MEMBERS

All retired Presidents' shall become Ex-Officio members of the Board. The President, with the approval of the Board, may appoint such Ex-Officio members to serve as editor of the newsletter, Sergeant at arms or directors of the annual conference. The Fire Marshal of the State of Texas shall be an Ex-Officio member of the Board. All Ex-

Officio members shall have the privilege of attending and participating in all meetings of the Board, but shall not have voting power in such meeting.

SECTION 9. ELECTION

Officers and other members of the Board shall be elected at the annual meeting of the ASSOCIATION to fill terms soon to expire, unless otherwise ordered by resolution or motion duly approved by the membership.

ARTICLE V MEETINGS

SECTION 1. ANNUAL MEETING

The annual meeting shall be held at such time and place as may be fixed by the Board and shall consist of the annual meeting of the Board and annual meeting of the members of the ASSOCIATION. The annual meeting shall begin at the time the Board convenes, and shall end upon adjournment of the annual meeting of the members of the ASSOCIATION. Notice thereof shall be publicized not less than thirty (30) days in advance. Elections shall occur and other business may be presented at the annual meeting. When any question comes before the meeting not specifically provided herein, the presiding officer shall be governed in his decision by the rules laid down on "Robert's Rules of Order", as revised.

All Past Presidents and Life Members, who are fully retired and not employed in any full-time capacity, are eligible to receive one night hotel expenses and banquet expense, covered by the ASSOCIATION, during the Annual Meeting.

SECTION 2. REGULAR MEETINGS

The Board may call regular meetings at such time and place as fixed by the Board, giving due notice thereof to all members at least thirty (30) days in advance. Any business of the ASSOCIATION may be conducted, providing all requirements are met, except election of officers.

SECTION 3. BOARD OF DIRECTORS

The Board of Directors shall meet at any time or place upon call of the President, or any seven-(7) members of the Board.

ARTICLE VI
FINANCE

SECTION 1. FEES AND DUES

Dues for active and associate members in this ASSOCIATION shall be fixed by majority vote of members present at the annual meeting, and shall be payable in advance from October 1 to the Secretary/Treasurer in the manner prescribe. Prospective members shall submit their dues with application for membership, which, upon admission, will pay their dues until September 30 following approval of their application. The fiscal year for the ASSOCIATION shall be October 1 through September 30.

Effective October 1, 1997, dues for active members of the ASSOCIATION shall be in the amount of twenty dollars (\$20.00).

Effective October 1, 1997, dues for associate members of the ASSOCIATION shall be in the amount of twenty dollars (\$20.00)

The secretary-treasurer shall be authorized to pro-rate, and accept dues on a quarterly basis, for new members only, October 1 through December 31; January 1 through March 30; April 1 through June 30; July 1 through September 30.

Failure to pay membership dues within ninety (90) days of the due date shall forfeit membership in the ASSOCIATION. Reinstatements are conditioned on approval of the Board and payment of all arrears. There shall be no other fees or assessments except as provided by amendment to these articles.

SECTION 2. REVIEW

The Finance Committee shall make a review of all accounts of the ASSOCIATION at each annual meeting or when deemed necessary by the President, and present a report of their findings to the officers, Board and members.

ARTICLE VII
AMENDMENT

SECTION 1. REQUIREMENT

This Constitution and Bylaws may be amended at any regular meeting of the ASSOCIATION by a vote of two-thirds (2/3) of the members present.

ARTICLE VIII
DIVISIONS OR SECTIONS OF THE ASSOCIATION

SECTION 1.

The BOARD may recognize DIVISIONS or SECTIONS of the ASSOCIATION after written application by such Division or Section. Active membership in the Division or Section shall be contingent upon membership in the ASSOCIATION, either active or associate.

SECTION 2.

The President shall appoint an active member of the ASSOCIATION to serve as chair of such division or section, subject to the approval of the Board. The membership of each Division or Section may appoint or elect officers as may be deemed necessary to conduct the business of the Division or Section

SECTION 3.

Any member of the ASSOCIATION desiring to become a member of the Division or Section shall comply with the Division or Section by-laws.

SECTION 4.

The number of meetings to be held by the Division or Section shall in no way conflict with the annual meeting of the ASSOCIATION, but shall otherwise be at the discretion of the Division or Section, provided however, that each Division or Section shall hold at least one meeting each year. Copies of the minutes of the meeting shall be furnished to the Secretary-Treasurer of the ASSOCIATION within thirty (30) days after the meeting has been held. All papers presented at any meeting shall be submitted to the Secretary-Treasurer of the ASSOCIATION, together with the minutes of the meeting, before being published.

SECTION 5.

All official meetings of the Division or Section shall be professional in nature and shall be conducted for the sole purpose of furthering the objectives of the ASSOCIATION.

SECTION 6.

Associate membership in a Division or Section is not contingent upon ASSOCIATION membership.

SECTION 7.

The recognition of a Division or Section may be withdrawn by the Board of the ASSOCIATION as a result of (1) inactivity of the Division or Section, (2) as a result of a written complaint to the Board indicating violations of the Constitution and Bylaws of the ASSOCIATION or the article establishing said Division or Section or (3) by voluntary action of the Division or Section. Action can be taken by a vote of two-thirds (2/3) of the membership of the Board.

ARTICLE IX INTERNATIONAL FIRE MARSHALS ASSOCIATION CHAPTER

SECTION 1. CHARTER

Groups of members of the International Fire Marshals Association geographical areas desiring to become a chapter for purposes of advancement of the objectives of the International Fire Marshals Association may apply to the Executive Committee on forms provided by the International Fire Marshals Association. The Executive Committee shall act on application for chapter status at its next meeting. Chapters approved at the business session of a regular or special meeting of the International Fire Marshals Association. Any amendments to a chapter Constitution of Bylaws shall be approved by the Executive Committee of the International Fire Marshals Association and the Board of Directors of the National Fire Protection Association.

SECTION 2. MEMBERSHIP

(A) CHAPTER MEMBER

Any member or associate member of the International Fire Marshals Association.

(B) CHAPTER AFFILIATE MEMBER

Any member meets the qualifications of the International Fire Marshals Association, but not a member of the International Fire Marshals Association.

SECTION 3. OFFICERS

(A) Officers shall meet the chapter membership qualifications. Officers shall be members of the International Fire Marshals Association.

(B) Each chapter shall have at least the following officers. The Secretary-Treasurer may be one Individual.

PRESIDENT
VICE PRESIDENT
SECRETARY
TREASURER

SECTION 4. CHAPTER REPRESENTATIVE

(A) Each chapter shall elect from their membership at least each three-(3) years a chapter Representative who will represent the chapter at regular International Fire Marshals Association meetings. The chapter representative shall meet the chapter membership Qualifications and may be an officer. The chapter representative shall be a member of the International Fire Marshals Association. When an elected representative is unable to attend the International Fire Marshals Association meetings, the chapter EXECUTIVE board may designate an alternate to carry out those duties.

(B) CHAPTER REPRESENTATIVE DUTIES

1. Chapter representative shall be responsible for all registered reports of this ARTICLE.

The chapter representative shall be responsible for review of chapter membership and the issuance of membership cards.

SECTION 5. MEETINGS

Chapter shall hold meetings at least once a year open to all members for the purpose of election of officers, election of a chapter representative, finalization of required reports to the International Fire Marshals Association and for conducting regular business.

SECTION 6. REPORTS

The chapter representative shall submit to the International Fire Marshals Association's Executive Secretary, prior to February 1 of each year, the following reports:

- a. Financial (on forms provided).
- b. Membership and dues (on forms provided).
- c. Regular meeting minutes
- d. Chapter activities
- e. Other reports as required.

SECTION 7. CHAPTER IDENTIFICATION AND LETTERHEAD

Letterheads of chapter stationery may continue to carry the name of the present association; however, the following shall also be included:

1. Chapter number
2. International Fire Marshals Association
3. International Fire Marshals Association logo
4. Geographical location

Exceptions to this may be granted by the International Fire Marshals Association Executive Committee.

SECTION 8. CHAPTER REVIEW

The International Fire Marshals Association Executive Committee shall review each chapter's reports and activities at least annually. The Executive Committee may suspend or terminate chapter charters for cause or may place any chapter on probation status. A report on each chapter shall be presented at the International Fire Marshals Association's annual meeting by the Chapter Review Committee.

SECTION 9. CHAPTER CONSTITUTION AN BYLAWS

A chapter's Constitution and Bylaws shall include the entire content of this Article. The Constitution and Bylaws shall be approved by the Chapter Review Committee, the Executive Committee of the International Fire Marshals Association and the Board of Directors of the National Fire Protection Association. The Chapter's Constitution shall include a disclaimer to prevent the incurring of any financial obligations or financial responsibilities to be assumed by the International Fire Marshals Association or the National Fire Protection Association.

SECTION 10. DISCLAIMER

The TEXAS FIRE MARSHALS' ASSOCIATION, and the elected officers of this ASSOCIATION, shall in no way hold the International Fire Marshals Association or the National Fire Protection Association liable for any financial obligations or responsibilities incurred by the TEXAS FIRE MARSHALS' ASSOCIATION. Nor shall the TEXAS FIRE MARSHALS' ASSOCIATION hold out or make any representation of the International Fire Marshals Association or the National Fire Protection Association as being responsible for any such financial obligations or responsibilities and shall indemnify and hold harmless the International Fire Marshals Association and the National Fire Protection Association for any loss or cost as a result of any such holdings out or representations or other reasons.

The TEXAS FIRE MARSHALS' ASSOCIATION or its elected officers shall not be held liable for any financial obligations or responsibilities incurred by the International Fire Marshals Association or the National Fire Protection Association.

ARTICLE X **AWARDS**

Section 1. Life Member Award

Reference to Article II, Section 5 of the Constitution and Bylaws, the Association may bestow Life Membership upon any qualified member of the Texas Fire Marshals' Association who has met the following requirements:

- a. Individual must be or have been an active member in the ASSOCIATION.

- b. Individual must have been an active member in good standing for ten (10) or more years.
- c. Individual must have rendered distinctive service to the Association through participation on committees or other activities for a minimum of five (5) years.

A Life Member shall have all of the privileges and rights of an active member, without payment of dues. Nominations for Life Membership shall be made to the Board (or Awards Committee) at least sixty (60) days prior to the voting thereon. No more than two nominations for such membership may be approved in any year.

Inscription shall read as follows: IN RECOGNITION AND APPRECIATION OF OUTSTANDING LEADERSHIP AND UNTIRING EFFORTS, LENDING DIGNITY, and INTEGRITY AND DIRECTION TO THE PURPOSES AND OBJECTIVES OF THE ASSOCIATION.

Section 2. Roscoe Gibson Award

The Roscoe Gibson Award is presented to those individuals who have given evidence to their dedication to the field of Fire Prevention, and have supported the ideals and goals of the ASSOCIATION. The award is presented in memory of one of the leaders in the founding of the Texas Fire Marshals' Association, who served with pride as committee member and officer, who devoted his life to the fire service, especially in the fire prevention activities. This award may be given to members and non-members. A maximum of four (4) awards may be granted each year.

Inscription shall read as follows: IN APPRECIATION FOR EXEMPLARY SERVICE TO THE TEXAS FIRE MARSHALS' ASSOCIATION IN FURTHERING ITS IDEALS AND GOALS TO MAINTAIN THE HIGHEST STANDARDS OF FIRE PREVENTION.

Section 3. President's Award

This award, approved during the term of office of President Malcolm Light, is presented to those individuals, who, in the opinion of the President have contributed support, above and beyond that normally expected, and especially recognizing those individuals who have shown unusual support to the President during their term of office.

The recipient of the President's Award shall be selected by the President in office, and the recipient name or names submitted to the Award's Committee for processing at least sixty (60) days prior to the annual meeting.

Inscription shall read as follows: IN APPRECIATION OF YOUR DEDICATION AND SUPPORT IN FURTHERING OUR EFFORTS IN FIRE PREVENTION, AND ASSISTING IN MAINTAINING THE PURPOSES AND OBJECTIVES OF THE TEXAS FIRE MARSHALS' ASSOCIATION.

Section 4. The R. R. "Jack" Sneed Award

This award, approved at the request of President Tom Leggitt is a permanent award to be bestowed by the Texas Fire Marshals' Association, upon individuals who have distinguished themselves in the promoting of fire prevention by continuously striving to upgrade professional standards, actively engaging in projects to further the goals of the Association. And by maintaining the exemplary professional image befitting the Texas Fire Marshals' Association. The award shall be an ongoing one, with no more than two (2) awards being presented in any one calendar year. The name of the awards shall be "The R. R. "Jack" Sneed Award".

Inscription shall read as follows: FOR DISTINGUISHED SERVICE IN PROMOTING FIRE PREVENTION, CONTINUOUSLY STRIVING TO UPGRADE PROFESSIONAL STANDARDS AND MAINTAINING A PROFESSIONAL IMAGE.

Section 5. Past President Award

This award is presented to an outgoing President who has served their full term as President of the Texas Fire Marshals' Association. A President that cannot complete their full term due to exigent circumstances may receive the Past President's Award if they are exiting on good terms and conduct, and there is approval by the Executive Board. This is an automatic award and no nominations are required. The Award is presented by the incoming President.

Inscription shall read as follows: FOR DEDICATED SERVICE, UNTIRING EFFORTS AND OUTSTANDING LEADERSHIP AS PRESIDENT OF THE TEXAS FIRE MARSHALS' ASSOCIATION. (Date to Date.)

Section 6. Awards Approval

Effective September 6, 1997, any individual who wishes to propose a new award, shall adhere to the following:

- a. Diligently explore all existing awards to see if any of them meet the requirements for the award that you desire.
- b. Present in writing, explaining in detail the new award to the Awards Committee, and outlining the criteria for establishing the award, with full details why existing awards do not meet these criteria.
- c. Present exact wording desired on the plaque.
- d. Awards Committee will examine requests, either approving or disapproving request, then submit all information to the Board, who will make the final approval or disapproval.

- e. A President or officer desiring to establish an award may not exercise executive privilege, but must follow procedure described above.

Section 7. Awards Deletion.

If any member of Awards Committee or officer feels that any established award could be combined with another award, or delete from the approved list, they shall submit their request, in writing, explaining in detail reasons for deletion, and present information through the Awards Committee to the Board. The Board shall have final approval or disapproval.