

Clallam County Fire Protection District No. 4

Bylaws



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Clallam County Fire Protection District No 4

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Article 1. Legal Status and Operation

Reference: RCW 52.02.020 Districts Authorized. RCW 52.12.011 Status.

- Section 1. Clallam County Fire Protection District No. 4 is the corporate entity established by law in the State of Washington to provide fire prevention services, fire suppression services, emergency medical services, residential/wildland interface services, and to provide for the protection of life and property in the district.
- Section 2. The policies of the Board of Commissioners define the organization of the Board and the manner of conducting its official business. The Board's operating policies are those that the Board adopts from time to time to facilitate the performance of its responsibilities.

Article 2. District Organization

- Section 1. The district is under the supervision of five duly elected Board of Commissioners as provided under Title 52, Revised Code of Washington, who are responsible to the taxpayers of the district for the efficient operation of the fire district. The Board of Commissioners shall meet monthly at a stated time and place and these meetings are open to the public as provided by law.
- Section 2. The district shall maintain and operate fire stations at such locations within its boundaries as the Board of Commissioners may deem adequate and sufficient for the protection of life and property commensurate with the funds available.
- Section 3. No Commissioner shall have the right to assume command of personnel, equipment, or vehicles at any time.
- Section 4. Types and amounts of medical coverages and life insurance other than the mandatory volunteer retirement and pension coverage will be established by the Board of Commissioners.
- Section 5. The Board Secretary shall record the minutes of all Board of Commissioners meetings, keep the records of account, handle the correspondence, be a custodian of the official seal, and such other duties as may be required and authorized by the Commissioners in accordance with state statute.

Article 3. Number of Members and Terms of Office

Reference: RCW 52.14.010 Number.
RCW 52.14.015 Election.
RCW 52.14.060 Commissioners Terms.

- Section 1 The Board of Fire Commissioners shall consist of five voting members, elected by ballot by the registered voters of the fire district.
- A. Except as otherwise provided by law, Commissioners shall hold office for terms of six years and until their successors are elected and qualified.
 - B. Terms of Commissioners shall be staggered as provided by law.
 - C. Newly-elected Commissioners elected to a full-term of six years shall take office at the first meeting in January following an election, provided election results have been certified by the Clallam County Auditor and the newly-elected Commissioner has taken and subscribed to an oath or affirmation that he/she will faithfully and impartially discharge the duties of the office to the best of his/her ability.
 - D. A Commissioner elected to less than a full term shall assume office as soon as the election results have been certified and he/she has taken and subscribed to the oath of office.

Article 4. Vacancies

Reference: RCW 42.12.070 Filling Non-partisan Vacancies.
RCW 52.14.050 Vacancies.

- Section 1.
- A. In case of a Board vacancy, the remaining Commissioners shall fill such vacancy by appointment.
 - B. The vacancy shall, within ninety days (90), be filled by appointment of a resident elector of the fire district by a vote of the remaining Commissioners.
 - C. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice.
 - D. The person appointed shall serve until a successor has been elected or appointed and has qualified.
 - E. An appointee shall meet the requirements provided by law and shall serve until the next regularly scheduled fire district election, at which time a Commissioner shall be elected for the unexpired term.
 - F. If the number of vacancies is such that there are not a majority of the full number of Commissioners in office, the Clallam County Commissioners shall within 180 days of the vacancies appoint the required number to create a majority to fill the vacancies on an interim basis through the next general election.

- G. At the next general election, if there is sufficient time for the nomination of candidates for office of Commissioner, after the filing for any vacancy in the office, a Commissioner shall be elected to serve for the remainder of the unexpired term.

Article 5. Oath of Office

Reference: RCW 52.14.070 Oath of Office. Commissioners.

- Section 1. A. Each Commissioner shall take an oath to support the Constitutions of the United States and the State of Washington and to faithfully discharge the duties of his/her office to the best of his/her ability.
- B. A notary public authorized to administer oaths must certify to this oath and the signature of the member and must file the signed oath of office in the Clallam County Auditor's office.

- Section 2. The following is the Oath of Office to be filed with the County Auditor as per RCW 52.14.070:

I, (state/insert name), do solemnly swear that I am a Citizen of the United States and of the State of Washington; that I will support the Constitution of the United States and the Constitution and Laws of the State of Washington, and that I will faithfully and impartially discharge the duties of the office of Clallam County Fire Protection District No. 4 [state/insert official position title] [and state/insert Commissioner Position Number (if applicable)] to the best of my ability.

Article 6. Duties of the Chair

Reference: RCW 52.14.080 Chairman.

- Section 1. A. The Chair shall preside at all Board meetings and sign all papers and documents as required by law and as authorized by the action of the Board.
- B. The Chair shall conduct the meeting in the manner prescribed by the Board's policies, provided that the Chair shall have the full right to participate in debate without relinquishing the Chair and shall have the right to vote on all matters put to a vote.
- C. The Chair shall conduct the meeting so that deliberation is clear, concise, and directed to the issue at hand; discussion and/or action is summarized before moving on to the next agenda item; and the meeting is managed so that the agenda is treated in an expeditious manner.

- Section 2. The Chair shall be the official recipient of correspondence directed to the Board of Commissioners and shall provide, or cause to be provided to other

Board members, copies of the correspondence received on behalf of the Board.

- Section 3. A. In dealing with the media and the public in general, the Chair or his/her designee will serve as the spokesperson of the Board.
B. The Chair is authorized to report and discuss those actions which have been taken and those decisions made by the Board as a body.
C. The Chair shall avoid speculating upon actions or decisions which the Board may take but has not yet taken.

- Section 4. The Chair shall confer with the Fire Chief regarding sensitive issues which need immediate attention. When appropriate, the Chair or the Fire Chief will confer with individual Board members when other opinions should be sought.

Article 7. Duties of the Vice Chair

- Section 1. The Vice-chair shall preside at Board meetings in the absence of the Chair and shall perform all of the duties of the Chair in the case of his/her absence or disability.

Article 8. Duties of the Board Secretary

Reference: 52.14.080 Secretary Duties and Oath of Office.

- Section 1. It shall be the duty of the Board Secretary to record proceedings of the association, to keep and preserve the minutes and answer all communications; he/she shall notify the members of any regular or special meetings when so advised by the chair.

- Section 2. It shall be the duty of the Board Secretary to always have a copy of the constitution and Bylaws, list of members, and a list of unfinished business, copy of which shall be given to the presiding officer.

- Section 3. In the event that no Board Secretary has been appointed, the District Secretary shall take on all responsibilities and obligations of the Board Secretary as described in Article 8 Sec. 1 & 2.

Article 9. Duties of the Board Treasurer

- Section 1. It shall be the duty of the Board Treasurer, to monitor collection and distribution of all district funds.

Section 2. Commissioners may forgo a Board Treasurer and delegate Treasurer's duties to the Clallam County Treasurer's Office and Clallam County Auditor's Office, for collections and distribution of all district funds.

Section 3. In the event that no Board Treasurer has been appointed, the District Secretary shall take on oversight obligations of the Board Treasurer as described in Article 9 Sec. 1.

Article 10. Duties of Individual Commissioners

Reference: RCW 52.14.050 Vacancies--Grounds for Declaring Office Vacant.
RCW 52.14.100 Meetings--Powers and Duties of Board.

Section 1. The authority of Commissioners is limited to participation in actions taken by the Board as a whole legal entity. Commissioners shall not individually act for or on behalf of the district unless delegated by the Board to take action.

Section 2. Commissioners shall not assume responsibilities of the Fire Chief or other staff members. The Board or staff shall not be bound in any way by any action taken or statement made by any individual Commissioner except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Section 3. Each Commissioner is obligated to attend Board meetings regularly.

Section 4. Whenever possible, each Commissioner shall give advanced notice to the Chair, Board Secretary, or Fire Chief of his/her inability to attend a Board meeting.

Section 5. A majority of the Board may excuse a Commissioner's absence from a meeting if requested to do so.

Section 6. The Board shall declare a Commissioner's position is vacant after three consecutive unexcused absences from regular Board meetings.

Article 11. District Secretary

Reference: RCW 52.14.080 Secretary Duties and Oath.
RCW 52.16.030 Budget for Each Fund.

Section 1. The District Secretary oversees all district business, accounting and finance/treasurer duties for the district which includes payroll, general ledger accounting, budget, and investments.

Section 2. Under the direction of the Board of Commissioners, the District Secretary oversees the payroll for district personnel and the Board; oversees preparation of claim payment requests; coordinates the investment of district funds; oversees budget and audit assessment reports; and all other documents and reports as required of the district. The District Secretary records all Board of Commissioners meeting minutes.

Section 3. The following is the Oath of Office to be filed with the County Auditor as per RCW 52.14.080:

I, (state/insert name), do solemnly swear that I am a Citizen of the United States and of the State of Washington; that I will support the Constitution of the United States and the Constitution and Laws of the State of Washington, and that I will faithfully and impartially discharge the duties of the office of Clallam County Fire Protection District No. 4 District Secretary to the best of my ability.

Article 12. Adoption and Amendment of Policies

Reference: RCW 52.33.030 Policy statement—Service delivery objectives

Section 1. Proposed new policies and proposed changes in existing policies shall be presented to the Board, Fire Chief, and District Secretary in writing for discussion.

Section 2. Unless it is deemed by the Board that immediate action would be in the best interests of the district, the final vote for adoption shall take place not earlier than the next succeeding regular or special Board meeting.

Section 3. In the event that immediate action is necessary, the motion for its adoption shall take place provided that immediate adoption is in the best interest of the district. No further action is required

Section 4. Any written statement by any person relative to a proposed policy or amendment should be directed to the Chair. The Board may invite public comment.

Section 5. All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Section 6. Policies as adopted or amended shall be made as part of the minutes of the meeting at which action was taken and shall also be included in the district's policy manual

Article 13. Meetings

Reference: RCW 42.30 Open Public Meetings Act.

RCW 42.32.030 Minutes.

RCW 52.14.090 Office--Meetings.

RCW 52.14.100 Meetings--Powers and Duties of Board.

- Section 1. Board meetings will be scheduled in compliance with the law and as deemed by the Board to be in the best interests of the District and community.
- Section 2. The Board will function through regular, special, and emergency meetings.
- Section 3. Regular meetings shall be held as adopted by resolution and as properly advertised in Clallam County.
- Section 4. A regular meeting does not require a public notice.
- Section 5. If a regular meeting is to be held at a place other than its regular location or time, or a regular meeting is adjourned to a time other than a regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. The meeting should be treated as a special meeting with proper notice and announcements to the press stating the time, place, and purpose of the meeting. The district is required to notify newspapers and radio that have filed a request for such notification.
- Section 6. Special meetings may be called by the Chair or on a petition of a majority of the Commissioners.
- Section 7. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each Commissioner not less than twenty-four (24) hours prior to the time of the meeting. Written notice shall also be sent not less than twenty-four (24) hours prior to the meeting to each newspaper and radio that has filed a written request for such notices and to the newspaper of countywide circulation. Business transacted at the special meeting will be limited to that stated in the notice of the meeting.
- Section 8. If the Board wishes to devote any part of a meeting to an issue(s) to be discussed in Executive Session, the meeting should be called to order and recessed to an Executive Session in accordance with Article 14.
- Section 9. If an item is to be discussed in Executive Session, the item of business must also appear on the agenda.
- Section 10. The Board may adjourn a regular, special or adjourned meeting to a specific future time. Notice of such adjournment or continuation must be posted at

or near the door of the meeting room. Notification to the press is not necessary.

- Section 11. In the event of an emergency, involving possible personal injury or property damage, the Board may meet immediately and take official action without prior notification.
- Section 12. All meetings shall be open to the public with the exception of Executive Sessions authorized by law. Any final action must be taken in an open meeting.
- Section 13. All meetings, including study or work sessions, must be advertised as meetings that are open to the public.
- Section 14. During the interim between meetings, the office of the District Secretary shall be the office of the Board. The District's public records shall be open for inspection in the manner provided by and subject to the limitations of the law.
- Section 15. Commissioners may attend Board meetings either in person or when a Commissioner cannot attend in person they may attend through the use of electronic or telephonic media. Attending by such media shall be pursuant to procedures approved by the Board of Commissioners.

Article 14. Executive or Closed Sessions

Reference: RCW 42.30.110 Executive Sessions.
RCW 42.30.140 Chapter Controlling--Application.

- Section 1. Before convening in Executive Session, the Chair shall publicly announce the purpose for excluding the public from the meeting place, the RCW authority to call the meeting and the time when the Executive Session will be concluded. The Executive Session may be extended to a stated later time by announcement of the Chair or the Chair's designee.
- Section 2. No action will be taken during Executive or closed sessions.

Article 15. Agenda

- Section 1. A. The Board Chair, and Administrative Assistant shall prepare the agenda for each meeting, in conjunction with the Fire Chief.
B. Copies of the agenda, minutes of the previous meeting, and relevant supplementary information should be delivered to each Commissioner, as their Board packets in their mailboxes, in advance of the meeting.

Section 2. Citizens wishing to present written documentation to the Board at the Board's meeting should, whenever possible, provide that documentation to the Secretary five (5) business days in advance of a regular meeting and forty-eight (48) hours in advance of a special meeting.

Section 3. Citizens or members of the district that wish to address the Board must submit their questions and/or statements to the Secretary five (5) business days in advance of a regular meeting and forty-eight (48) hours in advance of a special meeting.

Section 4. Agenda format:

Following is a suggested agenda format:

Regular Meeting of the Month Agenda

- I. Call to Order
- II. Roll Call of Commissioners
- III. Approval of Minutes
- IV. Additional Items for the Agenda
- V. Introduction of Guests and Visitors
- VI. Community Comments
- VII. For Board Action
- VIII. For Board Information and/or Discussion
- IX. Executive Session – Legal Matters
- X. Adjourn

Article 16. Quorum

Reference: RCW 42.30 Open Public Meetings Act.
RCW 52.14.100 Meetings--Powers and Duties of Board.

Section 1. A majority of the Board members shall constitute a quorum for the transaction of all business.

Article 17. Conduct and Order of Business

Section 1. All Board meetings will be conducted in an orderly and business-like manner, using Robert's Rules of Order, Revised as a guide except when such rules are superseded by Board practices.

Section 2. The order of business will be that indicated in the agenda. Any additions or changes in the order of items listed in the prepared agenda may be allowed by the Chair.

Section 3. All votes on motions and resolutions shall be by “voice” vote unless a roll call vote is requested by the Chair or other member of the Board.

Section 4. The secretary shall serve as parliamentarian of the Board.

Section 5. Motions.

- A. Recognition of a motion. A motion is before the Board only when recognized by the Chair. After some discussion on a topic, the Chair may invite a Commissioner to make a motion dealing with an issue.
- B. Motion. A main motion brings business before the Board for its consideration in such a manner that it may be discussed and acted upon. A motion may be made by any Commissioner, including the Chair. The Chair will state the motion for consideration. Once a motion is stated by the Chair, it becomes a motion of the Board and no longer belongs to the maker of the motion.
- C. Second. A motion may be entertained by the Chair without a second. If the Chair chooses not to recognize a motion made by a Commissioner, another Commissioner may second the motion in order to bring the motion to the floor for discussion. A motion which fails to be recognized by the Chair or receive a second is not considered for discussion.
- D. Out-of-order motion. A motion which does not relate to the matter under consideration or which is a main motion and is being presented while another main motion is still before the Board is out of order and shall not be recognized.
- E. Revision of motion. At any time before a vote is taken on a motion, the person making the motion may revise the wording of the motion if there is no objection by the Commissioners. If there is an objection, the motion should be revised by amendment.
- F. Withdrawal of motion. After a motion has been stated by the Chair, it cannot be withdrawn without the consent of the Board. The maker of the motion may be requested to withdraw a motion and, if the maker of the motion does not object, the Board by general consent or vote can withdraw the motion. If the motion has been seconded and stated by the Chair, the consent of the individual who seconds the motion is not required but the Board must vote or agree by general consent to withdraw the motion.

Article 18. Audience Participation

Reference: RCW 42.30 Open Public Meetings Act.

Section 1. The Board recognizes the value of public comment on district services issues and the importance of involving members of the public in its meetings.

- A. In order to permit fair and orderly expressions of such comment, the Board may provide a period of the meeting during which visitors may make formal presentations or express an opinion prior to Board action on agenda items.
- B. The Board will allow individuals to express an opinion as per the Board Resolution on Public Comments
 - i. The Board requires that such participants be either residents of the fire district or the designee of such residents. Any representative of a firm eligible to bid on materials or services solicited by the Board shall also be entitled to express an opinion.
 - ii. The Chair may interrupt or terminate an individual's statement when it is too lengthy, personally directed, abusive, obscene or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Article 19. The Mission of the Board of Fire Commissioners

Section 1. The Board of Fire Commissioners shall provide guidance to the administration, staff and volunteers of the district through its adopted policies so that they shall be better able to provide the following services for the purpose of protecting the lives and property of the citizens of Clallam Fire District No. 4:

- A. Protection of life from fire.
 - i. Strive to provide a trained force to effectively remove people from the danger of fire or other life-endangering situations and to provide the resources necessary to perform this task.
 - ii. Strive to provide emergency medical services for sick and injured people, then arrange or provide transportation to proper medical facilities.
 - iii. Strive to provide education and information to citizens regarding fire safety.
 - iv. Cooperate with other agencies for the welfare of the victims.
- B. For protection of property from fire.
 - i. Strive to provide a force trained in confining fire to the point of origin, extinguishing it, and keeping the damage from fire to a minimum.
 - ii. Strive to restore the property to as reasonable a state of normalcy as possible after the fire investigation process.
- C. Emergency medical services.

- i. Strive to provide medical response support to parties within the district who are in need of or request aid.
 - ii. Cooperate with and receive services from or provide services to such other agencies or fire protection districts as may be determined by the Board by contract, mutual aid agreement, practice or other means of consent and agreement for emergency medical services, which may include advanced life support, to parties within or outside the district who require care and/or transportation to a medical facility.
- D. Protection during natural disasters.
- i. Strive to protect life and property from earthquake, flood, windstorm and other natural disasters, conforming to the appropriate government disaster plan.
- E. To strive to provide residential/wildland interface services.
- F. Safeguard the public funds and public property so that they are available when needed to accomplish the mission.

Article 20. Conduct and Responsibilities of a Public Official

Reference: RCW 42.20 Misconduct of Public Officers
 RCW 42.23.030 Interest in Contracts Prohibited

Section 1. Except as provided by law a Commissioner shall not:

- A. Ask or receive, directly or indirectly, any compensation, gratuity, or reward, or promise thereof, for omitting or deferring the performance of any official duty; or for any official service which has not been actually rendered, except in case of charges for prospective costs or fees demandable in advance in a case allowed by law; or,
- B. Be beneficially interested, directly or indirectly, in any contract, sale, lease, or purchase which may be made by, through, or under the supervision of such officer, in whole or in part, or which may be made for the benefit of the office, or accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested therein; or,
- C. Employ or use any person, money, or property under the official controls or direction, or in the official custody, for the private benefit or gain of a Commissioner.
- D. Clearly state he/she is speaking for himself/herself and not representing the Board as a whole when giving an individual opinion.

- Section 2. As a means of fulfilling its mission, the Board requests that each Commissioner subscribe to the following statement of responsibilities:
- A. Give proper respect due responsible members.
 - B. Support a review process when outside pressure may be applied to revise a policy or procedure.
 - C. Strive to build a positive approach to negative questions and/or matters.
 - D. Be informed on all matters pertinent to his/her elected responsibilities.
 - E. Weigh all possible information to arrive at his/her own solution/decision.
 - F. Never commit the district in any way before there has been a full discussion by the Board and administration (when appropriate) and directions have been received.
 - G. Follow the rules and regulations of the office and duties as specified in the Revised Code of Washington (RCW).
 - H. Commissioners shall strive to build a professional image of the district at all times. Confidence shall be displayed in district personnel and policies, with a positive approach to resolving all matters being utilized.
- Section 3. Financial.
- A. Individual Commissioners shall not have any pecuniary interest directly or indirectly in any contract, purchase of materials, or activity paid for from district funds except as might be allowed under the law.
 - B. Study and adopt an annual budget and provide necessary funds to carry out day-to-day operations.
- Section 4. Administration.
- A. Develop and adopt short/long range plans/goals.
 - B. Discuss and review the district's operation with the Fire Chief on a regular basis.
- Section 5. Policy.
- A. Initiate, adopt, and review policies.
 - B. Review staff recommendations and take appropriate actions.
 - C. Set reporting deadlines and requirements.
- Section 6. Regulations.
- A. All complaints concerning district operations will be resolved through Board action.
 - B. Bring constituents' concerns before the Board.
 - C. Commissioners do not have any authority at emergency scenes.
 - D. The Board functions as a board. No single Commissioner has any authority or power over any other Commissioner.
 - E. The Fire Chief will receive direction from the majority of the Board.
 - F. On issues that occur between regular Board meetings, the Fire Chief will receive direction from the Chair of the Board until the Board has had an opportunity to meet.
 - G. Commissioners should use the district chain of command.

Article 21. Board – Fire Chief Relations

- Section 1. The successful operation of the district requires a close, effective working relationship between the Board and the Fire Chief.
- A. As the legally designated governing body, the Board retains final authority for the district.
 - B. The Fire Chief is the Board’s professional advisor to whom the Board delegates executive operating responsibilities.

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| Section 2. <u>The Board shall:</u> | <u>The Chief shall:</u> |
| (a) Select the Fire Chief and delegate to him/her all necessary administrative powers. | (a) Serve as Chief Executive Officer of the district. |
| (b) Clarify its expectations of the duties and responsibilities of the Fire Chief. | (b) Clarify his/her expectations of the Board. |
| (c) Adopt policies for the operation of the district. | (c) Recommend policies or policy changes to the Board and develop procedures which implement Board policy. |
| (d) Provide direction for the scope and operation of the fire service program. | (d) Provide leadership in the development, operation, supervision and evaluation of the fire service program. |
| (e) Review standard operating procedures. | (e) Establish procedures for dealing with emergency services. |
| (f) Approve the budget. | (f) Prepare the operating budget and assist in the preparation of the annual district budget. |
| (g) Approve staffing positions based upon recommendation of the Fire Chief. | (g) Recommend staff positions based on service requirements of the district. |
| (h) Approve employment or termination of staff and volunteers upon recommendation of the Fire Chief. | (h) Recommend candidates for employment as staff, and volunteers or recommend termination of same. |
| (i) Evaluate the performance of the Fire Chief. | (i) Evaluate the performance volunteer staff members. |
| (j) Approve contracts for capital | |

- improvements.
- (j) Recommend contracts for capital improvements.
- (k) Approve the disposal of surplus supplies and equipment.
- (k) Recommend the disposal of surplus supplies and equipment.
- (l) Serve as final arbitrator for appeals from staff and citizens.
- (l) Inform Board of staff and citizen appeals. Implement Board decisions regarding such appeals.

Article 22. Board Standing Committee

The Board of Commissioners as a whole has formed a Standing Committee. Membership shall be composed of the current Board Vice Chair and one Board member who is not the current Chair. Annually the Board shall select the one Board member who is not the current Chair, along with a designated Commissioner alternate.

Article 23. Severability

If any provision of these Bylaws, or its application to any person or circumstance is held invalid, the remainder of these Bylaws, or the application of the provisions to other persons or circumstances is not affected.

Article 24. Amendments

These Bylaws, as adopted by the Board of Commissioners, may be revised or amended at any regular or special meeting of the Board, with the provision that members receive copies of the proposed change(s) at least two (2) weeks prior to that meeting.