

**BY-LAWS OF THE  
GOVERNING BOARD  
CHINO VALLEY FIRE DISTRICT**

**Adopted**

**March 19, 2015**



## **Board Member Code of Conduct**

1. Understand the Board's basic function is "Policy" and not "Administration".
2. Refuse to make commitments on any matter that should come before the Board as a whole.
3. Refuse to participate in irregular meetings or meetings that violate Arizona State Open Meeting Law.
4. Recognize that a Board member has no legal status to act for the Board outside of official meetings.
5. Respect the right of District constituents to be heard at official meetings within established parameters and guidelines for public comment.
6. Make decisions only after available facts bearing on a question have been presented and discussed.
7. Accept the principle of "majority rules" in Board decisions.
8. Recognize the Fire Chief should have full administrative authority for properly discharging duties within the limits of established Board policies.
9. Declare conflict of interest into the public record.
10. Conduct all Fire District business in an ethical manner.
11. Refuse to use a position on the Fire Board in any way whatsoever for personal gain.
12. Give staff and contemporaries the respect and consideration due skilled professional personnel.

The primary responsibility of the Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District should be delegated to the Fire Chief and Executive Management Staff.

Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Nothing in this policy shall be construed to prohibit a Board member from speaking publicly against a decision, but once the Board takes action, Board members shall not create barriers to the implementation of said action.

The effectiveness and success of the District depends on a team effort. Everyone is expected to work together in the collaborative process, assisting each other in conducting the affairs of the District. Board members should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

The Board is responsible for evaluating the Fire Chief's performance at regular intervals in order to approve, extend or terminate his contract as appropriate. In doing so, they also carefully monitor his progress in attaining District goals and objectives while pursuing its mission.

Board members should employ the following practices:

1. Approach the Fire Chief or appropriate Executive Management Staff members directly to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
2. Refer concerns or complaints from residents and property owners of the District directly to the Fire Chief.
3. Respond to constituent requests and concerns in a courteous, positive manner and route their questions through appropriate channels and to responsible Executive Management Staff members.
4. Direct clarification of policy-related concerns, especially those involving personnel, legal actions, land acquisition and development, finance, and programming to the Fire Chief or the appropriate Executive Management Staff member available.
5. Issues related to finances, risk management, board support or administration should be directed to the Fire Chief or Office Manager for assistance.
6. Issues related to operations, concerns for safety, or hazards should be reported to a member of the Executive Management Staff as available following the chain of command:
  - a. Fire Chief
  - b. Battalion Chief on duty
  - c. District Safety Officer

7. Refrain from directly discussing operational or personnel issues with employees as this may compromise the chain of command and put the Board member in a difficult position in making District recommendations or decisions.
8. Direct inquiries from District personnel regarding specific District policy to the appropriate staff supervisor, if known or up the chain of command. The Executive Management Staff should also be made aware of any personnel concerns.
9. Immediately seek appropriate assistance in an emergency situation.

## **ARTICLE I**

### General

1. **Purpose.** These Bylaws set forth the rules of conduct for the Chino Valley Fire District Governing Board.
2. **Conflict with Applicable Law.** In the event of any conflict in the rules governing rules governing the conduct of the Fire District, then such conflict shall be resolved by applying the regulating authority in the following order of priority:
  - (a) Arizona Revised Statutes Annotated
  - (b) the Bylaws for the Chino Valley Fire District
  - (c) the Standing Rules
3. **Reference to Applicable Law** Any reference made in these Bylaws to controlling or applicable law, rules or regulations shall include all pertinent amendments thereto.
4. **Definitions.** The following definitions shall apply to these Bylaws:
  - (a) "Board" shall mean the governing body of the Chino Valley Fire District.
  - (b) "District" shall refer to the Chino Valley Fire District.
  - (c) "Standing Rules" shall mean the rules and regulations adopted from time to time as they are needed and needed and which have been adopted by a majority vote of the Board without previous notice. "Standing Rules" may be amended by a majority vote.

## **ARTICLE II**

### Members

1. **Members.** There shall be five members of the Board, and they shall be those individuals elected or appointed pursuant to A.R.S. §§ 48-802, 48-803 and 48-805. Employees of the Chino Valley Fire District shall not be members of the Fire District Board and conversely, a member of the Fire District Board shall not be an employee of the Fire District. A.R.S. § 48-805(B) (1).
2. **Qualifications.** A member of the Board must be a resident of the Chino Valley Fire District at the time of his or her election and must remain so during his or her incumbency.
3. **Election.** Members of the Board will be elected in accordance with the laws of the State of Arizona, specifically Title 16.
4. **Term.** Board Members are elected for a term of four years. Each member shall be installed and shall take the oath of office at the first general meeting following his or her election. The term of each member shall begin on the first day of the month following that member's election. A.R.S. § 48-803(F).
5. **Duties and Responsibilities.** The members of the Board are vested with the authority for managing the affairs of the Chino Valley Fire District pursuant to the laws of the State of Arizona governing the management of the Districts A.R.S. § 48-805.

6. Authority of the Board. The authority of the Board is governed by the laws of the State of Arizona.
7. Compensation. The Board shall serve without compensation but may be reimbursed for any expenses incurred on behalf of the Fire District, A.R.S. § 48-803(C).
8. Vacancies. If a vacancy occurs on the District Board other than from expiration of a term, the remaining Board Members shall fill the vacancy by appointment of an interim member. If the entire Board resigns or for any reason cannot fulfill its duties, the Board of Supervisors shall appoint an administrator to administer the District with the same duties and obligations of the elected board. If the Board of Supervisors fails to appoint an administrator within thirty days, a special election shall be held to fill the vacancies on the Fire District Board. A.R.S. § 48-803(B). In the event that there is a vacancy in the Board caused by the death or early resignation of a Board Member, then that vacancy may be filled by an individual selected by the remaining Board Members. A.R.S. § 48-803(8). An individual selected by the Board to replace a resigning Board Member shall serve until the expiration of the term of the deceased or resigning Board Member whose position he or she replaced.
9. Election to Fill a Vacancy on the Board. In the event that the Board is obligated to replace a member by vote of the Board, then such vote shall be taken as follows: a Board Member shall nominate a replacement and all members of the Board shall thereafter vote on any such nominations. In the event that there is a deadlock in the voting for a replacement for a retiring or deceased member, (a) the Chairman shall withdraw his or her vote, or (b) the Chairman is the retiring or deceased member, then the Clerk shall withdraw his or her vote.
10. Attendance. Board members are required to attend all regular and special meetings of the Board unless there is prior notification or good cause for absence except as noted by Arizona Revised Statute § 38-291. A vacancy shall occur if any member ceases to discharge the duty of his/her office for the following reasons:
  - (a) The death of the incumbent.
  - (b) Insanity of the incumbent when judicially determined.
  - (c) Resignation and the lawful acceptance of the resignation of the incumbent.
  - (d) Removal from office of the incumbent.
  - (e) If the office is elective and the incumbent ceases to be a resident of the District.
  - (f) Absence from the state by the incumbent without the permission of the legislature beyond the period of there (3) consecutive months.
  - (g) The incumbent ceasing to discharge the duties of office for a period of there (3) consecutive months.
  - (h) A conviction of the incumbent of a felony or an offense involving a violation of his official duties.
  - (i) Failure of the person elected to file his required oath within the time prescribed by law.
  - (j) The decision of a competent tribunal declaring void the election or appointment of the person elected or appointed to the office.
  - (k) Failure of a person to be elected to the office.
  - (l) A violation of A.R.S. § 38-296 by the incumbent.

### **ARTICLE III**

#### Officers of the Board

1. **Officers.** The Chino Valley Fire District shall be administered by a Chairman and a Clerk. A.R.S. § 48-803(B). In addition, one person cannot hold more than one office at any one time.
2. **Qualifications.** All officers must be members of the Board. A.R.S. § 48-803(B)
3. **Elections.** All officers must be nominated by at least one Board Member and must be elected by a majority vote of the Board.
4. **Term.** All officers shall serve for a term of one year and may be re-elected for a subsequent term of one year. The term of office shall be calculated from the third Thursday of December of each year.
5. **The Chairman.** The Board must elect a Chairman. The Chairman is responsible for ensuring that the business of the public meetings is transacted in proper order and is expedited as much as possible. The Chairman must ensure that all members observe the rules of debate and that order and decorum are always observed at the meetings.
6. **The Clerk.** The Board must elect a Clerk. The Clerk shall preside at all Board meetings in the absence of the Chairman. The Clerk must have available at every meeting of the District the minutes of the previous meeting and all other minutes that have not been approved, the Bylaws of the District and all other rules pertaining to the District, a list of all the committees and the order of business or list of business to come before the meeting. The Clerk is the custodian of all the records of the District. The Clerk must insure that all committees have such documents as they require for the performance of their duties.
7. **Removal of Officers.** An officer may be removed in the following manner: at least two (2) members must propose the removal of any one officer. In order for an officer to be successfully removed from office, at least three (3) members of the Board must vote for such removal.
8. **Death or Resignation of Officers.** An officer may resign at any time by giving the Board written notice of his or her resignation. Upon the death of an Officer, the office shall be deemed to be vacant as of the date of death.
9. **Vacancies.** In the event that an office of the Chino Valley Fire District becomes vacant, the Board shall elect a replacement as soon as practical after the occurrence of the vacancy to fill the vacant position. The newly elected officer shall then serve until the expiration of the term of the officer whom he or she replaced.

### **ARTICLE IV**

#### Special Committees

1. **Formation.** Pursuant to A.R.S. § 38-431(5) and A.R.S. § 38-431.01(A)(B), a committee may be formed in the following way: Any member of the

Board present at a meeting may propose the establishment of a committee. A motion to establish a committee must be approved by a majority vote of the Board. Committees of the Board are subject to the Open Meeting Law. A committee may be appointed for one of the following purposes or any other purpose deemed reasonable by the Board:

- (a) To consider a subject and report a resolution covering the action it recommends the District take;
- (b) To investigate certain issues and report facts with its opinions thereon;
- (c) To execute an order of the District;
- (d) To represent the District in certain functions as directed by the Board;
- (e) To receive and act upon the credentials of potential employees.

2. Term. The committee may serve for a reasonable term, as designated by the Board, and should the committee fail to make its recommendations or file its report within the designated term, then the Board may extend such term or discharge the committee as it sees fit.
3. Membership Qualifications. Any individual residing within or without the District may be appointed as a committee member. Nominations for membership to the committee may be made by the floor or made by appointment from the Chair. In the event that nomination is made from the floor, then the member may only qualify if he receives a majority vote of those Board Members present at the meeting. No more than two (2) members of the Board may be appointed as committee members.
4. Authority of the Committee. A committee is authorized to perform only such acts as are within the reasonable scope of the object of the committee. Expenses incurred by the committee must receive the prior approval of the Board and must be reasonable in scope.
5. Records of Committee Action. The committee is required to keep a written record of its meetings. These records must comply with the requirements under Arizona law for written records at public meetings.
6. Reports to the Board. The committee must present its written report or recommendations to the Board at the public meeting designated by the Board as the time for making such report or recommendations. In the event that the committee is unable at such designated time to present the full report, then the committee must present its report of progress to date at that meeting and must request an extension to complete the report. If a written report is prepared, the committee report may be signed by all members agreeing to it or by the chairman of the committee, if so authorized by the committee.
7. Discharge. The committee is discharged at the time of making its report or recommendations to the Board unless (a) the report or recommendations of the committee are rejected, and the committee is requested by the Board to review the report or recommendations and make modifications or (b) the committee is informed in writing by the Chairman of the Board that it is the decision of the Board to discharge the committee prior to the making of the report.

8. **Structure.** Either the committee or the Chairman of the Board must elect a chairman of the committee. The chairman is the member who reports to the District. A majority of the committee must be present in order to transact business. The committee may also elect a secretary.

#### Standing Committees

1. There are no Standing Committees at this time.
2. **The Budget Committee.** The Board may appoint a Budget Committee to assist in the consideration of the budget for the next fiscal year. The Fire Chief will act as advisor to the Committee; other District Staff Members, at the Chiefs request, will attend meetings as necessary to provide budget information for departments, divisions and programs. Meetings will be called by the Committee as needed for budget planning. The objective of the Committee will be to work with the Officers to provide an adoptable recommended budget to the Board.

### **ARTICLE V** Meeting

1. **Notice.** Notice of meetings and posting locations must be given and required by A.R.S. § 38-431.02. Notice must be given by (a) posting a notice of the meeting in the places designated by the District in statements filed pursuant to A.R.S. § 38-431.02 (A)(1) with the Arizona Secretary of State and the Clerk of the Yavapai County Board of Supervisors, and (b) giving such additional public notice as the Board determines to be reasonable and practical. The notice shall include an agenda of the matters to be discussed or decided at the meeting.
2. **Quorum.** Three members of the Board shall constitute a quorum. All three Board Members must be present in person or electronically at all times during the meeting. Should the Board membership present at the meeting fall below the required number for a quorum, the meeting must be reconvened at a designated later date when a quorum is present.
3. **Agenda.** The agenda must be available at least twenty-four (24) hours in advance of the meeting unless: (a) an actual emergency exists, or (b) a meeting has been recessed and resumed as provided in Section 8 of this Article V. Except for an emergency situation, only matters listed on the agenda and other matters related thereto may be discussed, considered or decided at the meeting. A.R.S. § 38-431.02.
4. **Regular Meeting.** The regular meeting of the Chino Valley Fire District is to be held on the third Thursday of each month at 7:00 p.m. at Station 61, 1133 West Road 3 North, Chino Valley, AZ.
5. **Special Meetings.**
  - (a) Residents of the Chino Valley Fire District may petition the chair for a special meeting, and the Chairman may call a special meeting within ten (10) days after receipt of the petition. At least two percent (2%) of the residents of the Chino Valley Fire District must sign the petition for a special meeting, and the petition must include the names and addresses of all petitioners.

- (b) The Chairman may call a special meeting at any time by giving the notice required by the law and providing an agenda for the special meeting as required by Arizona law.

6. Ratification of a Prior Act. The notice requirement for ratification of a prior act taken in violation of Arizona law is seventy-two (72) hours. Ratification must take place within thirty (30) days after the discovery of the violation.
7. Emergency Meetings. In the case of an actual emergency, less than 24 hours notice of a meeting may be given, and the notice that is actually given shall be appropriate to the circumstances generating the emergency. A.R.S. § 38-431-02(J). However, there are four (4) requirements which must be met which are as follows:
- (a) An announcement must be made at the meeting setting forth the reasons necessitating the emergency meeting; and
  - (b) A statement must be made in the minutes of the meeting setting forth the reasons for the emergency meeting; and
  - (c) Within 24 hours after the meeting, a public notice must be posted declaring that an emergency session has been held and setting forth the information required by statute. A.R.S. § 38-431.02(D).
  - (d) Meeting Recessed. Less than twenty-four (24) hours notice may be given when a properly noticed meeting is recessed to a later date. Prior to recessing, notice must be publicly given as to the time and place of the resumption of the meeting or the method by which notice shall be publicly given.

8. Order of Business. The order of business at any public meeting is as follows:
- (a) The taking of attendance and a determination that a quorum exists
  - (b) Salute to the flag of the United States of America
  - (c) Call to the Public
  - (d) Presentations
  - (c)(e) Reports and Correspondence
  - (d)(f)
  - (e)(g) Consent Agenda
  - (f)(h) New Old Business
  - (g)(i) New Old Business
  - (h)(j) Reports and Correspondence Executive Session
  - (i)(k) Adjournment

The Chairman or majority of the Board may change the order of the agenda.

10. Minutes. The minutes record any and all official acts of the District. A.R.S. § 38-431.01. If any conflict exists between the minutes and any other record of a meeting of the District, then the minutes shall control.
11. The Approval of, Ratification of, and Amendments to the Minutes. The minutes of a meeting of the District shall be approved, amended or modified at the next regular meeting. Upon review and approval of the minutes of a previous meeting, those minutes shall be signed by the Clerk. After the minutes have been approved, amended or modified at the next regular meeting, subsequent amendments or modifications may only be made in accordance with the following requirements:
- (a) An amendment or modification of a grammatical, typographical, or other non-substantive error in the minutes may be proposed at any time; and

- (b) A substantive amendment or modification to the minutes may be proposed, discussed and adopted only at a regularly scheduled public meeting. A substantive amendment or modification to the minutes may only be voted upon if a majority of the Board Members who originally approved the minutes are present and can vote on the subsequent amendment or modification as Board Members.

12 Conduct of the Meeting. The Chairman will preside at all regular, special or emergency meetings. In the event that the Chairman is not present, the Vice-Chairman will preside; in the event the Chairman and Vice-Chairman are not present, the Clerk will preside. The meeting shall also be conducted pursuant to the following requirements:

- (a) Voting will be done by voice or a show of hands in a manner sufficient to give the Chairman notice of each member's vote. In the event that a count is demanded, then the Chairman shall appoint a member of the Board to conduct a count of all votes.
- (b) The public shall have access to all meetings except for Executive Sessions.
- (c) The Board may arrange for participation by telephone or video conference for those unable to attend and where there is no reasonable alternative to this arrangement. In the event that a telephone or video conference is made available, then the following procedure must be followed: facilities must be set up in order to permit the public to observe and hear all telephone or video communications; there should be a clear identification of all members participating by such method; and the minutes of the meeting should identify members participating by telephonic or video communications and should describe the procedures followed.
- (d) Any or all of the public meetings may be recorded by any person in attendance, provided that such a recording does not interfere with the conduct of the meeting.
- (e) The rules of the meeting shall be Robert's Rules of Order Revised, except where they are in conflict with these Bylaws, in which case the Bylaws shall prevail. Failure to adhere to Robert Rules of Order will not invalidate any action taken by the Board.

## **ARTICLE VI**

### Executive Sessions

1 Requirements. Pursuant to A.R.S. § 38-431.03, a majority vote of an executive session may be held only for the following purposes:

- (a) Personnel Matters. The discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee or employee of the District. With the exception of salary discussions, an officer, appointee or employee may demand that this discussion take place at a public meeting. If such a demand is made, the officer, appointee or employee must be provided with at least twenty-four (24) hours noticehour's notice of the executive session. The Board shall provide the officer, appointee or employee such notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether such discussion or consideration should occur at a public meeting. (There is no emergency

- exception to this latter requirement) The Board may permit the officer, employee or appointee discussed to attend the executive session, but the employee does not have a right to attend the executive session but may demand the discussion take place as a public meeting.
- (b) Confidential Records. An executive session may be held when the public body is considering or discussing records exempt by law from public inspection. The record being considered need not be expressly made confidential by statute.
  - (c) Legal Advice, An, An executive session may be held for the discussion or consultation for legal advice with the attorney or attorneys of the District. The only person allowed to attend this executive session are the members of the District Board and such officers, employees, and appointees permitted by the Board with a view to preserving the attorney/client privilege.
  - (d) Litigation. An executive session may be held for discussion or consultation to consider the District's position and instructing counsel concerning the District's position in impending or contemplated litigation.
  - (e) Employee Negotiations. An executive session may be held for the discussion or consultation with designated representatives of the District to consider the District's position and instruct its representatives regarding negotiations with employee representatives regarding their salaries, salary schedules or compensation paid in the form of fringe benefits for employees of the District.
  - (f) International and Interstate Negotiations. An executive session may be held for the discussion of international and interstate negotiations between the District and another party or parties.
  - (g) Purchase or Lease of Real Property. An executive session may be held for discussions and consultations with designated representatives of the District to consider its position and instruct its representatives regarding negotiations for the purchase or lease of real property.
2. No Action at Executive Session. No executive session may be held for the purpose of taking any legal action involving a final vote or decision.
  3. Procedure. Before the Board goes into executive session, a majority of members constituting a quorum must vote at a public meeting to hold such an executive session. The vote may permit the holding of an executive session during or immediately following the public meeting or at some later specified date.
  4. Limitation on Conduct in Executive Sessions. The District may not take an informal or preliminary vote or a final vote or make a final decision in the executive session; such action must be taken at a public meeting convened for that purpose. At the public meeting after the executive session, sufficient information must be given to the public to apprise the public of the basic subject matter of the action to be taken.
  5. Notice. If an executive session is to be held, notice shall be given to the members of the Board and to the general public stating the specific provision of law authorizing the executive session.
  6. Agenda. The agenda for an executive session shall include only a general description of the matters to be considered and shall not contain information that would defeat the purpose of the executive session.

7. **Emergency Executive Session.** An emergency executive session may be called provided that:
  - (a) The reason for the emergency session is announced publicly immediately prior to the executive session; and
  - (b) Within 24 hours after the emergency executive session, an agenda is posted setting forth the information required pursuant to paragraph 6 above.

## ARTICLE VII

### Maintenance of Records

1. **The Responsibility to the Clerk.** It is the responsibility of the Clerk to maintain all the records of the District and to keep such records in current order.
2. **Written Minutes.** Pursuant to A.R.S. § 38-431.03, minutes must be taken of all public meetings and executive sessions with the exception of meetings conducted by subcommittees and advisory committees. Either written minutes or a recording of the meeting must be available for public inspection within three (3) working days after a meeting, except that no recording shall be made of any executive session. The following information must be in the minutes:
  - (a) The date, time and place of the meeting.
  - (b) The members of the Board recorded as either absent or present.
  - (c) A general description of the matters discussed or considered even where no formal action or vote is taken with respect to those matters. With respect to the executive session, the general description shall be deemed sufficient if it refers to the sub-section of Article VI, Section 1 under which the executive session was held.
  - (d) An accurate description of all legal actions proposed, discussed or taken and the names of persons who proposed and seconded each motion. The minutes must also reflect how the body voted and the numerical breakdown of the vote.
  - (e) The name of each person making a statement or presenting material to the Board and a specific reference to the action to which the statement or presentation relates.
  - (f) A full description of the nature of any emergency matter, specifically including, but not limited to, the circumstances necessitating the emergency.
  - (g) In the event that a prior act in violation of the Open Meeting Laws of the State of Arizona is ratified, a copy of the disclosure statement is required for such ratification.
3. **Maintenance of Records.** A record of all notices, including a copy of each notice posted and information regarding the date, time and place of posting must be kept. Records shall be maintained as determined in the District's Records Retention Policy.
4. **Tape Recordings.** Minutes may be taken in writing or may be recorded by tape recorder or video tape recorder.
5. **Executive Sessions.** The minutes of an executive session must be maintained. The Board must advise all persons present at the executive session as to the confidential nature of the executive session and the minutes should reflect that such advice was given. The minutes of an executive session must contain the following information:
  - (a) The date, time and place of the meeting.
  - (b) The members of the Board recorded as either present or absent.

- (c) A general description of matters considered which shall be deemed sufficient if it refers to the sub-section of Article VI, Section 1, under which the executive session was held.
- (d) A statement of the reasons for any emergency considerations of any matters not on the agenda.
- (e) Such other information as the Board deems appropriate.

6. Disclosure of Minutes of an Executive Session. Minutes of an executive session may not be disclosed to anyone except as follows:

- (a) Any member of the Board ,Board, including members who did not attend the session.
- (b) Any officer, appointee or employee who was a subject of the discussion (except meetings held for legal advice).
- (c) Staff personnel to the extent necessary to perform their duties to prepare and maintain the minutes of the executive session.
- (d) The attorney for the Board to the extent necessary for representation.
- (e) The Attorney General, County Attorney, or the Auditor General in connection with the Auditor General's lawful performance of his duties to conduct a financial or performance audit.
- (f) The Court for purposes of a confidential inspection.

7. Committees. Committees shall keep minutes of their proceedings. The committees shall present their reports and/or recommendations at a public meeting and the minutes of such public meeting must reflect the substance of the report and/or recommendation. The minutes should also reflect the names of the committee members supporting the report or recommendation and the names of those committee members not in support of the report or recommendation.

## **ARTICLE VIII** **Finances**

- 1. Annual Report to Yavapai County and the State Treasurer. The Board shall submit an annual report to the Clerk of the Yavapai County Board of Supervisors and the State Treasurer pursuant to the requirements of A.R.S. § 48-251 as amended from time to time.
- 2. Annual Budget. The Board shall prepare an annual budget containing detailed estimated expenditures for each fiscal year. The budget must clearly show the salaries payable to the employees of the District, including the Chief. Notice of the budget must be given as required by the law of Arizona and must be adopted by the Board pursuant to those laws. Copies of the budget must be available to members of the public upon written request according to A.R.S. § 48-805(A)(2).
- 3. Annual Estimate. No later than July 10<sup>th</sup> of each year, the Chairman must submit to the Board of Supervisors of Yavapai County an estimate, certified by items, of the amount of money required for the equipment and maintenance of the District for the ensuing year, less the amount due from the County Fire District Assistance Tax. The annual estimate must in all other ways comply with the requirements of the laws of the State of Arizona.
- 4. Authorized Expenditures. The Board is authorized to make expenditures as is permitted by the Arizona laws as amended from time to time. The Board purchasing policy

which, among other things, includes specific authority for officers, appointees, or employees of the District to make expenditures and grants signature authority pursuant to the purchasing policy. The Purchasing Policy may be amended from time to time by vote of a majority of the members constituting a quorum.

## **ARTICLE IX**

### Execution of Documents

1. **General.** All documents, instruments or any written material whatsoever binding upon the District shall be executed by the Chairman of the Board for the District; provided, however, that the Board may, by resolution, authorize officers, employees, or appointees of the District to execute documents, instruments, or other written material binding on the District
2. **Finance Documents.** All documents, instruments and any written material whatsoever which evidence money owed by, by or money to the District should be executed by a minimum of two (2) Board members. Notwithstanding the foregoing, the Board may authorize officers, appointees, or employees to sign checks pursuant to a purchasing policy adopted under Article VIII, Section 4. The District may also use electronic check signing as approved by the Board.

## **ARTICLE X**

### Fire Code and Standards

1. **Adoption.** Pursuant to A.R.S. § 48-805(B)(5), the Board may adopt, amend or revise the International Fire Code, the Uniform Fire Code, or other statutorily accepted Fire Codes. The District must keep three (3) copies of the Code, including amendments and revisions, on file for public inspection.
2. **Amendments or Revisions.** Amendments or revisions to the Code may be adopted after a hearing. The proposed revisions and/or amendments shall be posted in three (3) public places and published in a newspaper of general circulation in the District thirty (30) days prior to a public hearing to adopt the amendments and/or revisions. A.R.S. § 48-805(B)(5).
3. **Fire Protection Standards.** The Board may assist the State Fire Marshall in the enforcement of fire protection standards within the Fire District.
4. **NFPA and other Standards.** The Board may adopt, amend, or revise such professional standards as it deems appropriate for administration of District services.

## **ARTICLE XI**

### Relief and, Pension Fund, and PSPRS Local Board

1. **Director Assigned to PSPRS Local Board:** Per ARS 38-847.1: The Board Chair or his/her designee shall sit on the local PSPRS board. The term of service for this position follows the terms set forth for Board Chair in Article III Officers of the Board.
- 1.2. **Establishment of a Firefighters' Relief and Pension Fund.** The Board may establishmay establish a Firefighters' Relief and Pension Fund.

- 2.3. Appointment of Trustees. If a Firefighters' Relief Fund has been established, the Board, at its regular meeting to be held each December, shall appoint two members to the board of trustees of the Firefighters' Relief and Pension Fund. One such appointment shall be a District Board member, and the other such appointment shall be a person who is not the District's Fire Chief, a District Board Member or a District firefighter. The Fire chief of the District shall automatically be a trustee of the Firefighters' Relief and Pension Fund.
- 3.4. Number of Trustees. There shall be a total of seven pension board trustees including the two appointed by the Board and the Fire Chief. The other four members shall be firefighters employed by the District and elected to four-year terms. Election will be held every even year to fill two of the four positions. Only firefighters employed by the District shall be eligible to vote in this election.
- 4.5. Vacancies on the Board of Trustees. If a vacancy occurs for a trustee who is appointed by the District, the District shall appoint, within sixty (60) days of the date of the vacancy, a person to fill the unexpired term of the trustee who created the vacancy. The person so appointed shall meet the qualification required of the trustee when he/she was appointed who created the vacancy. Only firefighters employed by the District shall be eligible for appointment. After the appointment, the District shall notify the Board of Trustees of the new trustee and when the new trustee's term expires.

## **ARTICLE XII** Personnel and Administration

1. Personnel. The Board may ,by resolution, hire, appoint, and employ personnel to carry out its lawful purposes, including, but not limited to, a District Chief who shall be the Chief Executive and Operational Officer of the District.
2. Personnel Policy. The Board may delegate its authority to hire, appoint, and employ personnel to the District Chief and his delegates pursuant to a personnel policy adopted by resolution.
3. Operational Policy. The Board may delegate its responsibility for operation of the District to the District Chief and his delegates pursuant to operational standards adopted by resolution.

## **ARTICLE XIII** Amendments to the Bylaws

1. Amendment of Bylaws. Amendments to these Bylaws may be proposed in writing at any regular or special public meeting of the Board. Such proposed amendments shall be acted upon at the next regular public meeting of the Board or at a special public meeting called for that purpose and shall be adopted by an affirmative vote of a majority of the Board members present. Notice of intention to present amendments to these bylaws for adoption shall be contained in the notice of the meeting. All bylaws adopted shall conform to Arizona State Law. Any bylaw not in such conformity shall be invalid and State law shall replace them.