

**BY-LAWS OF SEA LEVEL FIRE DEPARTMENT, RESCUE SQUAD
AND COMMUNITY CENTER, INC.**

The goals and purposes of the Sea Level Fire Department, Rescue Squad and Community Center, Inc. are to provide, in as efficient manner as possible, and limited on by the capabilities of the equipment and personnel, fire protection and recreation facilities to all residents of Sea Level and rescue service from the Smyrna Creek Bridge East. The fire protection boundaries are from Broad Creek (a tributary of Nelson Bay) on the West & to Winston drive on Highway 70 on the East & to Old Cedar Island Rd. on Highway 12 on the East; being bounded on the north by Long Bay and on the South by Core Sound.

**ARTICLE I
Membership**

Section 1. Qualifications for Membership

Any person may become a member by:

- (a) Making written application to any director of the corporation and the application to be put in a permanent file of that department and,
- (b) Agreeing to comply with and be bound by the Articles of Incorporation and any amendments thereto, these by-laws and any amendments thereto, and such rules and regulations as may from time to time be adopted by the Board of Directors and,
- (c) Agreeing to comply with and assist with all training schedules and duty rosters scheduled by department heads, and, (d) Paying the annual, non-refundable \$5.00 membership fee for the corporation, and,
- (e) Being accepted for membership by the Board of Directors, The Secretary shall give the applicant prior notice of the Directors meeting at which applicant's membership is to be submitted for consideration so he may attend the meeting if he so desires.
- (f) Minimum age requirement for membership shall be eighteen (18) years of age.

Section 2. Dismissal of Members

- (a) The Board of Directors, may upon request of the Fire Chief or Rescue Chief, or for other good cause, by an affirmative vote of four (4) members, expels any member who shall have violated or refused to comply with the Articles of Incorporation, these by-laws or the regulations adopted by the Board of Directors.
- (b) A member's conduct while acting on behalf of this Corporation shall be above reproach at all times. No meeting shall be attended or duties performed while under the influence of intoxicating liquor or those substances set forth in the controlled substances sections of the General Statutes of North Carolina.
- (c) Violation of Article I, Section 2, Paragraph (b) shall afford adequate and justifiable grounds for immediate dismissal of a member from the Corporation by an affirmative vote of not less than four (4) of the members of the Board of Directors.

ARTICLE II
Annual Meeting

- Section 1. There shall be an annual meeting of members each calendar year, said meeting to be held at Sea Level at a time and place as selected by the Board of Directors
- Section 2. The Secretary, at least five days prior to each annual meeting, shall mail notice of the annual meeting to the last know address of each member. This notice may be waived by unanimous consent of the members.
- Section 3. At the annual meeting the Chairperson and Bookkeeper shall present a detailed written report of the business of the Corporation for the last year; also there will be elected three (3) members of the Board of Directors; also there will be transacted any and all business properly brought before the meeting.

ARTICLE III
Special Meetings

- Section 1. A special meeting of the members of the Corporation may be called by the Chairperson at a time and place at Sea Level designated by him/her for the meeting.
- Section 2. A special meeting of the members of the corporation shall be called by the Chairperson within thirty (30) days of his receiving a written request for such meeting from either:
- (a) Two or more members of the Board of Directors.
 - (b) Ten members in good standing.
- Section 3. The Secretary shall give, by mail, not less than five (5) days notice of the special meeting and such notice shall include a description of the business to be transacted at the special meeting.

ARTICLE IV
Board of Directors

- Section 1. The Board of directors shall consist of six (6) members elected hereinafter provided. Additionally, the Fire Chief, the Rescue Chief, and the Community Center Chairperson shall be nonvoting ex officio members of the Board of Directors.
- (a) Beginning in the year 1999 and each and every year thereafter, three (3) directors, upon receipt of a majority of the votes of a quorum of the members, shall be elected to two (2) year terms.
 - (b) A quorum shall consist of four (4) or more directors. No person may hold more than one membership in the Corporation and there shall be no votes cast by proxy.
 - (c) Nominees for the Board of Directors must be members of the Corporation. A nominating committee shall be appointed by the Board of Directors not less then thirty (30) days before the annual meeting
 - (d) Additional candidates may be nominated from the floor at the annual meeting.

Section 2. Powers of the Board of Directors

(a) The Board of Directors shall have general management and control of the business, property and affairs of the Corporation and may exercise all powers with regard thereto, except such powers as are by law and the Articles of Incorporation expressly reserved to the members.

(b) At the first Board of Directors meeting immediately following the members annual meeting, the Board of Directors shall elect a Chairperson, a Vice Chairperson, and a Secretary. Said officers shall hold office until their successors are elected and duly qualified; provided, however, that the Board of Directors shall at all times have the right and authority to declare any office vacant and elect a successor thereto.

(c) The Board of Directors shall have the right to fill any unexpired term of any vacancy on the Board.

Section 3. Board of Directors Meeting

(a) Regular meeting shall be held once during each calendar month at Sea Level at a time and place determined by the convening authority.

(b) Special meetings may be called by the Chairperson or they may be called at the request of two (2) or more Board members. The special meeting shall be held at Sea Level at a time and place determined by the convening authority.

(c) The Secretary shall give the Board members notice of no less than one (1) full day if personal oral notice is given; and two (2) full days prior to the meeting if notice is mailed. These notice requirements are the same for regular and special meetings and may be waived by unanimous consent of the Board of Directors.

ARTICLE V
Powers and Duties of Officers

Section 1. The Chairperson or designee shall preside at all meetings of the Board of Directors and shall have general charge of and control over the affairs of the Corporation. He or She designee shall countersign all checks of the Corporation.

Section 2. The Vice Chairperson shall perform such duties as may from time to time be assigned to him by the Board of Directors. In the event of death, disability or absence of the Chairperson, he shall be vested with all of the powers of and perform all of the duties of the Chairperson.

Section 3. The Secretary shall keep a record of the minutes of the annual, monthly, and special meetings of the Board of Directors. The Secretary shall give notice of all meetings in accordance with the requirements of these by-laws. The Secretary shall have responsibility of all books, records, and papers of the Corporation except those which of necessity must be retained by the Bookkeeper. The Secretary shall perform such other duties as may from time to time be assigned by the Board of Directors.

Section 4. The Bookkeeper shall receive and disburse all corporate funds, shall keep accurate and detailed records of all receipts and disbursement. The records shall be subject to inspection by the members of the Board of Directors at all times. The Bookkeeper shall deposit all corporate funds that come into his or her possession in that bank and account as may be designated by the Board of Directors. The Bookkeeper shall insure that all checks issued by him or her are properly countersigned by the Chairperson or the Chairperson's designee. In the event of the absence or inability of the Bookkeeper to act, checks may be signed by two (2) other members of the Board of Directors as provided in a resolution to be passed by the Board of Directors at the time. The requirement that the Bookkeeper post bond is within the discretion of the Board of Directors. The Bond Premium shall be paid by the corporation.

Section 5. It shall be the responsibility of the Fire Chief, the Rescue Chief, and the Community Center Chairperson in their respective departments to establish an efficient chain of command, to insure that all equipment is maintained in an absolute state of readiness, to schedule classes and conduct appropriate training of their members in the use of equipment and techniques, to maintain the records necessary to insure an efficient department, to appoint a grievance committee of not less than three (3) not more than nine (9) members to make recommendations to the Board of Directors on all grievances from any active member of his department.

ARTICLE VI

Removal of Directors and Officers

Section 1. Any officer or member of the Board of Directors may be removed from his position by a vote of not less than two-thirds (2/3) of the active membership. A new director will then be elected by the members.

Section 2. Any member may request removal of any officer or director by filing charges in writing with the secretary against the individual together with a petition signed by ten (10%) percent of the members requesting the individual's removal.

Section 3. The director or officer against whom charges have been brought shall be given by the Secretary ten (10) days notice of the meeting at which his removal is to be voted on by the membership. This notice shall include a copy of the charges against him.

Section 4. At the meeting either the director or officer whose removal is sought and the member seeking his removal shall have an opportunity to be heard and present evidence.

**ARTICLE VII
AMENDMENTS OF THE BY-LAWS**

Section 1. These By-laws, or any part thereof, may be repealed, altered or amended, and new by-laws adopted at any meeting of the Board of Directors by an affirmative vote of not less than four (4) of the total membership of that Board.

ARTICLE VIII

Section 1 No part of the Corporation's net earnings shall inure to the benefit of any officer, director, member or other individual.

Section 2. In the event of dissolution of the Center, all funds, property and other assets remaining after settlement of its legal obligations shall be conveyed to one or more educational, religious, charitable, civic, or other non-profit institutions or agencies.