

BY-LAWS OF THE MONTGOMERY COUNTY
FIRE AND RESCUE COMMISSION
(Effective January 1, 2005)

ARTICLE I. MEMBERSHIP

Section 1. Membership of the Commission consists of seven commissioners, as specified in Section 21-2 of the County Code.

Section 2. Terms of members appointed are set forth in Section 21-2 of the County Code.

Section 3. A vacancy occurring among appointed Commissioners is filled in accordance with Section 21-2 of the County Code.

ARTICLE II. OFFICERS AND DUTIES

Section 1. The officers of the Fire and Rescue Commission are the chair and the vice-chair.

Section 2. The chair presides at meetings of the Fire and Rescue Commission and performs those duties prescribed by the laws of Montgomery County. The chair has the power to sign and execute all authorized documents on behalf of the Fire and Rescue Commission.

Section 3. During the absence of the chair, the vice-chair is vested with the powers and performs the duties of the chair.

Section 4. The chair will certify the minutes of duly established meetings of the Commission, as approved by a majority vote of the commissioners.

ARTICLE III. ELECTIONS

Section 1. In accordance with Section 21-2 of the County Code, the Commission will elect a chair and a vice-chair from among its public members at the first meeting in January of each year, unless the Commission designates a different date.

Section 2. If the position of chair or vice-chair becomes vacant, it will be filled at the next regular meeting of the Fire and Rescue Commission occurring at least 30 days after the position becomes vacant.

Section 3. The election for a chair or a vice-chair will be conducted by open ballot, unless otherwise provided by a majority vote of the Commission.

Section 4. To be elected, a candidate for chair or vice-chair must receive a majority of the vote cast. A run-off election will be held if none of the nominees receives a majority of the votes cast on the first ballot. With this lack of majority, the two

nominees receiving the most votes are then considered as candidates for chair or vice-chair. The election between these two nominees for the chair and the vice-chair positions will then be resolved by additional ballot.

Section 5. The term of office for both chair and vice-chair of the Fire and Rescue Commission is one year, or until such later time as a successor is elected for either position.

ARTICLE IV. COMMITTEES

The chair will appoint any standing committees, special committees, and work groups required to carry out the objectives of the Fire and Rescue Commission.

ARTICLE V. MEETINGS

Section 1. Regular meetings of the Fire and Rescue Commission are held on the second Thursday of each month, unless otherwise scheduled by the chair, with prior notice. Regular meetings take place at a location announced by the chair.

Section 2. From time to time, it may be necessary for the chair to call for and schedule special meetings of the Commission. A majority vote of the commissioners may also request a special meeting, after proper notification to each commissioner, which must include a written notice of the specific time and place and proposed agenda for the meeting.

ARTICLE VI. QUORUM

A majority of the members of the Fire and Rescue Commission at a meeting duly assembled is necessary to constitute a quorum for the transaction of business.

ARTICLE VII. VOTING

Section 1. Each commissioner, including both the chair and the vice-chair, is entitled to one vote.

Section 2. All questions before the Fire and Rescue Commission are decided by simple majority of those members present and voting, except as otherwise provided by law. If a tie-vote is cast, the question is considered to have failed.

ARTICLE VIII. MEETING AGENDA

Section 1. The chair of the Commission establishes the agenda for each meeting, as well as its order and form. The Commission may amend the agenda by a majority vote of the commissioners.

Section 2. Executive sessions of the Commission may be called in accordance with the State of Maryland Open Meetings Act, if applicable.

ARTICLE IX. RULES OF ORDER

Unless inconsistent with these by-laws or the laws of Montgomery County, the current edition of Roberts Rules of Order will guide procedure in all cases in which they are applicable.

ARTICLE X. ADOPTION OF BY-LAWS

Section 1. These by-laws become effective when adopted by an affirmative vote of four commissioners at a regular or duly called meeting of the Fire and Rescue Commission.

Section 2. The laws of Montgomery County and the State of Maryland take precedence over any conflicting provisions of these by-laws.

ARTICLE XI. AMENDMENTS TO BY-LAWS

Section 1. A resolution to amend any or all of these by-laws may be presented in writing by any commissioner to the Fire and Rescue Commission at a regular meeting of the Fire and Rescue Commission. The proposed amendment will lie on the table until the next meeting, when it will automatically be removed from the table and be considered during the next meeting.

Section 2. An affirmative vote of four commissioners is required to amend the by-laws.

Adopted by the Fire and Rescue Commission on October 8, 1987

Amended August 8, 2002

Amended January 13, 2005