**TEXAS FIRE MARSHALS’ ASSOCIATION**

**CONSTITUTION AND BY-LAWS**

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE I**

**NAME AND OBJECTIVES**

**SECTION 1. *NAME***

This organization shall be known as the “TEXAS FIRE MARSHALS’ ASSOCIATION” and is in hereafter referred to as the “ASSOCIATION”. The name of the ASSOCIATION shall not be used publicly by any member other than by the use of their membership card for identification purposes, without the expressed permission of the Board of Directors. This shall not restrict the officers or appointees or agents of the ASSOCIATION in the use of the name to carry out the purpose of the ASSOCIATION.

**SECTION 2. *OBJECTIVES***

The objectives and purposes of the ASSOCIATION shall be:

1. To encourage high professional standards of conduct among Fire Marshals and to continually strive to eliminate all factors which interfere with administration of fire prevention.
2. To unite for mutual benefit those public officials and private persons to promote fire prevention Texas.
3. To provide for exchange of technical information and developments.
4. To foster close cooperation and better understanding between governmental or industrial fire service organizations and law enforcement agencies, news media, the insurance industry, local fire prevention committees and state agencies.
5. To compliment all other Texas fire service organizations and not to conflict with the objectives of these organizations.

The ASSOCIATION shall not be operated for profit.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE II**

**MEMBERSHIP**

**SECTION 1. *APPLICATION FOR MEMBERSHIP***

Application for membership shall be made to the chairman of the membership committee, upon the recommendation of some member of the ASSOCIATION and admission shall be by vote of such committee as provided in Section 5 of this article.

**SECTION 2. *ACTIVE MEMBERSHIP***

Any person engaged in some phase of fire prevention or fire prevention education in any governmental, industrial or educational organization, at the time they make application, provided such person possesses the other qualifications for membership in the discretion of the membership committee. All applicants for active or associate membership, if accepted, will be on a temporary status until the next meeting of the Board of the Directors. If the application is not rejected by the board within the specified time limit, full membership is automatically granted.

**SECTION 3. *ASSOCIATE MEMBERSHIP***

Person not qualified for active membership may become associate members, after determination of their qualifications by the membership committee. Associate members shall have privileges of an active member, except voting and holding office.

**SECTION 4. *SUSTAINING MEMBERSHIP***

 Individuals or organizations interested in carrying out the purposes of the ASSOCIATION shall be granted sustaining memberships upon contributions of not less than Fifty Dollars ($50) annually.

**SECTION 5. *LIFE MEMBERSHIP***

The ASSOCIATION may bestow Life Membership upon any qualified member of the TEXAS FIRE MARSHAL’ ASSOCIATION who has met the following requirements:

1. Individuals must be or have been an active member in the ASSOCIATION.
2. Individual must have been an active member in good standing for more than (10) years.

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE II CONTINUED**

1. Individual must have rendered distinctive service to the ASSOCIATION through participation as an officer, member of the Board of Directors, participated on committees or other activities of the ASSOCIATION.

A Life Member shall have all of the privilege’s and rights of an active member without paying dues. Nomination for Life Membership shall be made in writing stating the qualification, to the Board at least (60) days prior to the annual meeting for voting thereon. No more than two nominations for such membership may be approved in any year.

**SECTION 6. *PERSONAL QUALIFICATIONS***

The membership committee shall have the final authority to provide or disapprove an application for membership.

**SECTION 7. *TERMINATION***

1. Membership in the ASSOCIATION shall be terminated by
2. Voluntary withdrawal
3. Membership shall be terminated by the secretary/ treasurer when after notice member is in arrears of the payment of dues or any other obligation to the ASSOCIATION.
4. The board may censure any member or may terminate the membership of any member in the event
5. such member falsified their application or made any misrepresentation therein
6. such member had conducted themselves in such a manner as is prejudicial to the good name and best interest of the ASSOCIATION, or
7. such member has exhibited traits of character or conduct inconsistent with the qualifications for membership in the ASSOCIATION. In case subject to Section 6 – b, the Board shall provide such member with a hearing, due notice and an opportunity to be heard. A majority of the Board present in a daily constituted meeting shall be sufficient to cause censure or termination for any reason specified in Section 7 – b.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE II CONTINUED**

**SECTION 8. *REINSTATEMENT***

 Any former may be reinstated in the ASSOCIATION at the discretion of and by the consent of a majority of the Board, provided however, that such former member shall have been in arrears in the payment of their dues or other financial obligation to the ASSOCIATION at the time of their separation. They shall be required to pay the ASSOCIATION all such arrears as a condition to their reinstatement unless the Board, by the majority vote and for good cause, shall waive the payment thereof.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE III**

**ELECTION, TERMS AND OFFICES**

**SECTION 1. *OFFICES***

The officers of the ASSOCIATION shall be the president, a First Vice-President and a Second Vice-President.

**SECTION 2. *BOARD of DIRECTORS***

 The officers and (9) other members of the ASSOCIATION duly elected, shall constitute the Board of Directors, and one member from each entity shall serve on the Board as an elected officer. (\*)

**SECTION 3. *TERMS of OFFICE***

 The officers shall hold office from the time of their election and qualification for terms of (2) years, or until the election and qualification of their respective successors. Other members of the Board of Directors shall hold office for three (3) years. Their terms shall be so arranged that three (3) retire each year. No member of the Board of Directors shall succeed themselves from an expiring two (2) full consecutive terms of office. An Ex-Officio President, shall serve for two (2) years, or until the qualification of their respective successor. (\*)

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE III CONTINUED**

**ELECTION, TERMS AND OFFICES**

**SECTION 4. *VACANCIES***

 In the event a vacancy occurring on the Board of Directors between annual meetings, the vacancy or vacancies shall be filled by the President and confirmed by the Board of the Directors. Such newly appointed member or members of the Board shall hold office only until the next annual meeting.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IV**

**GOVERNMENT**

**SECTION 1. *BOARD OF DIRECTORS***

 The government of this ASSOCIATION shall be vested in the Board of Directors. Seven (7) members of the Board shall constitute a quorum to convene an official meeting.

**SECTION 2. *DUTIES and POWERS***

The Board shall have the power to initiate and transact business necessary to the existence of the ASSOCIATION and the observance of its purpose. The board shall determine the date and location of the annual meeting and shall outline the program or activities during such meeting. The Board shall have general powers to direct, control and supervise the affairs of the ASSOCIATION. The Board shall appoint a Secretary-Treasurer who shall serve at the pleasure of the Board.

**SECTION 3. *PRESIDENT***

 The President shall be the chief executive officer of the ASSOCIATION, and it shall be the President’s responsibility to supervise and coordinate the activities for the ASSOCIATION and to preside at meetings of the ASSOCIATION and of the Board of Directors. The President shall appoint committees and for the conduct of the activities of the ASSOCIATION, and shall require reports at each annual meeting, and as otherwise desired from the committee appointed and from the officers of the ASSOCIATION.

**SECTION 4. *FIRST VICE-PRESIDENT***

 In the absence of the President, the First Vice-President shall be the chief executive officer and shall act as such. The First Vice-President shall as Chairman of the Finance Committee.

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IV CONTINUED**

**GOVERNMENT**

**SECTION 5. *SECOND VICE-PRESIDENT***

 In the absence of the President, the First Vice-President, the Second Vice-President shall perform the duties of the President and such other duties as the President may designate.

**SECTION 6. *SECRETARY-TREASURER***

The Secretary-Treasurer shall be appointed by the President, subject to the approval of the Board of Directors. The Secretary-Treasurer shall keep the records and minutes of the ASSOCIATION and shall maintain currently the roll of membership, the CONSTITUTION and BY-LAWS, and all other documents of value. It shall be the duty of this office to receive and acknowledge all communications of the ASSOCIATION addressed to them or that may be submitted to them by the officers of the ASSOCIATION, and perform such duties as may be assigned by the President. The Secretary-Treasurer be the custodian and sole depositor of the funds of the ASSOCIATION, shall disperse such funds by check as herein authorized or upon approval of the Board of Directors for the purposes which promote the welfare and objectives of the ASSOCIATION. The Secretary-Treasurer shall render a complete summary of all income, disbursements and balances whenever requested by the Board, and to the members at each regular meeting. A written copy of this report shall be made available to any active member upon request. The Secretary-Treasurer shall furnish bond to the ASSOCIATION in the form and amount as designated by the Board, the cost thereof to be paid by the ASSOCIATION.

**SECTION 7. *CHAPLAIN***

 The Chaplain and Assistant Chaplain shall be appointed by the Board of Directors of the ASSOCIATION.

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IV CONTINUED**

**GOVERNMENT**

**SECTION 8. *EX-OFFICIO MEMBERS***

 All retiring President’s shall become Ex-Officio members of the Board of Directors. The President, with the approval of the Board, may appoint such Ex-Officio members to serve as editor of the newsletter, Sergeant at Arms or Director of the annual conference. The Fire Marshal of the State of Texas shall be an Ex-Officio member of the Board. All Ex-Officio members shall have the meetings of the Board, but shall not have voting power in such meeting. (\*)

**SECTION 9. *ELECTION***

 Officers and other members of the Board of Directors shall be elected at the annual meeting of the ASSOCIATION to fill terms soon to expire, unless otherwise ordered by resolution or motion duly approved by the membership.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE V**

**MEETING**

**SECTION 1. *ANNUAL***

 The annual meeting shall be held at such time and place as may be fixed by the Board of Directors and shall consist of the annual meeting of the members of the ASSOCIATION. The annual meeting shall begin at the time of the Board of Directors convenes, and shall end upon adjournment of the annual meeting of the members of the ASSOCIATION. Notice hereof shall be publicized not less than thirty (30) days in advance. Elections shall occur and other business may be presented at the annual meeting. When any question comes before meeting not specifically provided herein, the presiding officer shall be governed in his decision by the rules laid down in “ROBERT’S RULES OF ORDER”, as revised.

**SECTION 2. *SPECIAL***

 Special meetings may be called by order of the Board of Directors at such places and time as fixed by the Board, giving due notice thereof to all members at least fifteen (15) days in advance.

**SECTION 3.** ***BOARD of DIRECTORS***

 The Board of Directors shall meet at any time or place upon call of the President or any seven (7) members of the Board.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE VI**

**FINANCE**

**SECTION 1. FEES AND DUES**

Dues for active and associate membership in this ASSOCIATION shall be fixed by majority vote of members present at the annual meeting, and shall be payable in advance from October 1st in the manner prescribed by the Secretary-Treasurer, prospective members shall submit their dues with application for membership which, upon admission, will pay their dues until September 30 following approval of their application. The fiscal year for the ASSOCIATION shall be October 1st through September 30th.

Effective October 1, 1988, dues for active members of the Association shall be in the amount of ($15) dollars.

Effective October 1, 1988, dues for associate members of the Association shall be in the amount of ($15) dollars.

Failure to pay membership dues within ninety (90) days of the due date shall forfeit membership in the ASSOCIATION. Reinstatements are conditioned on approval of the Board and payment of all arrears. There shall be no other fees or assessments except as provided by amendment to their articles. (\*)

**SECTION 2. *AUDIT***

 The Finance Committee shall make an audit of the accounts of the Secretary-Treasurer at each annual meeting or when deemed necessary and shall verify all assets and liabilities of this ASSOCIATION.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE VII**

**AMENDMENT**

**SECTION 1. *REQUIREMENTS***

 This constitution and by-laws may be amended at any regular meeting of the ASSOCIATION by a vote of two-thirds (2/3) of the members present.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE VIII**

**DIVISIONS OR SECTIONS OF THE ASSOCIATION (\*)**

**SECTION 1.**

The Board of Directors may recognize DIVISIONS or SECTIONS of the ASSOCIATION after written application by such Division or Section. Active membership in the Division or Section shall be contingent upon membership in the ASSOCIATION, either active or associate.

**SECTION 2.**

 The President shall appoint an active member of the ASSOCIATION to serve as chairperson of such Division or Section, subject to the approval of the Board. The membership of each Division or Section may appoint or elect officers as may be deemed necessary to conduct the business of the Division or Section.

**SECTION 3.**

Any member of the ASSOCIATION desiring to become a member of the Division or Section shall comply with the Division or Section by-laws.

**SECTION 4.**

 The number of meetings to be held by the division or Section shall in no way conflict with the annual meeting of the ASSOCIATION, but shall otherwise be at the discretion Division or Section, provided however, that each division or Section shall hold at least one meeting each year. Copies of the minutes of the meeting shall be furnished to the days after the meeting has been held. All papers presented at any meeting shall be submitted to the Secretary-Treasurer of the ASSOCIATION, together with the minutes of the meeting, before being published.

**SECTION 5.**

 All official meetings of the Division or Section shall be professional in nature and shall be conducted for the sole purpose of furthering the objectives of the ASSOCIATION.

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE VIII CONTINUED**

**DIVISIONS OR SECTIONS OF THE ASSOCIATION (\*)**

**SECTION 6.**

Associate membership in a division or Section is not contingent upon ASSOCIATION membership.

**SECTION 7.**

The recognition of a Division or Section may be withdrawn by the Board of Directors of the Association as a result of:

1. inactivity of the Division or Section
2. a written complaint to the Board indicating violations of the CONSTITUTION and BY-LAWS of the ASSOCIATION or the article establishing said Division or Section.
3. by voluntary action of the Division or Section

Action can be taken on by a vote of (2/3) of the membership of the Board of Directors.

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IX**

**FIRE MARSHALS OF THE NORTH AMERICA CHAPTER (\*)**

**SECTION 1. *CHARTER***

Groups of members of the Fire Marshals’ Association of North America geographical areas desiring to become a chapter for purposes of advancement of the objectives of the Fire Marshals’ Association of North America may apply to the Executive Committee on forms provided by the Fire Marshals’ Association of North America. The Executive Committee shall act upon application for chapter status at its next meeting. Chapters approved shall be issued at the business session of a regular or special meeting of the Fire Marshals’ Association of North America. Any amendments to a chapter CONSTITUTION OR BY-LAWS shall be approved by the Executive Committee of the Fire Marshals’ Association of North America and the Board of Directors of the National Fire Protection Association.

**SECTION 2. *MEMBERSHIP***

1. CHAPTER MEMBER

Any member or associate member of the Fire Marshals’ Association of North America.

1. CHAPTER AFFILIATE MEMBER

Any member meeting the qualification of the Fire Marshals’ Association of North America, but not a member of the Fire Marshals’ Association of North America.

**SECTION 3. *OFFICERS***

1. Officers shall meet the chapter membership qualifications. Officers shall be members of the Fire Marshals’ Association of North America
2. Each chapter shall have at least the following officers:
* PRESIDENT
* VICE PRESIDENT
* SECRETARY TREASURER

*The Secretary-Treasurer may be one individual.*

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IX CONTINUED**

**FIRE MARSHALS OF THE NORTH AMERICA CHAPTER (\*)**

**SECTION 4. *CHAPTER REPRESENTATIVE***

1. Each chapter shall elect from their membership at least each (3) years a chapter representative who will represent the chapter at regular Fire Marshals’ Association of North America meetings. The chapter representative shall meet the chapter membership qualifications and may be a chapter officer. The chapter representative shall be a member of the Fire Marshals’ Association of North America. When an elected representative is unable to attend the Fire Marshals Association of North America meetings, the chapter EXECUTIVE Board may designate an alternate to carry out those duties.
2. ***CHAPTER REPRESENTATIVE DUTIES***
3. Chapter representative shall be responsible for all required reports of this article.
4. The chapter representative shall be responsible for review of chapter membership and the issuance of membership cards*.*

**SECTION 5. MEETINGS**

Chapters shall hold meetings at least once a year open to all members for the purposes of election of officers, election of a chapter representative, finalization of required reports to the Fire Marshals’ Association of North America and for conducting regular business.

**SECTION 6. REPORTS**

 The chapter representative shall submit to the Fire Marshals’ Association of North America’s Executive Secretary, prior to February 1st of each year, the following reports:

1. Financial (On forms provided)
2. Membership and dues (On forms provided)
3. Regular meeting minutes
4. Chapter activities
5. Other reports as required

*Continued*

TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IX CONTINUED**

**FIRE MARSHALS OF THE NORTH AMERICA CHAPTER (\*)**

**SECTION 7. CHAPTER IDENTIFICATION AND LETTERHEAD**

(A)

1. Chapter number
2. Fire Marshals’ Association of North America
3. Fire Marshals’ Association of North America logo
4. Geographical location

 (B)

Exceptions to this may be granted by the Fire Marshals’ Association of North America Executive Committee.

**SECTION 8. CHAPTER REVIEW**

The Fire Marshals’ Association of North America Executive Committee shall review each chapter’s reports and activities at least annually. The Executive Committee may suspend or terminate chapter charters for cause or may place any chapter on probation status. A report on each chapter shall be presented at the Fire Marshals’ Association of North America’s annual meeting by the Chapter Review Committee.

**SECTION 9. CHAPTER CONSTUTION AND BY-LAWS**

A chapter’s CONSTITUTION and BY-LAWS shall include the entire content of this article. The CONSTITUTION and BY-LAWS shall be approved by the Chapter Review Committee of the Fire Marshals’ Association of North America and the National Fire Protection Association. The Chapter’s CONSTITUTION shall include a disclaimer to prevent the incurring of any financial obligations or financial responsibilities to be assumed by the Fire Marshal’s Association of North America or the National Fire Protection Association.

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TEXAS STATE FIRE MARSHALS’ ASSOCIATION

CONSTITUTION AND BYLAWS

**ARTICLE IX CONTINUED**

**FIRE MARSHALS OF THE NORTH AMERICA CHAPTER (\*)**

**SECTION 10. DISCLAIMER**

The TEXAS FIRE MARSHALS’ ASSOCIATION, and the elected officers of this ASSOCIATION shall in no way hold the Fire Marshals’ Association of North America or the National Fire Protection Association liable for any financial obligations or responsibilities incurred by the TEXAS FIRE MARSHALS’ ASSOCIATION. Nor shall the TEXAS FIRE MARSHALS’ ASSOCIATION hold out or make any representation of the Fire Marshals’ Association of North America or the National Fire Protection Association as being responsible for any such financial obligations or responsibilities and shall indemnify and hold harmless the FIRE MARSHALS’ ASSOCIATION and the National Fire Protection Association for any loss or cost as a result of any such holdings out or representations or other reasons.

 The TEXAS FIRE MARSHALS’ ASSOCIATION or its elected officers, shall not be held liable for any financial obligations or responsibilities incurred by the FIRE MARSHALS’ ASSOCIATION of North America or the National Fire Protection Agency.