



**BYLAWS  
OF THE  
WINDSOR-SEVERANCE FIRE PROTECTION DISTRICT**

**Adopted August 10, 2023**

## WINDSOR-SEVERANCE FIRE PROTECTION DISTRICT BYLAWS

Section 1. **Authority.** The Windsor-Severance Fire Protection District ("District") is a governmental subdivision of the State of Colorado and a body corporate with those powers of a public or quasi municipal corporation which are specifically authorized by, and in compliance with, Section 32-1-101 et seq., C.R.S. The District was created by court order of Weld County District Court (case number 1950 CV 11685) and is located in the Counties of Weld and Larimer.

Section 2. **Purpose.** It is hereby declared that the Bylaws hereinafter set forth will serve a public purpose.

Section 3. **Policies of the Board.** It shall be the policy of the Board of Directors ("Board") of the District, consistent with the availability of revenues, personnel and equipment, to use its best efforts to provide the quality services as authorized under the District Statement of Purpose or by law.

Section 4. **Board of Directors.** All powers, privileges and duties vested in, or imposed upon, the District by law shall be exercised and performed by and through the Board, whether set for the specifically or impliedly in these Bylaws. The Board may delegate to officers, volunteers, employees, or personnel of the District any or all administrative and ministerial powers, as it so chooses.

Without restricting the general powers conferred by these Bylaws, it is hereby expressly declared that the Board shall have the following powers and duties:

- a. To confer upon any appointed officer or employee of the District the power to choose, remove or suspend employees, volunteers, personnel or agents upon such terms and conditions as may seem fair and just and in the best interests of the District. At the time of the adoption of these Bylaws, the Board has designated all management of District personnel to the Fire Chief. The Board will continue to supervise and hold employment authority for the Fire Chief.
- b. To determine and designate, except as otherwise provided by law or these Bylaws, who shall be authorized to make purchases, negotiate leases for office space, and sign receipts, endorsements, checks, releases and other documents. The Board may, on a limited basis and by resolution, give the Fire Chief or other appointed signatory the power to sign contracts and other official documents on behalf of District.
- c. To create standing or special committees and to delegate



such power and authority thereto as the Board deems necessary and proper for the performance of such committee's functions and obligations.

- d. To prepare or cause to be prepared financial reports, other than the statutory audit, covering each year's fiscal activities; and such reports shall be available for inspection by the public, as requested.

Section 5. **Office.**

- a. **Business Office.** The principal business office of District shall be at 100 N. 7th St. Windsor, Colorado, until otherwise designated by the Board.
- b. **Establishing Other Offices and Relocation.** The Board, by resolution, may from time to time, designate, locate, and relocate its executive and business office and such other offices as, in its judgment, are necessary to conduct the business of the District.

Section 6. **Meetings.**

- a. **Regular Meetings.** Regular meetings of the Board shall be conducted on the second Thursday of each month at 6:00 p.m. and held at the Business Office, unless otherwise noticed and posted. The Board may hold fully remote meetings where no physical location is used upon proper notice to the public.
- b. **Meeting Public.** All meetings of the Board, other than executive sessions, shall be open to the public.
- c. **Notice of Meetings.** Section 6(a) shall constitute formal notice of regular meetings to Board members, and no other notice shall be required to be given to the Board, other than the permanent posting. Written waivers of notice by Board members are not necessary. Notice of all regular meetings shall be provided to the public at least twenty-four (24) hours in advance, in accordance with the Colorado Open Meetings Law, Section 24-6-402, C.R.S. The Notice for any meeting that will have an electronic option for attendance shall include the necessary information for members of the public to connect to the electronic platform to attend the meeting remotely.
- d. **Special Meetings.** Special meetings of the Board may be called by any one member of the Board upon twenty-four (24)

hours written notice, which shall be posted in accordance with the Colorado Open Meetings Law, Section 24-6-402, C.R.S.

- e. **No Informal Action by Directors.** All official business of the Board shall be conducted at regular or special meetings properly noticed and open to the public.
- f. **Executive Sessions.** By a two-thirds (2/3) majority vote, the Board may enter an executive session in strict compliance with the provisions of Section 24-6-402(4), C.R.S. All executive sessions must be electronically recorded, with the exception of executive sessions called for the purposes of receiving legal advice when the attorney provides a written certification in lieu of the electronic recording.
- g. **Adjournment and Continuance of Meetings.** When a regular or special meeting is for any reason continued to another time and place, notice need not be given of the continued meeting if the time and place of such meeting are announced at the meeting at which the continuance is taken, except as required by law. At the continued meeting, any business may be transacted which could have been transacted at the original meetings.
- h. **Emergency Meetings.** Notwithstanding any other provisions in this Section 6, emergency meetings may be called by the President or any two (2) Board members in the event of an emergency that requires the immediate action of the Board in order to protect the public health, safety and welfare of the property owners and electors of the District, without notice if notice is not practicable. If possible, notice of such emergency meetings may be given to the Board by telephone or whatever other means are reasonable to meet the circumstances of the emergency. At such emergency meeting, any action within the power of the Board that is necessary for the immediate protection of the public health, safety and welfare may be taken; provided, however, that any action taken at an emergency meeting shall be effective only until the first to occur of (a) the next regular meeting, or (b) the next special meeting of the Board at which the emergency issue is on the public notice of the meeting. At such subsequent meeting, the Board may ratify any emergency action taken. If an emergency action taken is not ratified, then it shall be deemed rescinded as of the date of such subsequent meeting.

Section 7. **Conduct of Business.**

- a. **Quorum.** All official businesses of the Board shall be



transacted at the regular or special meetings at which a quorum (majority) of the Directors shall be present, except as provided in Section 7(b) and Section 8(c). Upon advance notice to the Board President, Board members may participate in any meeting by telephone or web-based conference call, provided that such member must be able to hear all discussion and public comment, if any, on any issue as a condition of voting on such issue. For purposes of determining a quorum, a Director is deemed present if attending a meeting by electronic means in accordance with the requirements of this provision.

- b. **Vote Requirements.** Any action of the Board shall require the affirmative vote of a majority of the Directors present and voting. When special or emergency circumstances affecting the affairs of the District and the health and safety of District residents so dictate, then those Directors available at the time may undertake whatever action is considered necessary and may so instruct the District's employees, volunteers, or personnel. Such actions shall later be ratified by the Board at the next scheduled meeting of the Board.

- c. **Electronic Signatures.** In the event the signature(s) of one or more members of the Board or appointed signatories are required to execute a written document, contract, note, bond, deed, and/or other official papers of the District, and the appropriate individual(s) is unable to be physically present to sign said documentation, such individual or individuals are authorized to execute the documentation electronically via facsimile or e-mail signature, unless said documentation provides otherwise. Any electronic signature so affixed to a document shall carry the full legal force and effect of any original, handwritten signature. Except as approved herein, this provision of these Bylaws shall not be interpreted as establishing District's consent or authorization to bind District to any transaction by the use of electronic records or electronic means. This provision is made pursuant to Article 71.3 of Title 24, C.R.S., also known as the Uniform Electronic Transactions Act.

- d. **Order of Business.** The business of all regular meetings of the Board shall be transacted, as far as practicable, in the following order:

- I. Call to Order
- II. Roll call
- III. Approval of the Agenda
- IV. Regular Board Meeting

- a) Public Forum
- b) Consent Agenda
  - i. Approval of the Minutes of the previous meeting
  - ii. Any other items on the consent agenda
- c) Financial Report and Approvals;
- d) Organizational Updates
  - i. Board of Directors Report
  - ii. Staff or Consultant Reports
  - iii. Any other organizational update
- e) Staff Items
- f) Executive Session as needed
- V. Adjournment

e. **Motions and Resolutions.** Each and every action of the Board necessary for the governance and management of the affairs of District, for the execution of the powers vested in District, and for carrying into effect the provisions of Article 1 of Title 32, C.R.S., shall be taken by the passage of motions or resolutions.

f. **Minutes of Meetings.** Within a reasonable time after passage, all resolutions, motions and minutes of Board meetings shall be recorded in a visual text format that may be transmitted electronically and shall be attested by the Recording Secretary. Minutes of regular sessions shall be available for public review as soon as practicable following acceptance of the minutes by adoption of a motion therefore by the Board. Executive sessions shall be electronically recorded on audio tape or other electronic media, and such electronically recording or reproduction of the same shall be kept separate from minutes of regular sessions and shall not be open to the public except as required by law.

Section 8. **Directors, Officers and Personnel.**

- a. **Director Qualification and Terms.** Directors shall be electors of the District. The term of each Director and time of elections shall be determined by relevant statutory provisions, and all elections conducted in the manner prescribed by Articles 1 through 13.5, Title 1, C.R.S. and all laws supplemental and amendatory thereof.
- b. **Faithful Performance Bonds.** Each Director shall furnish, at the expense of the District, an individual, schedule or blanket surety bond in the sum of not less than \$1,000 each,

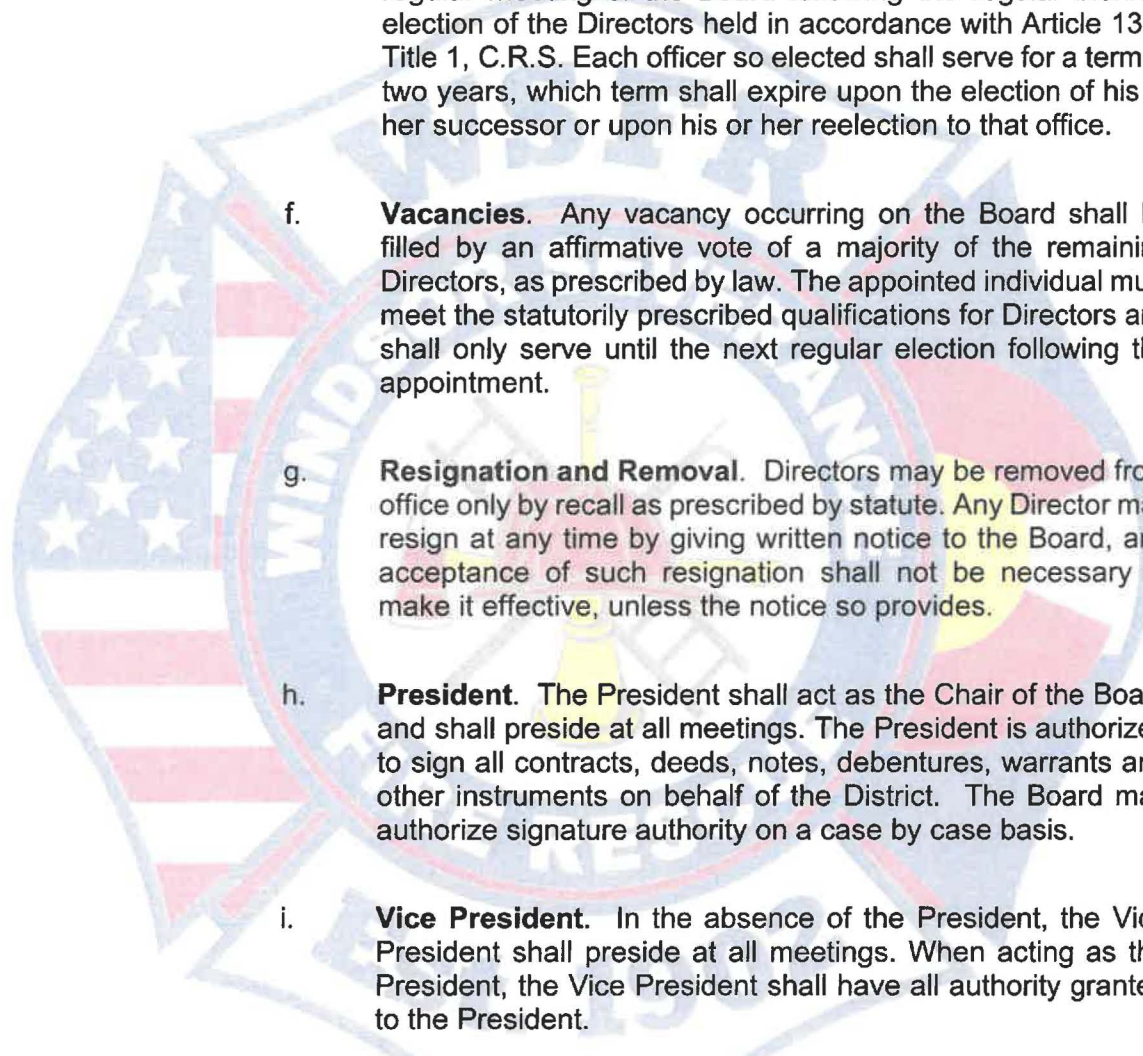


conditioned on the faithful performance of the duties of his/her office. In addition, the Treasurer shall furnish, at the expense of the District, a corporate fidelity bond in a sum of not less than \$5,000, conditioned on the faithful performance of the duties of his/her office. The bonding requirement may be fulfilled through a blanket insurance policy issued to cover the faithful performance of the Board members.

- c. **Director's Performance of Duties.** A Director of the District shall perform all duties of a Director, including duties as a member of any committee of the Board upon which the Director may serve, in good faith, in a manner which the Director reasonably believes to be in the best interest of District, and with such care as an ordinarily prudent person in a like position would use under similar circumstances. In performing the Director's duties, the Director shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by persons and groups listed in subparagraphs 1, 2 and 3 of this subsection c. The director shall not be considered to be acting in good faith if he has knowledge concerning the matter in question that would cause such reliance to be unwarranted. A person who so performs the Director's duties shall not have any liability by reason of being or having been a Director of the District. These programs and groups upon whose information, opinions, reports, and statements a Director is entitled to rely are:

1. One or more officers, personnel, volunteers or employees of the District whom the Director reasonably believes to be reliable and competent in the matters presented;
2. Counsel, public accountants, professional consultants, or other persons as to matters which the Director reasonably believes to be within such persons' professional knowledge or expertise; and
3. A committee of the Board upon which the Director does not serve, duly designated in accordance with the provisions of the Bylaws, as to matters within its designated authority, which committee the Director reasonably believes to merit confidence.

- d. **Oath of Office.** Each member of the Board, before assuming the responsibilities of his office, shall take and subscribe an oath of office in the form prescribed by law within thirty (30) days of being elected or appointed.

- 
- e. **Election of Officers.** The Board of Directors shall elect from its membership a President, Vice President, Secretary, and Treasurer who shall be the officers of the Board of Directors and of the District. A single Director may serve as both the Secretary and Treasurer at the discretion of the Board. The officers shall be elected by a majority of the Directors voting at such election. The Board may, from time to time appoint an acting officer in the absence of any individual officer. The election of the officers shall be conducted biennially at the first regular meeting of the Board following the regular biennial election of the Directors held in accordance with Article 13.5, Title 1, C.R.S. Each officer so elected shall serve for a term of two years, which term shall expire upon the election of his or her successor or upon his or her reelection to that office.
- f. **Vacancies.** Any vacancy occurring on the Board shall be filled by an affirmative vote of a majority of the remaining Directors, as prescribed by law. The appointed individual must meet the statutorily prescribed qualifications for Directors and shall only serve until the next regular election following the appointment.
- g. **Resignation and Removal.** Directors may be removed from office only by recall as prescribed by statute. Any Director may resign at any time by giving written notice to the Board, and acceptance of such resignation shall not be necessary to make it effective, unless the notice so provides.
- h. **President.** The President shall act as the Chair of the Board and shall preside at all meetings. The President is authorized to sign all contracts, deeds, notes, debentures, warrants and other instruments on behalf of the District. The Board may authorize signature authority on a case by case basis.
- i. **Vice President.** In the absence of the President, the Vice President shall preside at all meetings. When acting as the President, the Vice President shall have all authority granted to the President.
- j. **Secretary.** The Secretary shall be responsible for the records of the District; may act as Secretary at meetings of the Board and record all votes; shall be responsible for composing a record of the proceedings of the Board consistent with Section 7(f) of these Bylaws, which shall be an official record of the Board; and shall perform all duties incident to that office. The Secretary shall be the custodian of the seal of District. The Secretary shall have the authority to affix such seal to and attest all contracts and instruments authorized to be executed by the Board.



k. **Treasurer.** The Treasurer shall be authorized to invest or cause to be invested all surplus funds or other available funds of the District in permitted investments authorized by law or as specified by the Board. The Treasurer shall keep or cause to be kept strict and accurate accounts of all money received by and disbursed for and on behalf of District in accordance with adopted record retention schedules and applicable law.

l. **Recording Secretary.** The Board shall have the authority to appoint a recording secretary who need not be a member of the Board of Directors, and who shall be responsible for recording all votes and composing a record of the proceedings of the Board in the minute book kept for that purpose, which shall be the official record of the Board. The recording secretary shall not be required to take an oath of office, nor shall the recording secretary be required to post a performance bond.

m. **Additional Duties.** The officers of the Board shall perform such other duties and functions as may from time to time be required by the Board, by the Bylaws or rules and regulations of District, by law, or by special exigencies, which shall later be ratified by the Board.

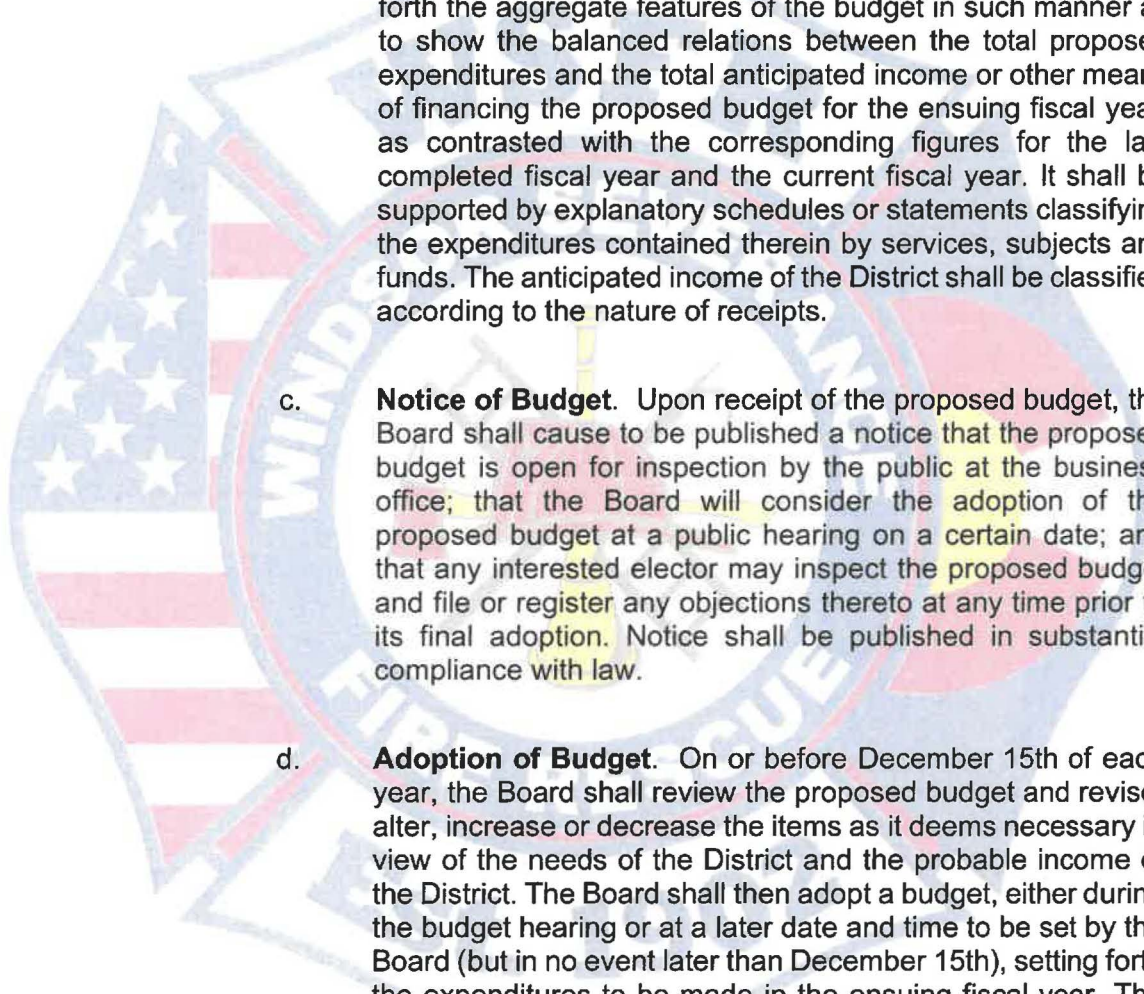
n. **Fire Chief.** The Board shall appoint a Fire Chief to serve for such term and upon such conditions, including compensation (if any), as the Board may establish. Such Fire Chief shall have general supervision over the administration of the affairs, employees and business of the District and shall be charged with the hiring and discharging of employees and the management of District properties.

1. The Fire Chief shall have all the authority and responsibility vested in the position by Section 32-1-1002(3), C.R.S.

2. The Fire Chief shall report monthly to the Board on the administration and operations of the District.

o. **Consultant Selection.** The selection of consultants and independent contractors of the District by the Board will be based upon the relative qualifications and capabilities of the applicants and shall not be based on political services or affiliations. Contracts for professional services may be entered into on such terms and conditions as may seem reasonable and proper to the Board.

Section 9. **Financial Administration.**

- 
- a. **Fiscal Year.** The fiscal year of the District shall commence on January 1 of each year and end on December 31.
  - b. **Budget.** On or before October 15th of each year, a proposed budget for the ensuing fiscal year shall be submitted to the Board. Such proposed budget shall be accompanied by a statement which shall describe the important features of the budget plan and by a general summary wherein shall be set forth the aggregate features of the budget in such manner as to show the balanced relations between the total proposed expenditures and the total anticipated income or other means of financing the proposed budget for the ensuing fiscal year, as contrasted with the corresponding figures for the last completed fiscal year and the current fiscal year. It shall be supported by explanatory schedules or statements classifying the expenditures contained therein by services, subjects and funds. The anticipated income of the District shall be classified according to the nature of receipts.
  - c. **Notice of Budget.** Upon receipt of the proposed budget, the Board shall cause to be published a notice that the proposed budget is open for inspection by the public at the business office; that the Board will consider the adoption of the proposed budget at a public hearing on a certain date; and that any interested elector may inspect the proposed budget and file or register any objections thereto at any time prior to its final adoption. Notice shall be published in substantial compliance with law.
  - d. **Adoption of Budget.** On or before December 15th of each year, the Board shall review the proposed budget and revise, alter, increase or decrease the items as it deems necessary in view of the needs of the District and the probable income of the District. The Board shall then adopt a budget, either during the budget hearing or at a later date and time to be set by the Board (but in no event later than December 15th), setting forth the expenditures to be made in the ensuing fiscal year. The Board shall provide for sufficient revenues to finance budgeted expenditures with special consideration given to the proposed ad valorem property tax levy.
  - e. **Appropriating Resolution.**
    - 1. At the time of adoption of the budget, the Board shall enact a resolution making appropriations for the ensuing fiscal year. The amounts appropriated



thereunder shall not exceed the amounts fixed therefore in the adopted budget. The appropriated amount shall be the maximum amount of funds permitted to be expended in the applicable fiscal year, unless a budget amendment is authorized pursuant to the Local Government Budget Law, Section 29-1-101, et seq., C.R.S.

2. The income of the District, as estimated in the budget and as provided for in the tax levy resolution and other revenue and borrowing resolutions, shall be allocated in the amounts and according to the funds specified in the budget for the purpose of meeting the expenditures authorized by the appropriation resolution.

3. The Board may make an appropriation to and for a contingent fund to be used in cases of emergency or other unforeseen circumstances.

- f. **Levy and Collection of Taxes.** On or before December 15th of each year, the Board shall certify to the Board of County Commissioners of the County or Counties in which the District is located the mill levy established for the ensuing fiscal year, in order that, at the time and in the manner required by law for the levying of taxes, such Commissioners shall levy such tax upon the assessed valuation of all taxable property within District.

- g. **Filing of Budget.** On or before January 30th of each year, the Board shall cause a certified copy of such budget to be filed with the Division of Local Government in the Colorado Department of Local Affairs.

- h. **No Contract to Exceed Appropriation.** The Board shall have no authority to enter into any contract, or otherwise bind or obligate the District to any liability for payment of money for any purposes, for which provision is not made in the appropriation resolution, including any legally authorized amendment thereto, in excess of the amounts of such appropriation for that fiscal year. Any contract, verbal or written, contrary to the terms of this Section shall be void ab initio, and no District funds shall be expended in payment of such contracts, except as permitted by Sections 9(i) and 9(j) below.

- i. **Contingencies.**

1. In cases of emergency caused by a natural disaster,

public enemy, or other contingency which could not reasonably have been foreseen at the time of the adoption of the budget, the Board may authorize the expenditure of funds in excess of the appropriation by resolution duly adopted by a two-thirds (2/3) vote of the Board. Such resolution shall set forth in full the facts concerning the emergency and shall be included in the minutes of such meeting.

2. If so enacted, a copy of the resolution authorizing additional expenditures shall be filed with the Division of Local Government in the Colorado Department of Local Affairs and shall be published in compliance with statutory requirements.

j. **Payment of Contingencies.**

1. If there is unexpected or uncommitted money in funds other than those to which the emergency relates, the Board shall transfer such available money to the fund from which the emergency expenditure is to be paid.
2. To the extent that transferable funds are insufficient to meet the emergency appropriation, the Board may borrow money through (a) the issuance of tax anticipation warrants, to the extent that the mill levy authority of the District is available as provided by law, or (b) the issuance of bond anticipation notes payable from future bond proceeds or operating revenue, or (c) any other lawful and approved method.

k. **Annual Audit.**

1. The Board shall cause an annual audit to be made at the end of each fiscal year of all financial affairs of the District through December 31st of such fiscal year. In all events, the audit report must be submitted to the Board within six months of the close of such fiscal year. Such audit shall be conducted in accordance with generally accepted auditing standards by a registered or certified public accountant, who has not maintained the books, records and accounts of District during the fiscal year. The auditor shall prepare, and certify as to its accuracy, an audit report, including a financial statement and balance sheet based on such audit, an unqualified opinion or qualified opinion with explanations, and a full disclosure of any violation of Colorado law pursuant to statutory requirements.



2. A copy of the audit report shall be maintained by the District as a public record for public inspection at all reasonable times.
3. A copy of the audit report shall be forwarded to the State Auditor or other appropriate State official pursuant to statutory requirements.

- I. **Spending Authority.** The Fire Chief is authorized to approve and spend budgeted expenses as identified in Purchasing and Purchase Order System Policy FIN1331. Budgeted expenditures in excess of the limits established in the Purchasing and Purchase Order System FIN1331 Policy shall be specifically approved by the Board.

Section 10. **Corporate Seal.** The seal of the District shall be a circle containing the name of the District and shall be used on all documents and in such manner as seals generally are used by public and private corporations. The Secretary shall keep, or cause to be kept, the seal and shall be responsible for its safe keeping and care.

Section 11. **Disclosure of Conflict of Interest.** A potential conflict of interest of any Director shall be disclosed in accordance with State law, particularly Article 18 of Title 24, C.R.S., and Sections 32-1-902(3) and 18-8-308, C.R.S.

- a. **Compensation.** If the Board consents to and budgets for board compensation, each Director may receive the statutorily approved stipend per meeting attended up to the statutory maximum per year. Directors shall not receive any other compensation as an employee of the District except as may be provided by state statute. Reimbursement of actual expenses incurred as part of a Board members duties is not considered compensation.
- b. **Disclosure of Gifts, Property, Etc.** Any Director receiving any money or loan, or any gift or property, or any payment for a speech, appearance, or publication, or any tickets to a sporting, recreational, educational, or cultural event, or the payment or reimbursement for actual and necessary expenses for travel/lodging other than from the District, shall report such money, loan, gift, or reimbursement in accordance with the provisions of the Public Official Disclosure Act, Sec. 24-6-203, C.R.S.

Section 12. **Board Members as Employees.** No Board member shall be employed by or volunteer with the District.

Section 13. **Indemnification of Directors and Employees.** The District shall defend, hold harmless and indemnify any Director, officer, agent, volunteer, or employee, whether elective or appointive, against any tort or liability, claim or demand, without limitation arising out of any alleged act or omission occurring during the performance of official duty, as more fully defined by law or by an indemnification resolution. The provisions of this Section shall be supplemental and subject to and, to the extent of any inconsistency therewith, shall be modified by the provisions of the Colorado Governmental Immunity Act, 24-10-101, et seq., C.R.S.

Section 14. **Bidding and Contracting Procedures.** Except in cases in which the District will receive aid from a government agency, a notice shall be published for bids on all construction contracts for work or material, or both, involving an expense of \$120,000 or more of District funds (Section 32-1-1001(1)(d)(I), C.R.S.). The Board may reject any and all bids, and if it appears that the District can perform the work or secure material for less than the lowest bid, it may proceed to do so in accordance with law.

a. A Notice or Invitation to Bid shall be prepared and published in accordance with statutory directive.

b. The Board retains the right, at its sole discretion, to reject any or all proposals, to determine the proposal and subcontractors that will serve the best interests of the District, and to determine the proposal and sub-contractor that are most responsible to perform the work.

1. Bids may, at the Board's discretion, be accompanied by an acceptable bidder's bond, or a certified check payable to District, in an amount equal to 5% of the bid. If, within the time designated in the Notice of Award, the contract is not executed and, if required, a Payment and Performance Bond and Certificates of Insurance are not provided, District shall keep the bid bond as liquidated damages, and assess such other damages as District may determine.

2. A Payment and Performance Bond shall be required for contracts over \$50,000 and are discretionary with the Board under that amount.

3. For all contracts over \$150,000, five (5) percent of all pay estimates shall be withheld during the construction until the work has been fully performed.

c. As an alternative to hiring an architect or engineer to design a project, if the Board makes a determination that an integrated



projected delivery ("IDP") contract would represent a timely or cost-effective alternative for a public project, the Board may:

1. Pre-qualify contracting entities by publishing a notice of a "request for qualifications" (RFQ) that may include: a description of project; general budget considerations; specific criteria; evidence of competency/experience and capabilities, evidence of all required registrations/credentials to provide the services; and the criteria for prequalification. If an RFQ is published, then the Board must select and prepare a short list of entities that it considers to be most qualified.
2. A request for proposals (RFP) shall then be sent to those on the short list, or, if no RFQ has been done, then the RFP shall be published/advertised. The RFP may contain: procedures to be followed for submitting proposals; criteria for evaluation of proposals; procedures for making the award; required performance standards; description of the drawings, specs, or other submittals to be provided; relevant budget considerations; proposed schedule; and the stipend, if any, that will be paid to those on the short list who are not selected if an RFQ is utilized.
3. Prequalification is not required, but if an RFQ is published, then the Board must select and prepare a short list of entities that it considers to be most qualified. The Board may then select the proposal that is in the best interests of the District.
4. Other than the public bid requirement (which the IDP replaces if utilized), all other construction laws are applicable to a district construction project (e.g., performance bonds, notice of final settlement, etc.).

Section 15. **Sexual Harassment Policy.** The District's Sexual Harassment Policy shall be in compliance with county, state, and federal law, and shall apply to all members of the District including Directors.

Section 16. **Non-Discrimination Policy.** The District prohibits harassment against anyone (including any volunteer member, employee, personnel, patient, citizen, or Director) based on the individual's race, color, gender, national origin, religion, disability, age, marital status, military service or veteran status, or based on those aspects of an individual's relatives, friends, or associates. Harassment means verbal or physical conduct that insults or shows hostility or aversion

toward an individual and may include, but not be limited to

- a. epithets or slurs,
- b. negative stereotyping,
- c. threats, intimidation, or hostile acts,
- d. demeaning or hostile jokes or pranks, and
- e. insulting or hostile written or graphic material posted or circulated in the workplace.

Section 17. **Violence and Threat of Violence.** The District has zero tolerance for violence or threats of violence. No Director, employee, personnel or volunteer shall engage in acts of violence or make a threat of violence on District property, on responses, or at any District-related event including but not limited to training sessions and meetings or at any off-site location whether toward any other member, volunteer, co-worker, patient/victim, or member of the public.

- a. **Response to violence** - If any Director, personnel, employee or volunteer of the District is attacked or threatened with violence or sees someone else being attacked or threatened, such individual shall take appropriate steps to protect herself/himself and others, to avoid causing more violence, and to notify emergency personnel, i.e., call 911.
- b. **Restraining order** - Any Director, personnel, employee or volunteer of the District who obtains a restraining order against anyone else based on violence or threatened violence shall promptly report to the District such restraining order and shall provide the District with a copy of same.

Section 18. **Reporting, Investigation, and Discipline.**

- a. **Reporting** – Personnel, employees and volunteers have an important responsibility in the effective implementation of the District's policy against harassment, sexual harassment, and violence. Any District personnel, employee or volunteer who believes that she/he has been subjected to harassment or sexual harassment, who has been harmed by violence or threatened with violence shall promptly notify such volunteer's or employee's superior officer or supervisor. Any District personnel, employee or volunteer who has witnessed anyone else connected with the District experience or commit such



conduct shall promptly notify such individual's superior officer or supervisor. If the perpetrator is the individual's superior officer or supervisor, the complainant shall notify the next individual in the Chain of Command above their supervisor and if the perpetrator is the Fire Chief, then the complainant shall notify a member of the District Board. All notifications shall happen within 24 hours of the alleged incident. Any superior officer or supervisor receiving a complaint shall notify their immediate supervising officer within 24 hours of any complainant he/she receives.

- b. **Investigation** - The District shall promptly investigate a harassment or sexual harassment complaint or violence report and shall take corrective action as appropriate. Personnel, employees and volunteers shall participate and be truthful in any such investigation. The District shall make reasonable effort to preserve the confidentiality of everyone involved with any harassment, sexual harassment, or violence report and the subsequent investigation. Personnel, employees and members shall have a right to make good faith complaints about harassment, sexual harassment, or violence and to act as witnesses in investigation of those complaints. The District shall protect complaining witnesses against retaliation for making a harassment, sexual harassment, or violence complaint or report.
- c. **Report of Investigation** - A report of each investigation may be made to the District Board in an executive session and, if a physical report is created, the report shall remain confidential as permitted by applicable law.
- d. **Discipline** - Any personnel, employee or volunteer found to have committed harassment, sexual harassment, violence, or threat of violence shall be subject to discipline up to and including discharge.

Section 19. **Training**. Personnel, employees and volunteers shall be required to participate in any training which the District provides or sponsors about harassment or violence. Such training shall occur in the first thirty days of their engagement with the District. Personnel, employees and volunteers who refuse to cooperate in the District's training program or fail to provide complete and truthful information as part of an investigation shall be subject to discipline up to and including discharge.

Section 20. **Modification of Bylaws**. These Bylaws may be altered, amended or repealed by a two-thirds (2/3) majority vote of the Board at any regular or special meeting of the Board to become effective immediately or at a subsequent date.

Section 21. **Severability**. If any part or provision of these Bylaws is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of these Bylaws, it being the Board's intention that the various provisions hereof are severable.

ADOPTED this 10 day of AUGUST, 2023, by the Board of Directors of the Windsor-Severance Fire Protection District.

Aiden Koon  
President

Robert Thomas

[Signature]

[Signature]

[Signature]