

# **BLACK DOG FIRE DISTRICT BYLAWS**

Amended 11/09/2021

## **Article I. NAME**

WHEREAS, on July 29, 2008 a fire district election was held for the Black Dog Fire District and the results of the election were certified on August 1, 2008. The Conduct of the election was carried out in accordance with 19 O.S. §19-901.1 et seq., and it was Ordered on September 15, 2008 by the Board of County Commissioners of Osage County, Oklahoma that pursuant to 19 O.S. §19-901.4 that the territory described is duly organized as the BLACK DOG FIRE DISTRICT and that Order filed in the Office of the Osage County Clerk.

WHEREAS, on November 10, 2015, a fire district election was held to expand the Black Dog Fire District and the results of the election were certified on November 10, 2015. The Conduct of the election was carried out in accordance with 19.O.S §19-901.1 et seq., and was Ordered on November 23, 2015 by the Board of County Commissioners of Osage County, Oklahoma pursuant to 19 O.S. §19-901.4 that the territory described is added to the duly organized Black Dog Fire District and that Order is filed in the Office of the Osage County Clerk. (4)

## **Article II. PURPOSE**

The purpose of this District shall be to provide for the safety and protection of the residents and businesses in our assigned fire District. The district will conduct itself in accordance to these bylaws and adopted standard operating procedures.

## **Article III. MEMBERSHIP**

The membership shall consist of those persons residing or owning property or businesses within the fire District boundaries.

## **Article IV. BOARD OF DIRECTORS**

The Board of Directors shall consist of Chairman, Clerk, Treasurer, and two (2) members at large. Directors shall be the surface owners of real property in and residents of the fire district. Only one fire-fighter can reside on the Board and Board members cannot be related to a firefighter or be from the same immediate family (for this purpose, the definition of immediate family shall be: spouse, parents and grandparents, children and grandchildren, brothers and sisters, mother-in-law and father-in-law, brother-in-law and sister-in-law, daughter in law and son in law). (1) (8)

The Fire Chief shall be an ad hoc, non-voting member.

The Board shall:

- Conduct elections and vacancies per §19-901.5
- Have the powers and duties per §19-901.7.
- Develop and maintain By-Laws per §19-901.7.11
- Oversee a general plan of operation using the 1-5 Year Plan per §19-901.14

**Chairman:** The Chairman shall preside over all business affairs of the District, State Statute §19.

**Clerk:** The Clerk shall:

- Maintain a permanent file of minutes and reports of all business meetings conducted by the district and present the minutes and activities of the district at each monthly meeting
- Review the annual tax roll submitted by the County Assessor which reflects the fire protection appraisal record per §19-901.11
- Coordinate with the provider of Workers Compensation changes to the firefighter roster when informed by the Fire Chief
- Coordinate with the provider of Vehicle & General Liability insurance changes to the Team Member listing and Vehicles
- Coordinate with the provider of Building & Contents and Auto Physical Damage Insurance any changes to the assets covered
- Coordinate with the provider of Firefighters Pension and Retirement Plan any changes to the list of members when informed by the Fire Chief (9)

• **Treasurer:** The Treasurer shall:

- Be bonded per §19-901.6
- Collect all monies due the district and have custody of the funds in his/her possession belonging to the district. Those funds shall be deposited in a chartered bank with the account being in the name of the district.
- All payouts will be by Black Dog Fire Association Check or Bank VISA Check Card 14
- Maintain true and accurate record of all receipts and disbursements
- Provide a financial statement at the monthly Board meetings
- Oversee the annual financial statement process, §19-901.36
- Oversee the annual budget process, §19-901.7.9 and §19901.37  
The 1-5 Year Plan will be used to prioritize projects. Any non-budget item of a non-emergency nature shall be presented to the Board of Directors for discussion and approval. The Board of Directors shall approve emergency situations in a prudent and business-like manner.
- Coordinate the filing of tax returns required by the IRS and sales tax exemption for the State of Oklahoma (16)

## **Article V. FIREFIGHTERS**

**Firefighters:** An applicant of the participating fire department of the Oklahoma Firefighters Pension and Retirement System shall meet the membership requirements of the Oklahoma Firefighters Pension and Retirement System.

A new firefighter shall be immediately enrolled in Workers Compensation.

A new firefighter shall be on probation as stated in Standard Operating Procedures and the majority of the firefighters must approve the new member upon completion of the probation period. Upon acceptance a new firefighter shall be enrolled as a member of the Oklahoma Firefighters Pension and Retirement System at the expense of the department. (6)

All volunteer firefighters are required, when notified, to respond to fire alarms and other emergencies and to be present at all regular meetings, special called meetings and schooling presented for the benefit of the firefighters. There shall be at least one regular training meeting each month. In regards to off-sight training, after submitting their certificate to the Board, firefighters will be reimbursed for the cost of travel, special training material, exams, qualification, etc. The Chief will submit estimated training expenses prior to development of the next year's budget. (11)

Any volunteer firefighter refusing to attend training classes will be dropped from the fire department rolls. Any volunteer firefighter with two unexcused absences in a period of three (3) months will be dropped from the fire department rolls. Volunteer firefighters leaving the boundaries of the department for an extended period of time will be required to notify the fire chief.

Any volunteer member of the fire department shall be dropped from the fire department rolls for the following offenses:

- Conduct unbecoming a firefighter
- Any act of insubordination
- Neglect of duty
- Any violation of rules and regulations governing the fire department, or conviction of a felony

**Firefighter Officers:** The officers of the firefighters shall be elected by the firefighters, and may consist of a Fire Chief, Assistant Fire Chief, Captain, Lieutenant, and any other officers deemed necessary by the firefighters.

It is the duty of these officers to coordinate or conduct the training of the volunteer firefighters and to serve the district in a professional and business-like manner.

**Fire Chief:** The Fire Chief shall:

- Be at the head of the department, subject to the laws of the State of Oklahoma, rules of the board of directors, and the rules and regulations herein adopted
- Be held responsible for the general condition and efficiency of the department, the training of members, and the performance of all other duties imposed upon him or her by law or the board of directors
- Oversee development and continuation of a Standard Operating Procedure (SOP) which outlines the responsibilities and procedures of the firefighters for emergency situations and day to day operations for the fire district. Make certain all firefighters are kept current on SOP's.
- Oversee continuation of the 1-5 Year Plan which serves as a long-term plan and method to seek funding for out of the ordinary expenditures and special projects for the fire district
- Ensure firefighting equipment, personal protective equipment, and fire station is safe, operational, and considered fire ready. The Fire Chief is granted authority to proceed with repair or replacement of existing equipment for expenses considered ordinary and \$1,500 or less without Board of Directors approval. For out of ordinary expenditures or expenses greater than \$1,500, the Fire Chief shall obtain prior approval by notifying the Chairman of the Board of Directors who will obtain Board of Directors approval. A summary of expenditures shall be provided to the Treasurer by the Friday prior to the monthly Board meeting and will be reviewed at the subsequent Board of Directors meeting. **(2) (15)**
- Will submit estimated training expenses prior to development of the next year's budget
- Maintain a current firefighter roster and provide the roster to the Clerk for Workers Compensation Insurance and Firefighters Pension and Retirement **(10)**
- Keep current on ISO recertification requirements

**Assistant Fire Chief:** The Assistant Fire Chief shall:

- Assist the Fire Chief and in the absence of the fire chief shall command the department and be held responsible therefore in all aspects with the full powers and responsibilities of the fire chief
- Provide a leadership role to firefighters
- Maintain records and SOP **(12)**

## **Article VI. REVENUES**

The district's revenues shall be derived from county tax base, grants, donations, and fund raisers. The Board of Directors shall approve all fund-raising activities. A member of the Board of Directors shall receipt all non-cash donations.

## **Article VII. ANNUAL BUDGET**

An annual budget will be prepared following existing laws pertaining to the budget process such as public notices, public hearings, protest periods and filing requirements in the same manner as they apply to other forms of government in Oklahoma (§19-901.7.9).

At least thirty (30) days prior to the beginning of each fiscal year, a budget for each fund of the district for which a budget is required shall be completed by the board. Each budget shall provide a complete financial plan for the budget year. The budget format shall be as prescribed by the State Auditor or Inspector (more §19-901.37).

### **Article VIII. AMENDMENTS**

All proposed amendments of these bylaws shall be presented in writing at a regular monthly Board meeting and the amendment must receive a majority vote of a quorum.

### **Article IX. COMMITTEES**

The Board of Directors shall appoint other committees as deemed necessary.

### **Article X. MEETINGS**

The Board of Directors shall meet monthly to conduct the business of the district. The monthly meeting is open to the public. Robert's Rules of Order shall prevail in any and all meetings of the district.

Three fifths (**3/5**) of the members of the Board of Directors shall constitute a quorum.

Members wishing to address the Board shall provide a written description of their agenda item to the Chairman forty-eight (48) hours prior to the monthly Board of Directors' meeting. During the meeting, when granted the floor, the member has two (2) minutes to make their presentation. The Board may table the subject until a later date.

The order of business at the monthly membership meeting shall be:

- A. Call to Order
- B. Roll Call (or sign-in)
- C. Reading of the Secretary's Minutes
- D. Treasurer's Report
- E. Fire Chief's Report
- H. Old Business
- I. New Business
- J. Adjourn

## Article XI. INSURANCE

The District shall insure all vehicles for liability.

## Article XII. ASSISTED AND UNASSISTED BURNS

**Assisted Burns:** Black Dog Fire Department may at their discretion and availability conduct a controlled burn. Donations for assisted burns are acceptable and goes towards expenses related to the assisted burn.

**Unassisted Burns:** To prevent the Fire Department from making unnecessary fire runs it is requested that the property owner notify the Fire Department (425-3200) with name and location before starting an unassisted fire.

You must be legally entitled to burn the property as an owner, authorized tenant or agent of the owner/authorized tenant. Statutory Reference: O.S. Title 2 § 16-25. You must provide adequate fire lines, sufficient manpower and firefighting equipment to contain your fires to the property you are authorized to burn and stay with the fire until it is extinguished.

(3) (5) (7)

## ARTICLE XIII. POLICIES AND PROCEDURES

Black Dog Fire Department shall develop and maintain the following:

<u>Document</u>	<u>Responsibility</u>	<u>Frequency</u>
Standard Operating Procedures	Chief & Assistant Chief	Annual
Equipment Inventory	Chief & Assistant Chief	Annual
Procurement & Expenditures Policy	Board of Directors	As Required
Records Retention Policy	Board of Directors	As Required

(13)

History/Amendments

03/04/09 – Adopted	
06/02/09 – Amendment 1	Added: paragraph describing Board Member relationship
04/12/11 – Amendment 2	Added: Fire Chief’s fire ready responsibility and authority for expenditures
06/09/15 – Amendment 3	Added: Addendum, Black Dog II Area, OS §18-592 fire departments for unincorporated areas for the former Osage Hills Fire Department
01/12/16 – Amendment 4	Added: Order of the Board of Osage County Commissioners to expand the Black Dog Fire District to include the Black Dog II
01/12/16 – Amendment 5	Removed: Addendum #3 dated 06/09/15 to temporarily cover Black Dog II as Title 18 until included into the Black Dog Fire District
05/10/16 – Amendment 6	Revised: Firefighter Pension and Retirement eligibility to agree with SOP and to be paid by BDF
05/10/16 – Amendment 7	Removed: charge for Assisted Burns
01/03/18 – Amendment 8	Clarified: Board Member representation in regards to limiting number of board/firefighter membership and board/firefighter family relationship
01/03/18 – Amendment 9	Clarified: <ul style="list-style-type: none"> <li>• Review the annual tax roll submitted by the County Assessor per §19-901.11</li> </ul> Added the following responsibilities of coordinating: <ul style="list-style-type: none"> <li>• Transferred Workers Compensation insurance responsibilities from Treasurer</li> <li>• Vehicle &amp; General Liability insurance</li> <li>• Building &amp; Contents and Auto Physical Damage Insurance</li> <li>• Firefighters Pension and Retirement Plan</li> <li>• IRS and sales tax exemption for the State of Oklahoma</li> </ul>
01/03/18 – Amendment 10	Revised: Provide the roster from Treasurer to Clerk and added other insurance upkeep
01/03/18 – Amendment 11	Included: Off-sight FF training expenses
01/03/18 – Amendment 12	Enhanced: Assistant Fire Chief responsibilities
01/03/18 – Amendment 13	Added: Policy & Procedures
02/24/18 – Amendment 14	Added: All payouts will be by Black Dog Fire Association Check or Bank VISA Check Card
09/08/20 – Amendment 15	Revised: (\$500 to \$1,500) The Fire Chief is granted authority to proceed with repair or replacement of existing equipment for expenses considered ordinary and \$1,500 or less without Board of Directors approval.
11/09/2021- Amendment 16	Transferred from Clerk to Treasurer: Coordinate the filing returns required by the IRS and sales tax exemption for the State of Oklahoma

Applicable to: Black Dog Fire, Black Dog Association, Blackdog Fire Association and Black Dog Fire District