

# METROPOLITAN FIRE MARSHALS ASSOCIATION CONSTITUTION AND BY-LAWS

2009 EDITION

## ARTICLE I NAME AND PURPOSE

**SECTION 1 Name:** The name of this Organization shall be "The Metropolitan Fire Marshals Association" and is hereinafter referred to as the Association. The Association is a recognized Chapter with the International Code Council. The Association is affiliated with the Greater St. Louis Area Fire Chiefs Association.

**SECTION 2 Purpose:** The purpose of this Association shall be to provide education and knowledge to fire and building officials as it relates to their profession; and to keep the members informed of fire prevention problems as they relate to the safeguarding of life, property and public welfare by discussing methods of solving such problems; and further, to generate favorable public support for fire safety issues and to educate the public on fire safety and accident prevention topics.

## ARTICLE II MEMBERSHIP

**SECTION 1 Regular Members:** Regular membership shall consist of those persons whose primary duties and functions are directly related to enforcement of building codes, fire safety codes, ordinances or laws and who are employed in this type of work in any governmental agency. The number of members from one single department or district shall not be limited. All regular members shall be entitled to participate at meetings and have voting privileges.

**SECTION 2 Associate Members:** Any person who has an interest in or is associated with a business or profession that has an interest in the promotion of fire safety or fire prevention regulations may become an associate member upon acceptance by the membership. All associate members shall be entitled to participate at meetings and discussions but are not entitled to voting privileges except as provided for in Article V Section 1.

**SECTION 3 Retired Members:** Recognizing that retirement from active employment does not necessarily diminish ones interests in the purpose of this Association, any regular member in good standing, upon retirement becomes eligible for retired regular membership, unless such retired regular member becomes eligible as an associate member. General criteria for this class of membership is five (5) years of active affiliation with the Association. A retired regular member shall have all the rights and privileges of a regular member without the payment of yearly dues. Further, any associate member in good standing, upon retirement becomes eligible for retired associate membership. General criteria for this class of membership is five (5) years of active affiliation with the Association. A retired associate member shall have all the rights and privileges of an associate member without the payment of yearly dues.

**SECTION 4 Honorary Life Members:** The Association may bestow honorary life membership upon any qualified member who has rendered distinctive service to this Association or to its purpose. Honorary Life Members shall have all rights, privileges and responsibilities associated with regular membership. An Honorary Life Member shall have all the rights and privileges of a regular member without the payment of yearly dues.

**SECTION 5 Honorary Member:** The Association may bestow honorary membership to those field related nonmembers that exhibit exemplary behavior, perform services for the Association, or act in an official capacity with the International Code Council, or any dignitaries and persons of stature in the fields of activity in which this Association is engaged. Honorary members shall receive the newsletter of the Association, but shall have no other rights of membership.

**SECTION 6 Members In Good Standing:** All regular and associate members shall be considered in good standing when current dues are paid, except as specified in Sections 8 and 9 of this Article.

**SECTION 7 Application For Membership:** Any person wishing to become a member shall submit an application for membership and dues in an amount determined by the membership. Each application shall be reviewed by the Executive Officers. Upon approval by a simple majority of the Executive Officers, the application shall be voted on by the membership at two (2) separate meetings. A simple majority is required at both membership votes for approval.

**SECTION 8 Termination:** Membership in the Association shall terminate by:

- a. voluntary withdrawal,
- b. non-payment of dues – membership shall be terminated by the Secretary when, after due notice, such member is in arrears in the payment of dues or any other obligation to the Association, failure to pay membership dues within ninety (90) days of the due date shall forfeit membership in the Association, or
- c. by the consent of a majority vote of the Executive Officers in accordance with Section 9 of this Article.

**SECTION 9 Elimination:** The Executive Officers may censure any member, may terminate the membership of any member or may eliminate the application of a member applicant in the event:

- a. such member or applicant falsified his application,
- b. such member or applicant has conducted himself in such a manner as is prejudicial to the good name or best interest of the Association or
- c. such member has exhibited traits of character or conduct inconsistent with the qualifications for membership in this Association, or other cases subject to this section.

The Executive Officers shall provide such member with a hearing, due notice, and an opportunity to be heard. A majority of the Executive Officers present in a duly

constituted meeting shall be sufficient to cause censure or termination of membership for any reason specified in this section.

**SECTION 10 Appeal:** The member terminated shall have the right to appeal the Executive Officers' decision. The appeal shall be submitted in writing within thirty (30) days following the removal to the Secretary. After the appeal is received by the Secretary, the appeal shall be presented for consideration by the entire membership present at the next duly constituted meeting of the general membership.

**SECTION 11 Reinstatement:** Any former member may be reinstated in the Association at the discretion of and by the consent of a majority of the Executive Officers, or may appeal to the regular membership at the next duly constituted meeting and winning of a majority of the members present be reinstated, however, if the former member shall have been in arrears in the payment of dues or other financial obligation to the Chapter at the time of his separation, he shall be required to pay the Association all such arrears as a condition to his reinstatement, unless the Executive Officers, by the majority vote and for good cause, shall waive the payment thereof.

### **ARTICLE III EXECUTIVE OFFICERS**

The Executive Officers of this Association shall conduct an annual business meeting immediately before or after the regularly scheduled meeting in December. The purpose of this annual business meeting is to review the business, events and occurrences of note from the preceding year. The Executive Officers of this Association and the duties of each shall consist of the following:

#### **SECTION 1 President:**

- 1.1 The President shall be the Chief Executive Officer of this Association and shall preside over all meetings and conduct all business.
- 1.2 The President shall appoint all standing and special committees.
- 1.3 The President shall perform such other duties as prescribed by these by-laws, and that are necessary incidental to the office of the President.

#### **SECTION 2 Vice-President:**

- 2.1 In the absence of the President, the Vice-President shall have all the powers and prerogatives of the President.
- 2.2 The Vice-President shall have such additional duties as prescribed by the President or these by-laws.

#### **SECTION 3 Secretary:**

- 3.1 The Secretary shall keep minutes of the proceedings of the Association.
- 3.2 The Secretary shall conduct correspondence and shall issue notices of meetings as may be required or directed by the President.
- 3.3 The Secretary, with assistance of the membership committee, shall keep a register of all members of this Association showing names and addresses. A membership list shall be forwarded to all members of the Association annually.

3.4 The Secretary shall have additional powers and perform such duties as may be prescribed by the President or these by-laws.

**SECTION 4 Treasurer:**

4.1 The Treasurer shall be the custodian and depositor of the funds of the Association.

4.2 The Treasurer shall present at every meeting a complete summary of all income, disbursements and balances.

4.3 The Treasurer shall collect all dues of regular and associate members.

4.4 At the end of each term, the Treasurer shall submit the financial records of the Association to an audit committee appointed by the President for review. The Treasurer shall assist the audit committee with the annual review of all accounts of this Association.

4.5 The Treasurer shall have additional powers and perform such duties as may be prescribed by the President or the by-laws.

**SECTION 5 Immediate Past-President:** The Immediate Past-President shall insure that all business of this Association is properly conducted under the regulations established by the by-laws.

**ARTICLE IV ELECTIONS, TERMS AND OFFICES**

**SECTION 1 Eligibility For Office:**

1.1 Eligibility for the office of President shall include any regular member in good standing, that is actively employed by a fire department or fire protection district recognized by the State of Missouri, and is responsible for the enforcement or administration of laws or ordinances related to fire prevention.

1.2 Eligibility for all other offices hereafter elected shall include regular members in good standing, except that any associate member in good standing that is a Past President of this Association who has left the fire service shall also be eligible for any office except that of President.

**SECTION 2 Elections:**

2.1 Elections shall be held in December of each year to elect officers for the ensuing year. The term of office shall run from January 1st until December 31st of each year.

2.2 A simple majority vote of the regular membership present and in good standing shall be necessary to elect an officer to a term of office.

2.3 In cases of a tie vote, the members present will determine the method of tie-break at that time.

**SECTION 3 Removal From Office And Filling Of Vacancies:**

3.1 The membership of the Association shall have the power to remove from office by majority vote, any officer of the Association for any of the following:

- a. Conduct or actions that tend to discredit or lead to disrepute of this Association.
- b. For good cause as submitted in writing by any member of the Association.

- 3.2 Any officer or member shall have the right to appeal. The appeal must be submitted in writing within thirty (30) days following the removal to the President via the Secretary.
- 3.3 A vacancy in any office because of death, resignation, removal or disqualification, or otherwise, may be filled by majority vote of the Association upon nomination by the President. In case of absence, resignation, death or permanent incapacity of the President, the Vice-President shall perform the duties of the President, either temporarily or until the next regular election and a successor is elected and qualified. The Executive Officers must certify the qualifications of the nominee.

## **ARTICLE V DUES**

1. Annual dues for regular and associate members shall be established by a two thirds (2/3) majority vote of the regular and associate membership present and shall be payable on January 1st of each year.
2. If dues are not paid by March 31st of the current year any regular or associate member shall be considered delinquent and shall lose all privileges connected with membership in good standing.

## **ARTICLE VI MEETINGS**

1. Meetings shall be held once a month or as often as deemed necessary by the membership, at a place and time to be designated by the membership.
2. For the purposes of conducting official business of this Organization, a quorum of fifteen members must be present.
3. "Roberts Rules of Order" shall guide all meeting regulations of this Association not specified in these by-laws.
4. The official order of business may be set by the Executive Officer presiding over the meeting, but shall include the following:
  - a. Call of meeting to order
  - b. Treasurer's report
  - c. Secretary's report – including approval of minutes of previous meeting, new member readings and membership report
  - d. Program/Presentation
  - e. Communications
  - f. Committee reports
  - g. Old Business
  - h. New Business
  - i. Roundtable
  - j. Good of the Order
  - k. Announcements (including next meeting)
  - l. Adjournment

## **ARTICLE VII AMENDMENTS OR REVISIONS**

1. Any regulations governing this Association may be amended, revised or repealed at a duly constituted meeting by a majority vote of two thirds (2/3) of the regular membership present.
2. Any amendment or revision to the regulations governing this Association shall be submitted in writing to the Secretary at least thirty (30) days prior to the regular meeting they are to be voted on, and notice of this shall be sent to each regular and associate member at least ten (10) days prior to such a vote.

### **ARTICLE VIII CERTIFICATE OF APPRECIATION**

Any member who was active and in good standing in this Association, having given notice of leaving the Association, shall upon leaving receive a certificate of appreciation.

Revised date: \_\_\_\_\_

Signed:

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Paul V. Mercurio  
President

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Roger N. Herin  
Secretary