

**Rio Arriba County
Board of County Commissioners
Española Branch Office**

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Chairman Dist. 3**

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**Andrew J. Chavez
District 2**

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Lorenzo J. Valdez**

RIO ARRIBA COUNTY

Fire District Bylaws

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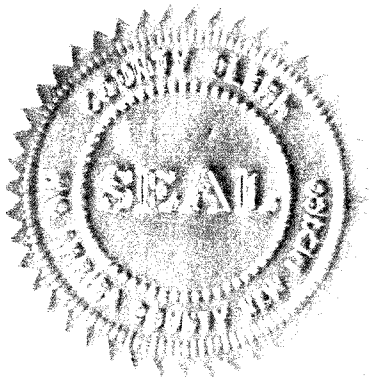
PASSED, ADOPTED AND APPROVED THIS 8th DAY OF JANUARY, 2004.

**BOARD OF COUNTY COMMISSIONERS
RIO ARRIBA COUNTY, NEW MEXICO**

**Moises Morales, Jr., Chairman
Commissioner, District III**

**Elias Coriz,
Commissioner, District I**

**Andrew J. Chavez
Commissioner, District II**



ATTEST:
J. Fred Vigil, County Clerk

RIO ARRIBA COUNTY

Fire District Bylaws

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ARTICLE I ORGANIZATION

Section 1: Organizational Name and Authority

The name of the organization is the Rio Arriba County Fire Districts.

Section 2: Purpose of Organization

The Rio Arriba County Fire Districts were created and established by the Rio Arriba County Commission for the purpose of providing necessary fire, rescue and emergency services for the residents of and visitors to Rio Arriba County. The Fire District shall act in accordance with all applicable federal, state and local laws and ordinances.

Section 3: Purpose of Bylaws

These bylaws are hereby adopted by the Rio Arriba County Commission for the explicit purpose of establishing the means by which the operational business of the Rio Arriba County Fire Districts will be conducted.

Section 4: District Preamble

The Rio Arriba County Fire Districts are fundamental in the County's ability to provide fire, rescue and emergency services to the residents of and visitors to Rio Arriba County. It shall be the mission of each County Fire District, to provide the highest quality emergency services to the residents of, and visitors to, Rio Arriba County. The goals and objectives of the Fire Districts shall be drafted to ensure the mission is accomplished and in doing so protect the lives and property of all its residents.

Section 5: District Name

The name of an individual Fire District shall be the name assigned by the County Commission at the time the Fire District was created and/or amended by Commission action. There are presently eighteen Rio Arriba County Fire Districts.

Section 6: Fiscal Year, Property Ownership and District Management

The fiscal year shall be determined by the State of New Mexico. Rio Arriba County Fire Districts receive operational funds from the State of New Mexico Fire Protection and EMS Funds as set forth in applicable state statutes and other state, federal and local sources. Rio Arriba County is the fiscal agent for all such funds, regardless of source and holds title to all property, including real property, equipment, apparatus, stations, and other items purchased with such funds and utilized by the County Fire District to provide emergency services. The District Chief of each Fire District is accountable and responsible for the day-to-day operational management of the Fire District, and is responsible for the expenditure of public funds allocated to the Fire District.

ARTICLE II RULES OF ORDER

Section 1: Quorum

A quorum consisting of 60% is required for election of officers at the annual meeting. Other district business may be conducted at regularly scheduled meetings with 50% of members present to vote and one elected officer.

Section 2: Order

The business of each Fire District shall be conducted in accordance with Robert's Rules of Order and recorded by the District according to the resolutions and ordinances approved and adopted by the Rio Arriba County Commission. The following is an example of the order in which business may be conducted by the Fire District:

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes
- D. Financial Report
- E. Response Report
- F. Communications
- G. Committee Reports
- H. Old Business
- I. New Business
- J. Executive Session
- K. Adjourn

Other categories may be added, as necessary.

Section 3: Conduct

The ranking officer present shall conduct the business meeting of the Fire District.

ARTICLE III MEETINGS

Section 1: Annual Meeting

Annual meeting is for the purpose of election of officers. It should be held during the month of January at a date and time convenient for each department.

Section 2: Business Meetings

Regular monthly business meetings shall be held. The date, time and location of the meetings shall be designated by the District Chief and may be changed provided a minimum forty-eight hour notice is given to the membership.

Section 3: Special Meetings

A special meeting may be held at the order or call of the District Chief or a majority of the District membership. A minimum forty-eight hour notice must be given to the membership.

Section 4: Training Meetings

Fire trainings will be held not less than monthly at the date, time and location designated by the District Chief. District fire trainings may be conducted in conjunction with regional trainings offered by Regional staff or Fire Administration.

Section 5: Emergency Meeting

An emergency meeting which concerns the immediate welfare of the District may be called by the Chief and/or ranking officer in the Chief's absence at any time.

Section 6: Attendance

Regular business meetings shall be open to all members of the Fire District regardless of membership status. Additionally, business meetings shall be open to members of the general public, including prospective members, who are interested in the business and operation of the Fire District; other members of a Rio Arriba Fire District and, with approval of the District Chief, other invited guests or speakers who may wish to address the District membership. Certain portions of the meetings may be closed due to personnel actions and selection of new members.

Section 6: Meeting Minutes

All meeting minutes will be taken and approved at the next scheduled meeting.

ARTICLE IV MEMBERS

Section 1: Membership

The operational success of the Rio Arriba County Fire Districts depends heavily on the worthy service of those who are willing to volunteer their time, energy and resources to their community. In consideration of the willingness of the volunteer members of the Fire District to provide such service without monetary compensation, the organizational structure of the Rio Arriba County Fire Districts shall be based on democratic principles

and shall take into consideration the concerns, ideas and needs of its members. However, such consideration shall not be given in lieu of the legal obligation of Rio Arriba County to operate the County Fire Districts in accordance with all applicable local, state and federal laws and to do so with the purpose of providing a necessary public service to the residents of and visitors to Rio Arriba County.

Section 2: Membership Application

All residents of Rio Arriba County shall be given an opportunity to volunteer their service to their community with the Fire District. Membership application for a particular County Fire District may be determined based on the applicant's proximity of home or work to the specific Fire District. Membership application and status within the Fire District shall be determined based on the applicant's ability and willingness to provide a useful service for the Fire District, the applicant's volunteer and/or employment history, and a background check/review conducted by the District Fire Chief and County Administration. Consideration for membership shall be given to all applicants without regard to race, color, religion, national origin, ancestry, gender, age, sexual orientation, mental or physical disability, or medical condition unless based on a bona-fide occupational qualification. However, physical limitation shall be used as a factor in determining the applicant's ability to function as a fire fighter.

A. Application Process:

New applicants for membership should be considered by the Fire District (approved/disapproved) at the next scheduled business meeting following receipt of a properly completed County-Approved application form. Timely review of the application by the officers of the Fire District should be afforded the applicant and a recommendation made to the entire membership for their consideration prior to voting.

B. Application Approval:

Applicants that have been approved by the Fire District membership shall be conditionally approved for membership pending a final determination of the District Chief.

C. Insurance Coverage:

Approved membership applications and a copy of a valid New Mexico driver's license should be filed with County Administration in a timely manner to ensure members are covered under the County's Volunteer Insurance program.

D. Application Denied:

Those applicants who are not approved by the Fire District should be forwarded to County Administration in a timely manner. County Administration may review the application and consult with the District Chief on the reason for denial.

E. Final Determination:

Following a review of the applicant's background check and their employment and/or volunteer history, a final determination of membership status will be made by the District Chief.

Section 3: Rights of Volunteer Members

A. Each volunteer member shall have a right to voice his or her opinion and the right to fair and equitable treatment and consideration in the Fire District. Every volunteer member shall, based on status within a specific Fire District, have the right to initial and ongoing training in both fire and emergency services and shall be supplied necessary personal protective equipment. Every volunteer member has a right to enroll in the State of New Mexico Fire Fighter Retirement Program, although enrollment does not determine final eligibility. Eligibility for the retirement program is determined by the Public Employees Retirement Association (P.E.R.A.) based on strict requirements defined in the Volunteer Firefighter Retirement Act and further defined herein. Membership status in the Fire District is not determined by the member's eligibility for retirement benefits.

B. Refusal of Assignments

All Rio Arriba Fire District members have the right to refuse to perform a task when they believe by their training, experience, mental or physical condition, are incapable of performing without creating a hazardous condition for themselves or any other person. They may refuse a task in which they believe risk versus gain is unacceptable for any reasonable benefit to be gained. Fire ground supervisors may propose modifications to the activity or other measures to mitigate the situation. Refusal to obey orders on these safety grounds may be the basis for remedial training, conditioning or reassignment to an acceptable position, however disciplinary action is not indicated.

Section 4: Duties of Volunteer Members

Each member has a duty to attend meetings and trainings and respond to emergencies as requested in accordance with the requirements set forth within these Bylaws, and pursuant to guidelines unique to and approved by the Fire District.

Section 5: Oath of Office

All members of the Fire District shall adhere to the bylaws, policies and procedures, directives and regulations, upon accepting membership in the Fire District.

The following Oath of Office shall be used for swearing-in at the discretion of the Fire District.

OATH

I, _____, do solemnly swear that I will support the Constitution and Laws of the United States of America, the Constitution and Laws of the State of New Mexico and the Ordinances of Rio Arriba County; that I will be obedient to the Policies, Orders, Rules and Regulations of the _____ Fire District; and that I will faithfully and impartially execute the duties of firefighter and or officer, to the best of my ability, so help me God.

Section 6: Status of Volunteer Members

Fire District membership shall be determined and defined as one of the following:

A. Active Duty:

A volunteer member of the Fire District who performs firefighting and/or emergency services for the Fire District, routinely responds to emergencies within the Fire District, attends meetings regularly and otherwise meets the requirements listed below:

1. Is at least 18 years of age;
2. Has completed the probationary period and all necessary training requirements;
3. Attends a minimum of 50% of all regular business meetings;
4. Attends a minimum of 50% of all required trainings, or a minimum of 24 hours per year;
5. Responds to a minimum of 35% of all emergency responses that the member is responsible for;
6. Has passed mandatory training and check-out on all vehicles and equipment as required by the Fire District.
7. Has a valid New Mexico Driver's License, and a clear criminal record.

B. Limited Duty:

Limited duty members perform important support services for the Fire District but cannot be interior firefighters. Limited duty members can hold elected office and provide support services on the fire ground. Support services include, but are not limited to, incident command, pump operations, EMS, pulling and loading hose, tanker shuttle operations, assisting firefighters on the fire ground and other duties as assigned by the officer in command. Limited duty members shall be provided necessary personal protective equipment.

C. Probationary:

A volunteer member of the Fire District who is undergoing orientation and/or training in order to obtain Active or Limited Duty Status. The normal

probationary period for a new member shall be six months. Probationary members shall be provided personal protective equipment necessary for training purposes to ensure their safety during all training exercises. A member may also be placed in this status secondary to a disciplinary process further defined herein. Exceptions may be granted for those members who transfer from one Fire District to another. Probationary members are not eligible to vote.

D. Restrictions:

Any restrictions should be determined by the individual Fire District.

E. Cadet:

A junior volunteer member of the Fire District who has reached the minimum age of 14 but is less than 18 years old and has the permission of at least one parent or guardian. Cadets must complete a membership application and at least one parent or legal guardian must sign a Fire District approved waiver prior to participation in any Fire District related activity. Cadets cannot be firefighters; they can however receive fire training and provide support services on fire department grounds, similar to those provided by Limited Duty members. Cadets should always be paired with an Active or Limited Duty member. Cadets should not be on a fire scene. "Adult supervision shall be provided at all times".

F. Auxiliary:

A volunteer member of the Fire District who provides administrative or other support services for the Fire District. Auxiliary members may participate in all Fire District social activities, meetings, and trainings. Participation in any emergency scene, including fire ground activity, is strictly limited and restricted to an area designated as a safe zone. Auxiliary members may not engage in fire fighting or emergency medical service related activities. However, they may assist with Fire District record keeping, data base entry, purchasing, fundraising, public education activities, or other Fire District related administrative duties.

G. Charter:

Members who were founding or original members of a Rio Arriba County Fire District are herein accorded the status of Charter Member with all rights, privileges and obligations of a retired member of the Department.

H. Honorary:

Those persons who have been so recognized by a vote of the majority of the members of a Fire District who are in good standing and eligible to vote at a regular meeting at which a quorum of members is present. This honor may be bestowed upon anyone who, in the opinion of the elected officers and membership of the Fire District, has made a significant contribution to the efforts of the Fire District.

