

# **SACRAMENTO FIRE DEPARTMENT RELIEF ASSOCIATION**

## **CONTITUTION AND BY-LAWS**

### ADOPTED

July 1, 1921

### REVISED

December 8, 1938

April 9, 1959

April 13, 1967

January 1, 1984

January 1, 1992

November 12, 1998

May 5, 2000

September 8, 2000

November 1, 2005  
**CONSTITUTION AND BY-LAWS**

**ARTICLE I- Name and Objective**

- Section 1: This Association shall be known under the name of and title of SACRAMENTO FIRE DEPARTMENT RELIEF ASSOCIATION.
- Section 2: The purpose of this Association shall be to more effectively combine the interest of the professional firefighters and to aid each other in sickness, distress and death.
- Section 3: Moneys or property directly or indirectly contribute to this Association by its members shall not be paid out as benefits to any person other than its members and their dependents or beneficiaries nominated in writing by such member.
- Section 4: The use of a masculine form in an Article or Section is deemed to include the feminine form unless the contrary is explicitly stated or clearly implied.
- Section 5: It shall be the responsibility of the member to furnish the Secretary-Treasurer with the full name and address of his beneficiary and shall notify the Secretary-Treasurer in writing of any changes in same.

**ARTICLE II – Meetings**

- Section 1: A monthly meeting of this Association shall be held in the City of Sacramento at such time and place as determined by the Board of Directors.
- Section 2: Demands or request for a special meeting must be presented in writing to the President or Secretary-Treasurer of the Association
- Section 3: The President or Secretary-Treasurer, by writing or by telephone, may designate the time and place for said special meeting.

**ARTICLE III – Members**

- Section 1: Active member of the Sacramento Fire Department of the uniform rank, who have received a regular appointment under civil service rules and regulations as a uniform firefighters, shall be eligible for membership in this association; provided, however, no person shall be eligible for membership in this Association unless having made application for membership within 14 (fourteen) months of their appointment. In the case of new areas annexed to the City of Sacramento, those eligible employees may make application for membership of they pay all dues and assessments retroactive to their date of

appointment with the annexed department minus the one year grace period.

Section 2: Any member who is discharged or resigns from the Sacramento Fire Department ceases to be a member of this Association unless he shall have served not less than Twenty-One (21) years and shall have been a member in good standing for Twenty-One (21) years in the Association. In which event, upon resigning, such member shall be entitled to the same rights and benefits accorded retired members of the Sacramento Fire Department as outline in Section 11 of Article X.

Section 3: Except as provided in Section 2 of this Article III and in Section 11 of Article X, this Association shall not be liable for any benefits, save and excepting death benefits, to any member of this Association after he ceases to be a uniformed member of the Sacramento Fire Department.

#### **ARTICLE IV – Elective Officers**

Section 1: Elective officers of this Association shall be President, Vice President, Secretary-Treasurer, and five Trustees, all of whom shall be elected by the members as provided for in Article VI, Section 1, Constitution and By-Laws.

Section 2: Only uniformed members of the Sacramento Fire Department who are members in good standing in this Association shall be eligible to hold office in this Association.

Section 3: The Board of Directors may appoint one or more Advisory Directors who will be uniform firefighters either employed by or retired from the Sacramento Fire Department. Advisory Directors will attend meetings of the Board of Directors but will have no vote and may be excluded from any Executive Session of the Board. The position of each Advisory Director will be subject to annual review.

#### **ARTICLE V – Corporation**

Section 1: There shall be a corporate seal of this Association to be designated by the Board of Directors. The period of existence of the corporation shall be perpetual.

Section 2: The Association is governed by the laws of the State of California Department of Corporation.

#### **ARTICLE VI – Election**

Section 1: At the November meeting, the President of the Association shall declare nominations open for the election of officers for the coming year. The Secretary-Treasurer shall poll each fire station on each platoon for members who desire to be candidate and shall cause a roster to be placed in each station

for a period of at least fourteen (14) days prior to elections. A member desiring to be a candidate shall sign the roster provided for that purpose by the Association stating the office for which he desires to become a candidate. The roster will then be returned to the President or Secretary-Treasurer. Be it understood that nothing in the section shall be construed as denying any member the privilege of writing in their choice of candidate if said candidate's name does not appear on the ballot.

The Secretary-Treasurer shall designate a polling place for all members who are not in arrears to the Association.

There shall be a suitable ballot box furnished by the Association provided with lock and key or seal into which all members voting shall cast their ballots.

Each station shall be notified fourteen (14) days in advance of the date, place, and hours for casting ballots in any election or special vote. Such date, time, and hours shall be designated by the Board of Directors.

At the first regular meeting in December, the ballots shall be counted. The President shall appoint a committee to count all ballots and declare the results.

The candidate for each office receiving a majority of votes cast shall be declared elected. In the event of a tie, a run-off election shall be held, repeating the same fourteen (14) day notice.

Section 2:

Any vacancy occurring in the offices of the Association shall be filled in the following manner: The presiding officer at a regular meeting shall notify all members of such vacancy and inform them that said vacancy and inform them that said vacancy shall be filled by a majority vote of the Board of Directors at the next meeting. Officers so elected shall hold office for the unexpired term.

Section 3:

The regular term of office of all elective officers in this Association shall commence on the first meeting in January.

At the 1984 election, the members shall elect from the membership a President, Vice President, Secretary-Treasurer, and five Trustees. The terms of the officers and Trustees shall be as follows:

President-One (1) year Vice  
President-Two (2) years  
Secretary-Treasurer:-Three (3) years One  
Trustee-One (1) year  
Two Trustees-Two (2) years Two  
Trustees-Three (3) years

At the 1985 election and thereafter, the members shall elect a sufficient number of officers, including Trustees, to fill the positions that have become vacant. The terms of officers, including Trustees elected in 1985 and thereafter, shall be three (3) years.

Section 4: All directors must be current in all dues and assessments. Should any director become delinquent or absent himself from three (3) successive meetings, unless such absence is occasioned by department business, illness or unavoidable absence from the city, his office shall be declared vacant. Such vacancy shall be filled if in accordance with Article VI, Section 2. of the Constitution and By-Laws.

Section 5: Any officer, including Trustees, of this Association who vacates their office shall surrender all papers, records, documents, funds, and any other property of the Association to the President or their successor in office.

### **ARTICLE VII – Directors**

Section 1: The elective officers of this Association shall constitute the Board of Directors and shall transact such business as may regularly come before it.

Section 2: The President shall appoint from among the officers or members of this Association, in good standing, all committees.

Section 3: Subject to limitations of this Constitution and By-Laws and relating to action required to be approved by the members or by a majority of members, the Board of Directors shall have general supervision of the activities and affairs, including financial affairs of the Association; shall designate banks or other financial institutions in which to deposit funds and make necessary arrangements for drawing checks thereon; shall also bond all officers in suitable sum, procuring such bond from a reliable company at the expense of the Association. They shall also have supervision over all property of the Association and shall perform all duties which may be delegated to them

Section 4: A quorum at any meeting shall consist of seven (7) members of which three must be Directors; a majority of such quorum shall decide any question that may come before the meeting.

### **ARTICLE VIII – Duties of Officers**

Section 1: **PREIDENT:** He shall preside at all meetings when present, sign all orders draw on the Secretary-Treasurer, and call special meetings when necessary. He is also to perform all duties assigned to him by the Association.

Section 2: **VICE PRESIDENT:** He shall act as presiding officer and perform all other duties of President in the absence of such officer.

Section 3: SECRETARY-TREASURER: He shall keep a record of the minutes of all meetings, attend to all correspondence of the Association, countersign all drafts pertaining to the business of the Association and receive all fees and dues. He shall keep a true account of all moneys received and disbursed by him, subject at all times to inspection by the auditing committee.

Section 4: The TRUSTEES shall constitute an auditing committee who shall at all times have access to the books of the Association. They will avow the books to be properly kept and report immediately any irregularities found for which no satisfactory explanation can be given. They shall examine and audit the books of the Association in January and July of each year and report their findings at the first meeting after such audit. The Trustees may call for an audit or review upon the election of a new Secretary-Treasurer or at any other time deemed necessary by the Trustees, with at least a yearly review.

Section 5: ADVISORY DIRECTOR: Shall be an appointed position by the Board of Directors. He shall not have voting privileges but because of previous board experience shall act as an advisor to the Board.

#### **ARTICLE IX – Committees**

Section 1: If at any time it is deemed necessary, the President, at the request of two Trustees, shall appoint a committee consisting of two members of the Association in good standing to aid the Trustees in auditing the books of the Association.

Section 2: All Committee reports must be in writing unless otherwise instructed by the presiding officer.

Section 3: Any member of any standing committee or any officer in this Association who may become negligent in the performance of his duties or be found guilty of acts opposed to the warfare of the Association may be removed from office by a majority vote at a regular meeting. The vacated office shall be filled as provided for in Article VI, Section 2.

#### **ARTICLE X- Membership, Dues, and Benefits**

Section 1: All applications for membership in this Association or reinstatement therein shall be made on proper forms provided and signed nu the applicant who shall present same together with the necessary fees as provided for in these By-Laws to the Secretary-Treasurer. A vote shall be taken at the next meeting on each applicant.

Section 2: Each application shall be accompanied by an initiation fee of nine dollars (\$9.00) and the necessary dues as provided for in Article X, Section 4,

and Section 4-b. Money to be refunded if applicant is rejected.

Section 3: No member shall be entitled to receive benefits until they shall have been a member of this Association for six (6) months and have regularly paid all fees and dues recorded against them.

Section 4: The regular dues for all members of this Association shall be twenty-five dollars (\$25.00) per year due and payable to the Secretary-Treasurer who shall collect same as provided for in Section 4-b. The regular dues for members who were retired from the Sacramento Fire Department before July 1, 1956, shall be twelve dollar, (\$12.00), payable in the same manner as prescribed in Article X, Section 4-b.

Section 4-a: The regular dues for members who retired after July 1, 1956, and before July 1, 1975, shall be fifteen dollars (\$15.00) per year. The regular dues for members who retired after July 1, 1975, shall be nineteen dollars (\$19.00) per year, both payable in the same manner as prescribed in Article X, Section 4-b. Those, members who retire after July, 1992, shall pay dues consistent with that of the active members.

Section 4-b: Dues shall be paid to the Secretary-Treasurer in advance, annually, July 1st of each year.

Section 5: Any beneficiary member who is not in arrears on the books of the Association when unable to perform their regular line of duties or labor on account of sickness or disability and does not receive their salary from the City of Sacramento or from the retirement fund or from State compensation shall be entitled to benefits of fifty dollar (\$50.00) per week for a period not to exceed a total of twenty-two (22) weeks for any one sickness or injury, nor shall any member be entitled to draw more than one thousand one hundred dollars (\$1,100.00) in one calendar year. Benefit payments begin only after a member has been incapacitated for more than one week.

Should a member return to duty after leave on account of sickness or injury and have served thirty (30) days thereafter, then any recurrence of the illness or injury shall be construed as a new illness or injury.

Sick and injured members, before leaving the City for an indefinite period of time, shall notify the Secretary-Treasurer or President and leave their physician's certificate of the existing sickness. Failure to do so will be sufficient cause to disqualify a member from receiving any sick benefits

Section 5-a: No sick benefits shall be paid to any active member of this Association who has sick benefits remaining with the City of Sacramento

Section 6: All applications for benefits from members must be accompanied by certificates signed by their attending physician or physicians.

- Section 6-a: The first day of any illness or injury shall be established from the records of the Fire Department and shall be classed as on or off duty the same as these records and benefits and payments shall be paid accordingly.
- Section 7: Any member of this Association granted a leave of absence from the Fire Department shall not be entitled to sick or death benefits while on said leave of absence. In the event any leave of absence shall exceed the term of one year, said member shall have been considered as to have resigned from said department. Any member of the Fire Department having resigned from said department and having returned to work reinstated to former rating held by them, regardless of the length of absence, shall pay the same admission fee required of a new member.
- Section 7-a: Any member of this Association granted a leave of absence from the Fire Department for the purpose of enlistment or induction into any branch of the military service of the United States shall not be entitled to sick or death benefits during any part of such service. Be it further understood that during said service, their monthly dues shall be suspended until such time when they will again become an active member of the Sacramento Fire Department.
- It shall be incumbent upon any member of the Fire Department or retired member and all members on leave of absence (except those on military leave) to pay their regular monthly dues in order that their death benefit hereinafter mentioned shall remain in full force and effect.
- Section 8: Any member of this Association who shall willfully impose on the same by claiming and receiving benefits when not entitled thereto shall have charges filed against them and may be expelled from the Association by a majority vote of the members present. Members so expelled shall not again be admitted to membership.
- Section 9: Any member of this Association who may become sick or disabled by conduct unbecoming a member of this Association shall not be entitled to receive benefits from the Association.
- Section 10: Upon the death of any member of this Association, and upon supplying proof of death by the presentation of a death certificate, and it appearing from the books of said Association that said member is not in arrears in payment of dues, there shall be immediately paid by the Board of Directors to the beneficiary named in said certificate, or in case of the death of the beneficiary to the estate of the deceased of said deceased member the death benefit to which said member was entitled.
- Any member, upon attaining the age of seventy (70), shall have the option of no longer paying dues and being vested at the current death benefit {payable

upon death. This option will have to be opted upon by the member after their seventieth (70th) birthday.

In no event shall the entitled sum exceed three thousand dollars (\$3,000.00) and provide that at the time of such death the acquired funds of the Association shall equal or exceed the sum of three hundred thousand dollars (\$300,000.00). The death benefit shall be related directly to the financial stability of the Association. If investments of the Association increase to the sum of five hundred thousand dollars (\$500,000.00), the death benefits will be increase to three thousand five hundred dollars (\$3,500.00).

As the investments of the Association increase or decrease by one hundred thousand dollar (\$100,000.00) increments, so shall the death benefit increase or decrease by five hundred dollar (\$500.00) increments.

Should the funds of the Association at any time fall below the sum of three hundred thousand dollars (\$300,000.00), then the beneficiary or beneficiaries of any deceased member shall receive two thousand five hundred dollars (\$2,500.00). Said two thousand five hundred dollars (\$2,500.00) or three thousand dollars (\$3,000.00), as the case may be, shall be in full payment and satisfaction of all claims, and there shall be no further or future allowance for funeral expenses or otherwise.

In the event that said member shall die leaving no designated beneficiary or members of their immediate family, the Board of Directors shall pay any necessary funeral expenses and make all arrangements for the same. The amount paid by the Association for the above expenses shall not exceed the amount of the death benefit as provided in the preceding paragraphs.

Section 11:

Any member of this Association who, upon reaching the age of fifty-five (55) and having served at least twenty (20) years as a member of this Association, retires from the Sacramento Fire Department, may, at their option, surrender their membership certificate or, if the member was issued no certificate, the member may make a written request to the Association and receive the sum of seven hundred fifty dollars (\$750.00). In such event, said member, beneficiary, or legal representative therein named in said certificate shall at the time of surrender of said certificate or delivery of such written notice waive in writing any claim or claims against any fund of this Association. The member may elect to retain possession of his certificate in which event it shall be incumbent upon him to pay regular monthly dues and upon his death the beneficiary or legal representative shall be paid the full amount as prescribed in Article X, Section 10, of the Constitution and By-Laws.

Section 12:

If the deceased member leaves a child or children under the age of eighteen (18) years, there shall be paid the sum of one hundred fifty dollars (\$150.00) per month with a maximum benefit of three hundred dollars per family towards their support upon the presentation of a birth certificate for each

such child. Said amount shall be paid for each such minor child until such child attains age eighteen (18) years provided, however, if the child or children live with their surviving parent or step-parent and such parent or step-parent is remarried, the benefit for all such children shall cease, and provided further that if any such child marries, such benefit shall cease.

If a deceased member leaves a widow who through age or sickness unable to support herself, the Association may, but need not, allow benefits during such time as it deems necessary. Such benefits not to exceed fifty dollars (\$50.00) per month.

Section 12-a: All Children who are receiving benefits under section 12 of Article X shall be given a Christmas gift of fifty dollars (\$50) each.

Section 13: When any member in good standing shall lose their reason to the extent that they are not responsible for acts and are placed under the constant care of a guardian and does not receive or is not eligible to receive a pension from the City of Sacramento, upon proof thereof and application therefore, the Board of Directors may, but need not, at any time within a period of one (1) year after said member lost their reason declare a benefit from this fund equal in amount to that to which their beneficiaries would have been entitled had such member suffered death. The Payment of this benefit, as herein provided, shall constitute a final settlement of all claims for benefits which the legal representatives or beneficiaries may at any time have against this fund.

Section 14: All benefits will cease when all available funds are exhausted in which event the Association and its officers shall be relieved of all responsibility.

Section 15: The Secretary-Treasurer shall receive one hundred dollars (\$100.00) per month for expenses, and the President shall receive seventy-five dollars (\$75.00) per month for expenses. No other officers shall receive any salary, donations, or revenue in payment for services rendered.

Section 16: Each member shall be given a gold badge of the current rank upon retirement to be presented to him at the annual Retirement Dinner.

## **ARTICLE XI – Suspension, Expulsion, and Reinstatement**

Section 1: Any member who, having become delinquent in his dues for a period of sixty (60) days, shall be considered to have been suspended without any further action by the Board of Directors of the Association of all sick, death, funeral, or collective benefits of the Association

Section 2: Any member who, by reason of being delinquent sixty (60) days in payment of dues, having thereby suspended himself from all benefits, can, within six

(6) month of such delinquency be reinstated by paying such arrearage. He may be reinstated as a member of the Association at the next regular meeting of said Association provided, however, he shall not participate as a beneficiary member until sixty (60) days after his reinstatement.

Section 2-a: This Association may reserve the right at any time to appoint an examining physician for the examination of any member seeking reinstatement or readmission into this Association at the member's expense.

Section 3: Any member who has been dropped from the membership list may be reinstated within a period of one (1) year by the payment of his indebtedness to the Association accompanied by a favorable certificate of examination by an authorized physician and by a two-thirds vote of the members present; provided, however, he shall not participate as a beneficiary member until six (6) months after his reinstatement.

Section 4: Any member who is laid off by the Sacramento Fire Department shall become an inactive member of the Association. All dues and benefits will be suspended from the date of layoff. Laid-off members will have sixty (60) days from the date of rehire be reinstated. All benefits and dues will start on the date of reinstatement.

## **ARTICLE XII – Funds**

Section 1: There shall be only one fund called The Sacramento Fire Department Relief Association Fund, and all moneys derived from dues, donations, fund raising campaigns, interest and bonds shall be deposited in the name of said fund, and all bill, sick claims, and death benefits shall be paid out of said fund.

Section 2: Not more than twenty-five percent (25%) of the Association's assets shall be in United States Government Bonds. Not more than fifty per cent (50%) shall be in stock and bonds of the City of Sacramento or the State of California, or stocks, bonds, or other forms of securities listed on the New York Stock Exchange with a maximum of twenty thousand dollars (\$20,000.00) new investments in each calendar year. All other moneys shall be placed in reputable banks, savings and loans, or credit unions in the City of Sacramento.

Section 2-a: The Directors are authorized to establish and maintain cash accounts with any of the local brokerage firms for the purpose of buying, selling, or transferring stocks, bond , or other forms of securities. Signatures of at least two (2) of the Directors shall be required to transact any of the business authorized in this section. The President shall at the first meeting in January appoint two (2) Directors for this purpose.

The Directors are hereby empowered to invest twenty thousand dollars (\$20,000.00) in new monies in each calendar year in stocks, investment trusts,

or mutual funds that are listed on the New York Stock Exchange.

The Association shall keep all stocks, bonds, and valuable documents in a safety deposit box at any of the local banks or savings and loans. Any two (2) of the following officers shall have access to the safety deposit box: President, Vice Persistent, or Secretary-Treasurer.

Section 3: Directors of this Association shall not in any manner be held responsible for any loss of money or property deposited by them as Directors of the Association in any bank or other place of safe-keeping due to the failure of said bank or saving and loan; provided, however, fraud criminal intent, or negligence is not present. All loan officers and Board of Director shall be bonded.

Section 4: The Relief Association Fund shall be used for the payment of such benefits as are provided for by this Constitution and By-Laws and for actual expenses of the Association.

A floral piece shall be sent to the funeral of deceased members.

Section 5: Any member of this Association, upon being retired from the Fire Department, shall be presented with a suitable badge by members of the Association with their name, length of service, and rank held by them, and any other words that may be deemed appropriate incorporated thereon. This, also, shall be deemed an expense of the Association to be paid out of the funds of the Association.

Section 6: Each year, at a date set by the Directors of this Association, there shall be a banquet held to honor members of this Association who have retired from active duty during the past year, provided that at least four (4) members shall have retire.

Section 7: The Directors of the Association may, by a majority vote, present a plaque or award to any member for outstanding service to the Association.

Section 8: The Secretary-Treasurer shall establish and maintain a petty cash fund not to exceed two hundred dollars (\$200.00). Such funds shall be used for miscellaneous expenses. Payment from such fund shall not exceed fifty dollars (\$50.00) for any given expense except by order of the Board of Directors.

### **ARTICLE XIII – Miscellaneous**

Section 1: Public entertainments may be given under the name and auspices of the Association should the Association deem it advisable, and the proceeds thereof shall be added to the funds of the Association.

- Section 2: Every public act of this Association shall be known by the seal of the Association and the signature of the President and Secretary-Treasurer.
- Section 3: No part of the Constitution and By-Laws can be amended or dispensed with unless a proposition to that effect shall have been made in writing at least one (1) month previous to any act being taken thereon, after which a two-thirds vote of all votes- cast by members present will be required to pass the same.
- Section 4: Any and all resolutions and amendments that appear on the record of this Association prior to the adoption of these By-Laws shall be null and void. These By-Laws to be in full operation immediately upon approval and return from the members.
- Section 5: Full and up-to-date copies of these By-Laws shall be kept by all officers of the Association, and a complete and up-to-date copy shall be place in each fire station of the Sacramento Fire Department. These By-Laws shall be updated annually by a committee appointed by the President of the Association each January.
- Section 6: Any amendments made to these By-Laws at any time hereafter shall be printed and sent to each Fire Station to be placed on their copy of these By-Laws.
- Section 7: Any member, under the direction of the President of the Association, who, within the performance of any duty or service for the benefit of the Association unavoidably loses time or pay, shall be reimbursed by the Association upon presenting his claim.

## **RULES OF ORDER**

1. Robert's Rule shall govern.
2. Copies of Roberts Rule of Order shall be furnished by the Association to the President, Vice-Present, and the Secretary-Treasurer. One copy shall be present at all meetings of the Association.

## **ORDER OF BUSINESS**

1. Roll call of officers.
2. Reading of the minutes.
3. Receipts and disbursements.
4. Receiving applications and balloting for new members.
5. Report if Investigation and Relief Committee.
6. Report of special committees.
7. Unfurnished business.
8. New Business.
9. Good of the Association.
10. Adjournment.