

**CONSTITUTION  
AND BYLAWS  
OF  
HAMPTON VOLUNTEER  
FIRE COMPANY  
INCORPORATED**

Hampton Volunteer Fire Company Inc.  
Constitution and Bylaws 2017  
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## ARTICLE 1 **Mission Statement**

### **Section 1: Organization Name**

- A. The name of this organization shall be known as the Hampton Volunteer Fire Company Incorporated
- B. All members of the Hampton Volunteer Fire Company Inc. and subcommittees will govern themselves in accordance to these by-laws.
- C. The term “He” and “His” shall be gender-neutral term within the text of this Constitution and by-laws.

### **Section 2: The object of this organization shall be as follows:**

- A. To acquire and own fire apparatus of any kind or nature for use by the organization in the protection of persons and property from injury, loss, damage or destruction by fire.
- B. To provide suitable quarters for the use of the members of the organization relating to the housing of fire apparatus and for a meeting place for the members of the organization and for the social and recreational use of such members.
- C. To provide fire protection to the territory in which the operations of the organization are principally conducted, which also includes the Town of Hampton, New York: District #1 **and District #2 and which will also** ~~to~~ include Mutual Aid operations.
- D. To foster interest in all matters pertaining to the volunteer fire service and the welfare of volunteer firemen.
- E. To communicate love of country, good citizenship, civic virtue, and self-sacrifice, and to perpetuate the spirit which from the earliest days has actuated volunteer firemen in the tradition of service of the highest type in the protection of life and property from fire, without the hope of fee or reward.

## ARTICLE 2 **Membership**

### **Section 1: Active members**

- A. Active member's shall be confined to persons of at least 16 years of age who are citizens of the United States, good moral character, of sound body and mind, and who shall meet such additional requirements as may be contained in any log or regulation applicable to this organization.
- B. Active members shall be required to perform the full duties of volunteer firemen including, but not limited to; service at fires, attendance at meetings, inspections, schools of instruction and training, parades and fundraising events.
- C. Attendance of active members at schools of instruction and training, parades, fire calls and all regular meetings are mandatory unless conflicts of interest deems otherwise. The Fire Chief of the Assistant Chief may excuse an active member who has been present at a fire scene from returning to the firehouse for roll call.
- D. Active member must be faithful in the performance of their duties and obey the orders of all officers and comply with all duly adopted rules and regulations in respect to their conduct.

### **Section 2: Inactive members**

- A. Any active member shall be entitled to a certificate as in inactive member under the provisions contained in New York General Municipal Law Article 10 §202 after having been honorably discharged from active membership status.
- B. Inactive members shall not perform any fire scene duties of any character, may attend and speak at meetings without the right to vote, may participate in fundraisers and parades, and shall have the same social privileges enjoyed by active members, including the use of the firehouse and social facilities thereof.

### **Section 3: Social Members:**

- A. Any person at least 18 years old who is ineligible for active membership and who is of good moral character shall be eligible for social membership.
- B. Social members shall enjoy the same social privileges as active and inactive members and upon invitation may participate in fundraisers and parades. Social members shall not be entitled to attend regular meetings or a vote therein.

**Section 4: Honorary Members;**

- A. Any person shall be eligible to become an honorary member but shall have no rights or privileges of any character except upon invitation by the organization.
- B. An honor conveyed on a person who significantly contributes to the organization, its goals and objectives.
- C. Honorary membership may be conveyed at any regular meeting by a majority of the members present.

**Section 5: Junior Members**

- A. Junior Firefighters shall be those members who are (16) sixteen or (17) seventeen years of age, until reaching the age of eighteen (18).
- B. They shall be considered active members of the fire company.
- C. They shall be permitted to participate in all emergency operations, drills, trainings, parades, and educational programs.
- D. They shall be permitted to attend meetings and participate in committees. They shall be permitted to have a voice in all meetings and committees.
- E. They may not operate emergency vehicles or enter a burning structure.
- F. They shall not be permitted to serve as fire officers, directors, company officers or committee chairpersons.
- G. The Standard Operating Guidelines (SOG's) shall be permitted to dictate additional duties, prohibitions, obligations and privileges of Active Junior Firefighters.

**Section 6: Military Members**

- A. Any active member going into the military service of the United States of America shall be removed from the active role of the Hampton Volunteer Fire Company, Inc. until such member is discharged honorably. He must reapply in writing to the company within ninety (90) days of discharge to be placed on the active roll.

- B. In accordance with General Municipal Law 10 §200-c, military members may be dropped from the roster after five (5) years.

### **ARTICLE 3 Attainment of Membership**

#### **Section 1: Proposals for Active Membership**

- A. All proposals for active membership must be in writing on a form approved by the organization, must be signed by the applicant and by 2 active members and must be present at the regular meeting.
- B. Active member status shall be under consideration pending the outcome of an Arson and Sex Offender investigation or any other factor pertaining to the good moral character of the applicant, which will include completion of DCJS-9 Correspondence Inquiry Form provided by Division of Criminal Justice Services (DCJS) which will be filled out by the Secretary and submitted to the County Sheriff's Office (or if, at any such time, the county enacts a local law prohibiting the Sheriff's Office from completing arson background checks, this form shall then be sent to the Office of Fire Prevention and Control for completion). If an applicant disputes a positive determination of an arson conviction, he may contact DCJS and request a personal record review. If an applicant was a member of another fire company, that chief or president should be in contacted to determine the character of the applicant. The screening committee will report at the next regular or annual meeting upon completion of the background report. After the final report of the screening committee is reviewed by the company, a secret ballot shall be taken. An applicant shall be deemed elected by a majority affirmative vote and shall be deemed rejected by a majority negative vote. The applicant shall be notified by the Recording Secretary. (to comply with Executive Law § 837-o.
- C. A rejected applicant may not reapply for six (6) months from the time of initial application. All accepted applicants shall be subject to a one (1) year probation period and subject to dismissal if these obligations are not met within the first year.
- D. The company membership shall not discriminate against any applicant because of race, creed, color, religion, sex or sexual orientation.



- E. Once an applicant has been accepted by a majority of the membership, he will be required to complete a Ninety day (90) orientation period. During this period, new members will be required to attend pre-training prior to full membership and issuance of equipment. Member will be classified as an A, B, C or D firefighter in accordance with Section 1.1 of the Standard Operating Procedures.
- F. Active membership will be voted on by the membership and accepted by majority vote at the regular meeting. All applicants granted membership will have a probation period of not less than 3 months and be reviewed by a committee of officers to determine active membership.

### **Section 2: Inactive membership**

- A. Inactive membership may be granted at any regular meeting or annual meeting upon application.

### **Section 3: Honorary membership**

- A. Honorary membership may be granted at any regular, special or annual meeting by a majority vote of the members present.

## **ARTICLE 4 Selection of Officers**

### **Section 1: Officers of Organization**

- A. The company officers of this organization shall consist of a President, Vice President, Treasurer, and Recording Secretary which shall be chosen by the membership.
- B. Fire Officers shall consist of a Fire Chief, Assistant Chief, Captain, First Lieutenant, Second Lieutenant and Safety Officer which shall be chosen by the membership.
- C. Two Training Officers will also be chosen by the membership. (they don't have to be fire officers to take this position.)

### **Section 2: Term of Office**

- A. All officers shall be elected from the active membership of the organization and shall have a term of one year from the annual meeting.
- B. In the event of failure to fill an office at an annual meeting the officer in that position shall continue until a successor is chosen.

- C. A vacancy in any office may be filled by election at any regular monthly meeting or special meeting called for that purpose. The term of any elected officer not elected at the annual meeting shall expire at the next annual meeting.

### **Section 3: Voting of Officers**

- A. All officers shall be elected by secret ballot with respect to member's privacy at the annual meeting from the active membership roster.
- B. The President shall appoint 2 tellers at the time of elections to count the votes and announce the results.
- C. Only active members shall be eligible to hold office and vote in the elections.
- D. All officers, except President and Chief, may hold more than one (1) office if elected. A fire officer cannot hold two (2) fire offices.

## **ARTICLE 5 Duties of Officers**

### **Section 1: President**

- A. It shall be the duty of the President to preside at all meetings of the organization and of the Executive Committee.
- B. All meetings shall be held in accordance with recognized parliamentary procedure.
- C. To call special meetings when in his judgment they are necessary or upon the written request of five (5) members.
- D. To appoint all committees.
- E. To enforce the observance of the Constitution and Bylaws.
- F. To install newly elected officers and members.
- G. The President shall not vote on any question other than the election of officers and members, except in case of any equal division, when his vote shall decide.
- H. The President shall submit a report at the annual meeting and shall include such recommendations as he deems expedient for the welfare of the organization.

**Section 2: Vice President**

- A. shall assist the President in the discharge of his duties and in the case of the President's absence or disability, or should the office of President become vacant, shall assume the duties of the President until an election occurs at a regular meeting, special meeting or annual meeting.

**Section 3: Treasurer**

- A. It shall be the duty of the Treasurer to receive all monies due the organization, giving receipt of same.
- B. To pay all bills against the organization, to keep a correct account of receipts and disbursement.
- C. To submit a record of all accounts to the organization or auditors when called for.
- D. Shall deposit all monies received in a timely manner to the bank designated by the organization.
- E. The bank accounts shall be established in such a manner that withdrawals can only be made upon Checks or purchase orders along with the signature of the Treasurer or Co-signer.
- F. The Treasurer shall make a report at each regular meeting showing all amounts received and expended. This report will also show the date, purpose, and payee.
- G. The Treasurer shall also submit an annual report at the annual meeting covering the entire year.

**Section 4: Recording Secretary**

- A. It shall be the duty of the recording secretary to call the roll of active members at every meeting and to record the proceedings of all meetings.
- B. Also act as secretary of Executive Committee and record the proceedings of said committee.
- C. Secretary shall also maintain an updated active membership roster to include contact information.
- D. Secretary shall notify members of special meetings, trainings, parades, school of instruction, at least twenty-four (24) hours in advance if possible.

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- E. Shall keep records of and file papers pertaining to the office. Shall attend to all correspondence of the organization.
- F. Shall submit a report of correspondence at the annual meeting (examples to include but not limited to) thank you letters, condolences, appreciation, wedding, etc.
- G. Shall perform other such duties as are incidental to this office or requested by the Executive Committee of the organization.
- H. He shall act as the FOIL officer for the company pursuant to the Freedom of Information Law as defined in *Public Officers Law of the State of New York Article 6 §84 and 21 NYCRR Part 1401*. All files detailing medical history and other personal facts are exempt from disclosure.

**Section 5: Fire Chief**

- A. It shall be the duty of fire chief to oversee the organization at schools of instruction, training, and parades, and have charge of all fire ground scenes.
- B. It shall be his duty to see to that proper maintenance of the firehouse and all apparatus and appliances of the organization.
- C. Such equipment shall be in good working condition and ready for service at all times. The chief shall oversee all reports and records of training, personnel, incidents, medical, equipment, accidents, maintenance, alarms and inventory.
- D. He shall submit a monthly report to include all alarms, calls, trainings, parades, schools of instruction, along with any repairs of equipment, or apparatus and buildings to the membership at all regular meetings.
- E. The Fire Chief shall have the power to suspend any member for refusing to do his duty, subject to the action of the organization at its next regular meeting.

**Section 6: Assistant Fire Chief**

- A. It shall be the duty of Asst. Chief to assume the duties of Chief in his absence.
- B. It shall be his duty to maintain records of trainings, Individual personnel records, Incident reports, Medical reports, Injury reports, Membership applications, as well as other reports deemed necessary by the Chief. This report is to be given to the Chief every month.

### **Section 7: Captain**

- A. It shall be the duties of captain to assume the duties of Asst. Chief in his absence.
- B. It shall also be the duties of Captain to maintain a report of all maintenance, inspections, condition and inventory on all apparatus, pumps, generators, portable tank. This report is to be given to the Chief every month.

### **Section 8: First Lieutenant**

- A. It shall be the duties of the 1st Lt. to assume the duties of the Captain in his absence.
- B. It shall also be the duties of 1st Lt. to maintain a report of all maintenance, inspection, condition and inventory of all air packs, and bottles of air, P.A.S.S. alarms, Safety ropes and every members P.P.E., also safety vest and flashlights. This report is to be given to the Chief every month.

### **Section 9: Second Lieutenant**

- A. It shall be the duties of the 2nd Lt. to assume the duties of the 1st Lt. in his absence.
- B. It shall also be the duties of 2nd Lt. to maintain a report of all maintenance, inspections, condition and inventory of all nozzles, hose, ladders, saws, hand tools, brush fire equipment. This report is to be given to the Chief every month.

### **Section 10: Training Officers**

- A. It shall be the duties of both training officers, to work together in preparing a training schedule to meet the requirements and the goals of the organization.
- B. It shall be their duties to conduct, instruct, implement and supervise training of all fire company personnel regardless of rank.
- C. Both Training officers will maintain records of training to include: scope of training, members present, objective and a brief overview of results.
- D. Training report is to be given to the Asst. Chief each time training is performed.

### **Section 11: Safety Officers**

- A. It shall be the duties of Safety officer to ensure all training scenes, fire ground scenes and fundraising events are held to the highest standard of personal and scene safety allowed.

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- B. It shall also be the safety officer's duties to ensure that the general public remain as safe as possible during such events.
- C. The safety officer shall have the power to stop all actions at all times until a reasonable level of safety can be reasonably assured.
- D. The safety officer shall maintain a report of any accident occurring at a fire scene, or training, or firehouse to include a description of the accident, how it occurred, who was involved extent of injury also any corrective actions taken.
- E. This report shall be given to the Assist. Chief whenever and injury occurs on fire grounds, during training, or at station.

**Section 12: Trustees**

- A. One (1) Trustee shall be elected at each annual meeting after the first for a term of three years. At the first annual meeting 1 member shall be elected for a one-year term, 1 member for a two-year term, 1 member for a three-year term.
- B. Trustees are also part of the Executive Committee.
- C. Trustees have no voting rights at any regular or special meetings, but may ask questions or provide input during any discussion.
- D. Trustees may look at all of the books pertaining to the business of the company, and my conduct an internal audit if they feel the need, with the permission of the Executive Committee.

**ARTICLE 6 Committees**

**Section 1: Executive Committee**

- A. The Exec. Comm. shall consist of the President, Vice President, Recording Secretary, Treasurer, Fire Chief, and 3 Trustees. Both the President and Recording Secretary are ex-officios who cannot vote. The President can only vote to break ties as stated in Article 5 section 1 (G). *(amended on 7/10/2018 adding ex-officios and tie breaking.)*
- B. The Exec. Comm. shall have charge of the affairs of the organization between meetings, this will also include reviewing and negotiating contracts with anyone that the fire company chooses to do business with. *(amended on 7/10/2018 adding reviewing and negotiating contracts)*

- C. It shall designate the bank or banks in which the funds of the organization shall be deposited.
- D. The Exec. Comm. shall have the power to hear and act upon excuses for non-attendance at meetings, fires, schools of instruction, and training.
- E. The President shall call a meeting upon the request of 2 members.
- F. The Exec. Comm. shall make a report of its proceedings at each regular and annual meeting and shall exercise such further powers and perform such other duties as may be delegated to it by the organization.

### **Section 2: Building Committee**

- A. This committee shall be appointed by the President. All necessary repairs and improvements to the company property (excluding fire equipment) will be handled by this committee. An itemized report shall be submitted to the membership for necessary repairs.

### **Section 3: Fundraising Committee**

- A. This committee shall be appointed by the President. All necessary functions that helps bring in extra money to the company will be handled by this committee.

### **Section 4: Truck Committee**

- A. This committee shall be appointed by the President and formed when it comes time for the company to replace any fire apparatus or when the time or need shall arise.
- B. In case of an emergency if any fire apparatus gets damaged or destroyed, and where it can no longer be in service, the Executive Committee shall automatically be appointed.

### **Section 5: Special Committees**

- A. Special Committees may be appointed pursuant to resolution adopted at any meeting of the organization.

## **ARTICLE 7 Conduct of Business**

### **Section 1: Meetings**

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- A. Weekly Fire call trainings will start on every Tuesday except on the 1st Tuesday of every month at 6:30 PM
- B. Regular meetings shall be held on the 1st Tuesday of each month (*amended on 6/11/2015 from 3rd Tuesday to 1st Tuesday*)
- C. Annual meetings shall be held on the 1st Tuesday in December (*amended 6/11/2015 from 3rd Tuesday to 1st Tuesday*)
- D. All meetings shall be held at the Firehouse at approx. 7:30 PM
- E. When a regular or annual meeting falls on a holiday, said meeting will be held on the same day of the following week.
- F. Special meetings shall be held subject to the call of the President with no less than twenty-four (24) hour notice. Notice shall be specifying purpose and no other business will be transacted.

**Section 2: Rules of Assembly**

- A. The Rules of Assembly of the State of New York shall be used or the governing of meetings when not in conflict with the Constitution and Bylaws.

**Section 3: Attendance**

- A. Attendance of active members at meetings is mandatory, unless conflict of interest deems otherwise.

**ARTICLE 8 Duty Requirements**

**Section 1: Resignations**

- A. All resignations shall be in writing but shall not be accepted if the member is under charges by the organization, or has not turned over all organizational property that was in the member's possession.

**Section 2: Personal Leave**

- A. A member may be granted a six (6) month leave of absence for personal reasons at any regular or annual meeting by a majority vote of the membership present.
- B. All personal leave requests must be in writing



- C. An additional six (6) months may be granted if requested in writing. Member must have been active member for one (1) year prior to the request.
- D. Member must turn in all company property in their possession. Service time continues to be accrued while on this status.

### **Section 3: Conduct at Fires, Meetings and Company Functions**

- A. Active members must be faithful in the performance of their duties and must obey the order of the officers and comply with all adopted rules and regulations respecting their conduct.

## **ARTICLE 9 Amendments**

### **Section 1: Proposed Amendments**

- A. This Constitution and Bylaws may be amended at any regular meeting or at the annual meeting by a 2/3 vote of the active members, who are present, provided the proposed amendment shall have been submitted in writing at a previous regular meeting and notice given when the same would be called for a vote.

## **ARTICLE 10 Disciplinary Action and Termination**

### **Section 1: Expulsion**

- A. Any member may be expelled from the company for cause by a 2/3 vote of the active membership, provided the accused shall have been served with written charges at least seven (7) days prior to the meeting, along with a notice that the charges will be considered at the meeting.
- B. The organization shall have the power to determine what shall constitute sufficient cause for expulsion.

### **Section 2: Suspension**

- A. The Fire Chief shall have the power to suspend any member for refusing to do his duty, subject to the action of the organization at its next regular meeting.
- B. Any member who gets suspended will receive a letter regarding their suspension along with the list of charges that lead to the suspension.

- C. When a member gets suspended any keys that he has needs to be turned in till his suspension is over.
- Firehouse Entry (Front/Basement)
  - Office Key
  - Desk Key
  - Cabinet Key
- D. If the member who is getting suspended is an officer of any sort that person shall give up his position during their suspension until their case has been brought forth to the membership at the following monthly or special meeting upon whatever actions the members take.

### **Section 3: Loss of Privileges**

- A. Any member under suspension shall not be permitted to attend meetings of the organization, parades, and events or enjoy any other membership privileges. A suspended member will not be allowed on fire company property while under suspension.

### **Section 4: Falsely Accusing members**

- A. Any member of this organization who shall willfully charge a member with matters which he knows to be false shall be suspended and/or expelled at the operation of the Fire Chief and or President.

### **Section 5: Use of Drugs and/or Intoxicants**

- A. Any member attending fires, fire drills, parades, schools of instruction, meetings or activities of the Hampton Volunteer Fire Company, Inc. other than a social affair under the undue influence of intoxicants shall be charged in writing by the respective officer(s), brought before the Executive Committee and be subject to disciplinary action in accordance with this Article and **Article 13** of these by-laws.
- B. Members found with the possession or use of drugs including illegal narcotics will be dismissed if found guilty after the presentation of written charges in accordance with this Article and **Article 13** of these by-laws

### **Section 6: Termination Procedure for Probationary Members**

- A. Probationary members may be expelled with the first ninety (90) days of probation for just cause upon written charges by the fire officers. This in turn is reviewed by the Executive Committee. The Executive Committee will then make a recommendation based on all available information.
- B. The recommendations of the fire officers and the Executive Committee will be forwarded to the fire company membership at the next regular meeting. A majority vote of the company will carry the motion to expel the probationary member.
- C. The probation period may be extended for up to, but not more than one (1) year. Written notice will be given to members who have been expelled or whose probation has been extended.

## **ARTICLE 11 Reinstatement**

### **Section 1: Procedure**

- A. A member expelled from the company shall not be eligible for reinstatement until five (5) years from the date of his/her expulsion. At that time, he/she must comply with Article 3, Attainment of Membership, Section F, Proposals for Active Membership, before he/she presents him/herself before a regular monthly meeting and explains to the membership the reasons for seeking reinstatement. If reelected to the membership, said member shall be placed on a twenty-four (24) month probationary period. Also during that probationary period said member cannot be elected as a fire officer.

## **ARTICLE 12 Drills and Schools of Instruction**

### **Section 1: Attendance**

- A. Attendance of active members at drills and schools of instruction shall be consistent with Standard Operating Procedures set forth by the fire officers annually.

## **ARTICLE 13 Penalties**

### **Section 1 Serious Violations of Conduct**

- A. Disobedience to a lawful order issued by any officer of the company may be suspended up to one (1) year depending on the seriousness of the offense.
- B. For leaving the scene of a fire without reporting to a fire officer or pump operator with a vehicle. Suspension up to sixty (60) days.

- C. For disorderly conduct or contemptuous behavior during all company functions. Suspension up to one (1) year or dismissal.
- D. Theft of, or intentionally defacing any company property or intentionally causing injury to personnel. Dismissal.
- E. Possession or consumption of alcohol on company property by members under the age of twenty-one (21) and, or those members serving or supplying alcohol to anyone under twenty-one (21) years of age, shall be subject to automatic dismissal from the company.
- F. Use of drugs or other illegal narcotics whether on duty or not. Dismissal.
- G. Driving or operating apparatus while consuming or having consumed alcohol or narcotics. Dismissal.

## ARTICLE 14 Policy's

### **Section 1 Living Outside of Neighboring Fire Department Boundaries**

- A. Any member who does not live inside any of the neighboring fire department boundaries must either resign or be put on the inactive list from the company until he moves into the Town of Hampton or into one of the neighboring fire department boundaries.
- B. The neighboring fire department boundaries are Whitehall, NY; Middle Granville, NY; Poultney, VT; and Fair Haven, VT.

## ARTICLE 15 Code of Ethics

### **Section 1. Purpose.**

Officers and employees and the members of the fire department/company, hold their positions to serve and benefit the public, and not for obtaining unwarranted personal or private gain in the exercise and performance of their official powers and duties. In furtherance of this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This code of ethics establishes those standards.

### **Section 2. Definitions.**

- (a) "Employees" means a paid employee of the fire department/ company including, but not limited to, paid firefighters.

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- (b) “Family member” means a parent, sibling, spouse, child, uncle, aunt, first cousin, or household member.
- (c) “Fire department/company” means the Hampton Volunteer Fire Company, Inc.
- (d) “Interest” means a direct or indirect monetary, financial or other material benefit, but does not include any benefit arising from the provisions or receipt of fire protection or other emergency services generally available to the residents of the area served. A person is deemed to have an interest in the contracts of any firm, partnership or corporation of which he or she is an owner, partner, director, officer employee, or stockholder.
- (e) “Fire department/company member” means a volunteer member of the fire department/company. The official powers and duties of a fire department/company member refer to the individual’s power and duties under laws, under rules or bylaws adopted by the fire department/company.
- (f) “Officers” means a person serving as a paid or volunteer officer of the fire department/company including, but not limited to, the president, vice president, treasurer, secretary, and the chief and assistant chiefs of the fire department/company.

### **Section 3. Applicability**

This code of ethics applies to the officers and employees and to the members of the fire department/company. The provisions of this code of ethics shall apply in addition to all laws, rules or regulations or bylaws of the fire department/company.

### **Section 4. Appearance of impropriety**

No officer, employee or member of the fire department/company shall create an appearance of impropriety, by giving the impression that he or she will exercise or perform his or her official duties on the basis of family, private business or social relationships, or any consideration other than the welfare of the fire department/company.

### **Section 5. Use of position for personal or private gain**

- (a) No officer or employee or no member of the fire department/company, may use his or her position to secure unwarranted personal or private gain for himself or herself, or for any other person or any organization. Unwarranted personal or private gain does not include

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any payment, benefit or opportunity that is available to any of the following groups of people:

- (1) All of the members of a fire department/company;
  - (2) The general public.
- (b) No member of the fire department/company, may use or permit the use of fire department/company resources for personal or private purposes. Fire department/company resources include, but are not limited to, use of personnel, or use of the money, vehicles, equipment, materials, supplies or other property.
- (c) No officer or employee of the fire department/company, and not member of the fire department/company, shall cause the fire department/company to spend more than is reasonably necessary for transportation, meals, or lodging in connection with official travel.

**Section 6. Disclosure of interest in legislation**

- (a) Every officer and employee of the fire department/company, and every member must disclose the nature of any interest, in any matter coming before the elected officers of the fire department/company for action, which any of the following people have:
- (1) The officer, employee of fire department/company member;
  - (2) A family member of the officer, employee or fire department/company member; or
  - (3) A family member of the spouse of the officer, employee or fire department/company member
- (b) For purpose of this section, a “matter coming before the officers of the fire department/company for action” means a motion, resolution or any other issue or question requiring a vote of the board.
- (c) The disclosure required by this section must be in writing and must be made publicly to the elected officers of the fire department/company. The officers must cause the disclosure to be included in the minutes of the meeting at which the disclosure is made.
- (d) Disclosure is not required with respect to interests in the following actions by the officers of the fire department/company.
- (1) Adoption of the fire department/company’s annual budget.

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- (2) Authorization of lawful compensation for services as an officer or employee;
- (3) Authorization of lawful payment or reimbursement for actual and necessary expenses incurred by an officer, employee or department/company member in the performance of his or her official duty; or
- (4) Authorization of lawful benefits to the members of the fire department/company including, but not limited to, service awards, group life insurance, and benefits under the Volunteer Firefighter Benefit Law.

**Section 7. Recusal and abstention**

- (a) Except as otherwise required by law, no officer or employee of the fire department/company, and no member of the fire department/company, may participate in the discussion or vote on any matter, or exercise or perform any other official powers or duties in connection with, any matter, when any of the following people have an interest in the matter:
  - (1) The officers, employee of fire department/company member,
  - (2) A family member of the officer, employee or fire department/company member; or
  - (3) A family member of the spouse of the officer, employee or fire department/company member.
- (b) In the event that subdivision (a) of this section prohibits an officer, employee of fire department/company member from exercising or performing his or her official powers or duties:
  - (1) If the officer had a deputy who is not prohibited by subdivision (a) from exercising or performing the power of duty, the deputy shall exercise or perform the power or duty; or
  - (2) In all other cases, the officer, employee or fire department/company member must refer the matter to his or her immediate supervisor or, if the person does not have an immediate supervisor, the officer, employee or fire department/company member must refer the matter to the elected officers of the fire department/company
- (c) When a matter is referred to a person's immediate supervisor or to the elected officers pursuant to subdivision (b) of this section, the power or duty shall be exercised or performed by the immediate supervisor or the elected officers. The supervisor or elected officers may delegate the power or duty to one or more persons who are authorized to perform the function and not prohibited from doing so by subdivision (a) of this section.
- (d) This section does not prohibit an officer, employee or fire department/company member from performing a mandatory function that does not require the exercise of discretion.

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**Section 8. Holding of investments in conflict with official duties**

- (a) No officer or employee of the fire department/company, and not member of the fire department/company may hold the following investments.
  - (1) Personal investments that will be directly affected by the exercise or performance of the person's official power and duties; or
  - (2) Personal investments that would otherwise impair the person's independence of judgement in the exercise or performance of his or her official powers and duties.
- (b) This section does not prohibit an officer, employee or fire department/company member from owning any of the following assets:
  - (1) Real property located within the fire department/company or any other area served by the fire department/company and used as his or her personal residence.
  - (2) Less than five percent of the stock of a publicly traded corporation; or
  - (3) Bonds or notes issued by the fire department/company and acquired more than one year after the date on which the bonds or notes were originally issued.

**Section 9. Private employment in conflict with official duties.** - Should be reviewed on OSC's website to determine applicability

**Section 10. Future employment.** - Should be reviewed on OSC's website to determine applicability

**Section 11. Confidential Information.** - Should be reviewed on OSC's website to determine applicability

**Section 12. Gifts.** - Should be reviewed on OSC's website to determine applicability.

**Section 13. Board of Ethics.** - Should be reviewed on OSC's website to determine applicability.

**Section 14. Posting and distribution**

- (a) The officers of the fire department/company must promptly cause a copy of this code of ethics, and a copy of any amendment to this code of ethics, to be posted publicly and conspicuously in each building under the fire department/company's control.
- (b) The President of the fire department/company of chief must promptly cause a copy of this code of ethics, including any amendments to the code, to be distributed to every person who is or becomes an officer and employee, or a member of the fire department/company.
- (c) See OSC model code for fire districts. Language should be reviewed for applicability. Could be optional.



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(d) See OSC model code for fire districts. Language should be reviewed for applicability.  
Could be optional.

**Section 15. Enforcement.** - Should be reviewed on OSC's website for applicability.