



*North Dakota Firefighter's  
Association*

Organized June 4, 1884  
Incorporated January 20, 1901

6909 Aurora Loop  
P.O. Box 6127  
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**CONSTITUTION  
AND  
BY-LAWS  
OF THE  
NORTH DAKOTA  
FIREFIGHTER'S ASSOCIATION**

2011

**INCORPORATED FEBURARY 3, 1891  
UNDER THE LAWS OF THE STATE OF NORTH DAKOTA**

**THE CONSTITUTION AND BY-LAWS OF THE NORTH DAKOTA FIREFIGHTER'S ASSOCIATION (NDFA) WAS WRITTEN AND ADOPTED BY THE EXECUTIVE BOARD AND THE UNIFIED BODY OF VOTING MEMBERS TO ESTABLISH PRINCIPLES TO PROVIDE THE STRUCTURE, PROCEDURES, POWERS AND DUTIES TO BE FOLLOWED BY THE ASSOCIATION IN THE PROPER REGULATIONS AND LAWS THAT HAVE BEEN INSTITUTED AND ENFORCED FOR THE PROTECTION AND INTERESTS OF THE ASSOCIATION AND THE MEMBERS.**



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## **CONSTITUTION AND BY-LAWS:**

**THE FOLLOWING PAGES CONSIST OF THE CONSTITUTION AND THE BY-LAWS OF THE NORTH DAKOTA FIREFIGHTER'S ASSOCIATION (NDFA) AS THEY WERE REVISED AND UPDATED FOR PRINTING: JUNE, 2011.**

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# CONSTITUTION AND BY-LAWS

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## CONSTITUTION AND BY-LAWS

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## CONSTITUTION AND BY-LAWS

### CONSTITUTION:

#### ARTICLE I

The name of this organization shall be designated as the “North Dakota Firefighter’s Association”, hereafter, referred to as the “Association”. The purpose of the Association is to promote uniformity and established training standards and procedures to all members in good standing of the North Dakota Firefighter’s Association.



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**ARTICLE II**

**Section 1.** The Association membership shall be comprised of the active and corporate memberships. Active membership consists of fire departments and agencies that furnish fire protection for the government subdivisions or private installations in the State of North Dakota and should be registered with the North Dakota Fire Marshal's Office through a *Certificate of Existence* designation.

Active membership entitles a member department to representation at the North Dakota Firefighter's Association Annual State Convention and the other privileges as determined and set forth by the Association.

Dues for active membership are established in Section 3 of Article II. Corporate membership consists of businesses, industrial and commercial institutions interested in the betterment of the Association and the North Dakota fire service. Corporate Members shall pay an annual fee of one hundred dollars (\$100.00) and are not eligible to share in the monies that are received or due to the Association.

**Section 2.** The official officers of the Association shall consist of the following representatives: President, First Vice-President, Second Vice-President, Secretary/Treasurer and four Regional Trustees, hereafter these officeholders shall be referred to as the Executive Board of the North Dakota Firefighter's Association.



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**ARTICLE II (CONTINUED)**

**Section 3.** The Annual Dues of the Association shall be determined by the Executive Board and approved by the membership at the Annual State Convention. The dues shall be forty (\$40.00) per fire department. The dues shall be payable to the Secretary/Treasurer on or before the first day of December each year annually and will become delinquent on the first day of the following February. The delegates assembled at the Annual State Convention or the Executive Board may determine the need to levy a special assessment to maintain proper funding for Association functions. The special assessment levied shall be payable to the Association's Secretary/Treasurer.

A period of sixty (60) days from a date specified will be allowed for fire departments to pay the special assessment. If payment has not been received by the specified date, the fire departments will be considered to be delinquent and these member departments of the Association will not be entitled to receive benefits provided by the North Dakota Firefighter's Association.

**Section 4.** Member fire departments of the Association will not be entitled to any privileges of the Association or representation at the Annual State Convention until the member is current with dues payment, assessments or past due accounts owed to the Association are paid in full.

**Section 5.** Member fire departments of the Association that are in arrears for dues, special assessments or past due accounts will be reinstated upon the receipt of the amount due the Association and received by the Secretary/Treasurer.

**Section 6.** Member fire departments that are in good standing shall be entitled to six (6) delegates at the Annual State Convention. Delegates must be an active member of their fire department and be present to register with the Credentials Committee. A delegate does not have to hold rank to be considered a delegate.



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**ARTICLE III**

**Section 1.** The officers of the Association shall be elected annually at the Annual State Convention. Election confirmation shall require a majority vote of all accredited delegates as certified by the Credentials Committee report. Trustees shall serve a two year term and shall be elected in rotation.

**President: 1 Year Term**

**1<sup>st</sup> Vice-President: 1 Year Term**

**2<sup>nd</sup> Vice-President: 1 Year Term**

**Secretary/Treasurer: 2 Year Term; Elected on odd years**

**Trustees: 2 Year Term: NW and SE Trustees are elected on odd years and the NE and SW Trustees are elected on even years. Trustees are elected by the Association Members of their particular region. Paper ballots will be used unless there is no contest.**



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**ARTICLE IV**

**Section 1.** It shall be the duty of the President to preside at the Annual State Convention and at all meetings of the Executive Board. The President shall call special meetings of the Executive Board at the request of at least five (5) member departments in good standing or when requested by at least three (3) members of the Executive Board.

**Section 2.** It shall be the duty of the First Vice-President to perform all the duties of the President in the absence of the President as directed by the President.

**Section 3.** It shall be the duty of the Second Vice-President to perform all duties of the President in the absence of the President and the First Vice President at the request of the President.

**Section 4.** It shall be the duty of the Secretary/Treasurer to keep accurate minutes of all meetings. The Secretary/Treasurer shall maintain records of membership, including current status of dues and fees. The Secretary/Treasurer shall receive all monies due the Association for deposit in the appropriate accounts. It shall be the duty of the Secretary/Treasurer to receive all monies apportioned by the State of North Dakota. The Secretary/Treasurer shall issue orders on the treasury for money paid out in payment of bills. These bills must have been examined by the Executive Director and initialed to show that documented bills have been incurred by the Executive Board or the staff of the North Dakota Firefighter's Association. The Executive Board must approve all expenses. The Secretary/Treasurer shall deliver a report of the business transacted at the Annual State Convention.



# CONSTITUTION AND BY-LAWS

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### **ARTICLE IV (CONTINUED)**

**Section 5.** The Secretary/Treasurer and Executive Director shall keep and maintain records of all correspondence relating to the Association. The Executive Director shall provide the Secretary/Treasurer a receipt for money received by the Association. The Executive Director shall be responsible for all mailing regarding Annual State Fire School and any other Association business or as determined by the President and Executive Board. The Executive Director shall reconcile financial accounts monthly. The Executive Board and the Office Staff of the Association shall be bonded for an amount to be determined by the Executive Board. Payment of the bond is the responsibility of the Association. The Secretary/Treasurer shall transfer all money, property and receipts of the Association to a qualified successor or to the Executive Board upon request. Association funds shall be deposited only in financial institutions that are members of the Federal Deposit Insurance Corporation.

**Section 6.** The Executive Board shall provide adequate insurance to cover all Association property. The Executive Board shall provide adequate liability insurance to cover the Association for all activities that it sponsors for training activities. The Executive Board shall have jurisdiction over Association funds. The Executive Board shall audit and allow bills and warrants drawn by the Secretary/Treasurer for the legitimate expenses of the Association. A majority of (five) 5 members of the Executive Board will constitute a quorum. In the absence of the President and Vice-Presidents, the Executive Board will select one of their members to preside over the meeting. The Executive Board shall be responsible for the management of Association training such as State Fire School, Regional Fire School, conferences and all other training provided by the North Dakota Firefighter's Association. School supervisors and instructors may be compensated as determined by the Executive Board. Regional fire schools shall be held in accordance with the North Dakota Century Code.



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**ARTICLE IV**

**Section 7.** It shall be the duty of the Executive Board to assist the President in the discharge of his or her duties and to manage the affairs of the Association. The Executive Board has the responsibility to hear complaints of misconduct or irregularity against any member or officer of the Association. The Executive Board may determine an outcome of the charges. The aggrieved member may appeal the decision in writing within thirty (30) days. The written appeal must be signed and delivered to the Secretary/Treasurer in person or by certified mail, signature return requested. The written appeal will then be heard by the certified delegates assembled at the next Annual State Convention. A majority vote of the certified delegates assembled on the issue will be the final decision of the Association.

The Executive Board of the NDFA shall be given the authority to revoke a life membership with the following stipulations:

1. There must be a written request from the life members department with documentation indicating the request has received at least a 2/3 majority vote in favor of the revocation of the life membership.
2. There must be a written notice explaining why the life membership is being revoked.

Therefore be it further resolved that if the Executive Board of the NDFA denies the request to revoke a life membership, the asking department may bring it before the general assembly at the Annual State Convention for a vote from the members at large.

**Section 8.** It shall be the duty of the Fire Chief or Secretary of the member Fire Departments to provide necessary information to the Association upon request. The Association Secretary/Treasurer or Executive Director will provide appropriate forms when needed. Member fire departments failing to comply with this provision will not be entitled to any privileges of the Association or representation at the Annual State Convention. Members of the Association are responsible for providing an official mailing address, e-mail address or Post Office Box number for official correspondence.



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**ARTICLE IV (CONTINUED)**

**Section 9.** The Annual Financial Report of the Association that is prepared by the Secretary/Treasurer shall be printed and mailed to each member fire department. A copy of the Annual Financial Report will be made available to all delegates of the Annual State Convention at the registration desk. The expenses of all printing and postage necessary to conduct business shall be paid for by the Association.



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**ARTICLE V**

**Section 1.** A person may be elected a Life Member of the Association by a majority vote of the members present at an Annual State Convention or by a majority vote of the members present at an Annual State Convention or by the Executive Board if they meet the following requirements: upon completing the term of President of the Association; for being in attendance at three (3) consecutive Annual State Conventions while serving as Chief of a member fire department; for being in attendance at three (3) Annual Conventions while serving as Assistant Chief of a member department for five (5) continuous years; for being in attendance at three (3) Annual State Conventions while serving as Training Officer, Secretary or Treasurer of a member department for ten (10) continuous years. Life Member Certificates will be issued by the Association upon certification from the member department.

**Section 2.** A person with twenty-five (25) years of active service as a firefighter with a member department shall be entitled to a twenty-five (25) year service pin and a Life Membership. Proper documentation as determined by the Executive Board will be required.

**Section 2a.** Service pins in 5 year increments starting with twenty-five (25) years of service will be made available by NDFA. The requesting department is responsible for purchasing all service pins.

**Section 3.** A person with thirty-five (35) years of active service as a firefighter with a member department shall be entitled to a thirty-five year service pin. Proper documentation as determined by the Executive Board will be required.

**Section 4.** A person with fifty (50) years of active service as a firefighter with a member department shall be entitled to a fifty (50) year service pin and a Life Membership. Proper documentation as determined by the Executive Board will be required. Service pins are to be purchased by member departments through the Association.



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**ARTICLE V (CONTINUED)**

**Section 4. (Continued)**

Member Fire Departments can make a request to have service pins presented at the Annual State Convention. Please contact the North Dakota Firefighter's Association by May 15<sup>th</sup> to make this request.

**Section 5.** A Life Member must be a registered delegate in order to participate at the Annual State Convention. A Life Member may not be represented by proxy. A Life Member may register with a member department or individually.

**Section 6.** A delegate can carry only one (1) Life Member vote.

**Section 7.** A person may be elected as an Honorary Member or Honorary Life Member by a two-thirds (2/3) majority vote of the member fire departments at the Annual State Convention or by the Executive Board.



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**ARTICLE VI**

**Section 1.** The Annual State Convention shall be held at a place designated at the Annual State Convention three (3) years in advance. The Executive Board may select the place of the Annual State Convention should the delegates assembled fail to do so. The business session of the Annual State Convention shall begin the first Friday of June and shall not exceed two days with the exception of registration. The registration as determined by the hosting committee shall include a \$5 fee that is given to the Association for costs incurred to offset Administrative Costs.

**Section 2.** The Chaplain will be selected by the host city to provide spiritual guidance at the Annual State Convention. The Chaplain will officiate at the Memorial Service and administer prayer at the open and the close of the convention.



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**ARTICLE VII**

**Section 1.** If a vacancy occurs in an elective office of the Association, the Executive Board may fill the vacancy until the next Annual State Convention.

**Section 2.** In the event of a Trustee vacancy, the Executive Board will appoint a Trustee until the next Annual State Convention at which time a special election will be held to fill the vacancy.



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**ARTICLE VIII**

**Section 1.** The Executive Board may select representatives to attend meetings or conventions pertaining to the fire service if it provides interest and benefit to the Association. A report will be delivered to the Executive Board by the representatives.





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**ARTICLE IX**

**Section 1.** Member departments are encouraged to adopt a Constitution and By-Laws as well as the Policy Manual.



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**ARTICLE X**

**Section 1.** Member Departments shall hold Annual Meetings and elect officers as determined by their Constitution. It is suggested that the annual election of member departments take place during the first quarter of the calendar year. Changes in Chief, Assistant Chief and Secretary/Treasurer shall be reported to the Association Secretary/Treasurer.



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**ARTICLE XI**

**Section 1.** The Constitution may be altered or amended at the Annual State Convention by a two-thirds (2/3) majority vote. It would include motions from the floor or a resolution.

**Section 2.** Proposed changes to the Constitution shall be submitted to the Association's Secretary/Treasurer no later than sixty (60) days prior to the Annual State Convention. The Secretary/Treasurer shall notify member departments of the proposed changes no less than thirty (30) days prior to the Annual State Convention.

Changes to the Constitution and its amendments shall become effective upon adoption by the Association at the Annual State Convention.