

BY-LAWS
OF
Montgomery County, Maryland Firefighters Pipes & Drum
Band, Inc.

ARTICLE ONE – ORGANIZATION

1. The name of this organization shall be the Montgomery County, Maryland Firefighters Pipes & Drum Band, Inc.
2. The organization shall have a seal which shall be the following form:

3. The organization may at its pleasure by a vote of three fourths of the membership body change its name.

ARTICLE TWO – NAME, PURPOSE AND STATUS

A. Name - This organization shall be known as MONTGOMERY COUNTY, MARYLAND FIREFIGHTERS PIPES & DRUMS, INC. The name of this organization, or any part thereof, or derivative therefrom, may be employed only in connection with the official activities of this organization. This name shall be used when conducting all official business with any local, state, or federal entities. The MONTGOMERY COUNTY, MARYLAND FIREFIGHTERS PIPES & DRUMS, INC. may be referred to in the following by-laws as the unit, the corporation, or the band interchangeably. For the purposes of advertising, merchandise, and general reference, the band shall be known as the MONTGOMERY COUNTY FIREFIGHTERS PIPES & DRUMS (MCFFP&D).

B. Purpose – The Montgomery County Firefighters Pipes & Drums is a nonstock membership corporation organized under the laws of Maryland and the Corporations and Associations Article of the Code of Maryland. It is committed to three primary purposes:

1. To preserve and to perpetuate the Fire Service, Scottish, and Irish heritage both within the county and away.
2. To preserve and promote the traditional music of the Scottish highland pipes and drums.
3. To promote excellent of performance in piping and drumming, both in its appearance as a band and in the playing of individual members.

In all other purposes and respects, it is organized to carryout any other lawful purpose permitted under Maryland law for a nonstock membership corporation.

C. Status - The MONTGOMERY COUNTY, MARYLAND FIREFIGHTERS PIPES & DRUMS, INC. is a Non-Profit Organization in accordance with Local, State, and Federal law.

D. Discrimination – The MONTGOMERY COUNTY, MARYLAND FIREFIGHTERS PIPES & DRUMS, INC. will not discrimination on the basis of race, gender, religion, disability, or affiliation.

ARTICLE THREE – MEMBERSHIP

A. Eligibility for Membership

A(1). Eligibility for Charter Member, Active Member, or Student Member- To be a charter member, active member, or student member of this corporation, the member must currently be, or have retired as, a Montgomery County Firefighter or EMT within the guidelines of the IECS system posted by the MCFRS Fire Chief. All members must be in good standing within the MCFRS, or, if retired, must have been in good standing with the MCFRS at the time of his/her retirement. All current career and volunteer personnel, as well, as career retirees and volunteers drawing LOSAP benefits, will be considered candidates for these classes of membership. Any member transferring from one category to another must be in good standing with all financial obligations to the band.

A(2). Eligibility for Booster Member, Honorary Member, or Instructional Member- To be booster member, honorary member, or instructional member, one does not need to meet the requirements of A(1) above, and need only meet those requirements set forth specifically in the definition the specific class of member in section B below.

A(3). Eligibility for Life Member, and Inactive Member- To be a life member or inactive member as defined below in section B, the member must previously been an active member.

B. Classes of membership.

There shall be eight classes of membership in MCFPP&D: Charter member, Active member, Student member, Booster member, Honorary member, Life member, Inactive member, and Instructional member.

B(1). Charter Member – A Member whose name appears on the membership roles of the organization on January 1, 2006 shall be a charter member. A charter member will have voting rights until December 31, 2005. After December 31, 2005, only those members meeting those requirements for active membership with have voting privileges. All charter members still on the membership roles as of December 31, 2005 will automatically become active members at the close of business December 31, 2005 and will retain their identity as charter members, as well for as long as they remain active members.

B(2). Active Member – All active members must:

1. Comply with eligibility requirements set forth in Section 3(A)(1) above on eligibility, and
2. Be a performing member of the band. Performing members of the band can include those students who have been approved to participate at band level or higher as well as drum majors, and
3. Unless transferring into active member status from another membership class, obtain written sponsorship of two active or charter members of the band, and
4. Receive the recommendation of the Board of Directors to the membership, and
5. Receive two thirds vote of the active members present a members meeting, said vote which can include sealed proxy votes of active members.

Only active members have voting privileges after January 1, 2006. Candidates for active membership transferring from another membership class do not have to pay a second or additional application fee. All members must meet responsibilities as states in Article 3(C).

B(3). Student Member – All student members must:

1. Desire to learn either the pipes or the drums, and
2. Aspire to be a performing member of the band, and
3. Receive two written sponsorships from Active members of the band, and
4. Be interviewed by the Board of Directors or their designee and receive the recommendation of the Board of Directors to the active membership, and
5. Receive two thirds vote of the active members present at a members meeting, said vote which can include sealed proxy votes of active members, and

6. Comply with the eligibility requirements set forth in 3(A)(1).

To maintain student membership, student members must follow through with their training as specified by the pipe major and/or drum sergeant or their designees. The pipe major or drum sergeant may recommend the student member for removal from the band at any time for failure to follow through with appropriate training, or inability to progress. Expulsion from the band will be in accordance with Article 3(F). In addition to lessons, student members are expected to participate in fundraising efforts and assist the performing band with performances and practices as deemed necessary. Student members do not have voting privileges, but, are expected to attend membership meetings. All members must meet responsibilities as states in Article 3(C).

B(4). Booster Member – All booster members must:

1. Comply with eligibility requirements set forth in 3(A)(2), and
2. Obtain written sponsorship of at least two active members of the band, and
3. Be interviewed by the Board of Director's or their designee and receive the recommendation of the Board of Directors to the active membership, and
4. Receive two thirds vote of the active members present at a members meeting, said vote which can include sealed proxy votes of active members, and

It is the intent of the organization that Booster membership status should be reserved for individuals who have a desire to contribute to the organization, but, do not wish to be a performing member. Provided that equipment and funds are available, booster members will be eligible for band furnished equipment and travel funds as determined within the discretion of the Board of Directors. Booster members do not have voting rights.

B(5). Honorary Member – All honorary members must:

1. Comply with the eligibility requirements set forth in 3(A)(2), and
2. Obtain written sponsorship of at least two active members of the band, and
3. Receive the Recommendation of the Board of Directors to the active membership, and
4. Receive two thirds vote of the active members present at a members meeting, said vote which can include sealed proxy votes of active members, and

It is the intent of the organization that Honorary members have no formal responsibilities and is reserved for those individuals whom the organization feels has merited formal recognition of affiliation with the organization. Honorary members will not have voting rights, and honorary members are exempt from responsibilities of membership under Article 3(C).

B(6). Instructional Member – All instructional members shall:

1. Comply with the eligibility requirements set forth in 3(A)(2), and

2. Obtain written sponsorship of at least two active or charter members of the band, and
3. Be interviewed by the Board of Directors or their designee and receive the recommendation of the Board of Directors to the active membership, and
4. Receive two thirds vote of the active members present at a members meeting, said vote which can include sealed proxy votes of active members, and

Instructional members do not have voting rights. Instructional members teach other members in pipes, drums, marching, and can participate in performances and wear the same uniform as band members.

B(7). Life Member – A life member must have been a member who has completed a total (not necessarily continuous) of ten years of membership, other than inactive.

B(8). Inactive Member – An inactive member must:

1. Any member requesting inactive status must apply in writing to the Board of Directors, and
2. Must receive approval of the Board of Directors, and
3. Be limited to a period of time not to exceed one year, and
4. Be responsible for annual dues as stated in Article 3(G), and

May return to prior status by formal written notification to, and approval from, the Board of Directors. An inactive member's time, does not count towards life membership. Inactive members do not have voting rights. Inactive members are exempt from responsibilities set forth in Section 3(C) below.

C. Responsibilities of membership. Charter members, active members, and student members must:

1. Attend Band practices, meetings, functions, and performances on a regular basis, and
2. Maintain uniforms, band equipment, instruments, pipes, and drums in good condition and repair and in proper tune, and
3. Strive to perform at the highest level of their abilities and conduct themselves publicly in a manner that positively reflects upon the Band and organization and its stated purposes, and
4. Pay all memberships dues within 30 days of receipt of membership dues statements, and
5. Pay any instructional fees and/or other debts as assigned by the Band by 30 days of receipt of debt, and
6. Members who are unable to attend a band performance or rehearsal are expected to notify the Pipe Major, Drum Sergeant, or his/her designee as soon as is practical.

D. Resignation of membership status. Any member may at any time resign their membership provided all band properties are returned and all outstanding accounts settled.

E. Individual member suspension. A member whose conduct is considered detrimental to the interests of the band may be brought before the Board of Directors for investigation and review. The Board of Directors will make a report to the active membership at the next active members meeting after the investigation and report is completed. The active members at said meeting shall vote by a two thirds vote of members present (which can include sealed proxy votes) to approve, reject, or modify the report of the Board of Directors to suspend the member. A suspension may not exceed one year and any vote to extend a suspension beyond one year shall be considered as an expulsion under Article 3(F) below. A suspended member has no voting rights.

F. Individual member expulsion. A member whose conduct is considered detrimental to the interests of the band may be brought before the Board of Directors for review. The Board of Directors will issue a report to the active members for consideration at the next active members meeting. Grounds for expulsion shall include, but not limited to:

1. Conduct of a member detrimental to the interest of the band.
2. Failure to pay membership fees within 120 days of when membership fees are due.
3. Failure to maintain band equipment, instruments, or uniforms in good conditions after having been requested to return them.
4. Failure to follow any reasonable rules or regulations promulgated by the Board of Directors and approved by a two thirds vote of active members at a regular active members meeting.

The active members at said meeting shall vote by a two thirds votes of members present (which can include sealed proxy votes) to approve, reject, or modify the report of the Board of Directors to expel the member.

Expelled members shall return all band property and equipment to the possession of the organization and settle any outstanding accounts.

G. Application fees and Membership dues. An initial application fee of \$50.00 is due upon application to be a Charter, Active, Student, or Booster member of the band. The application fee will be returned if membership is not granted within 90 days of receipt of a completed application with written sponsorship letters. The application fee will meet the annual dues for the calendar year they are accepted. On January 1st of each calendar year, all active members, student members, booster members shall pay a \$50.00 dues payment. Annual dues are assessed at time of acceptance regardless of time of year. If transferring from one membership category to another, no additional application fee is required.

ARTICLE FOUR – MEETINGS

Regular meetings of this organization will be held quarterly, or as deemed necessary.

Quarterly meetings will be held on the second Monday of March, June, September and December.

Annual elections of the Board of Directors will be held at the December meeting. Nominations for these positions will open at the September meeting.

The presence of not less than 40 percent of active members shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may adjourn the meeting for a period of not more than four weeks from the date of the scheduled by these by-laws and the secretary shall cause a notice of this scheduled meetings to be sent to all those members who were not present at the meeting originally called. A quorum as hereinbefore set forth shall be required at any adjourned meeting.

Special meetings of this organization may be called by the president when he deems it for the best interest of the organization. Notices of such meeting shall be mailed to all members at their addresses as they appear in the membership roll book at least five but not more 30 days before the scheduled date set for such special meeting. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting and whom called.

At the request of two or more of the Active Members of the organization, the president shall cause a special meeting to be called, but such request must be made in writing at least 10 days before the requested scheduled date.

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such meeting.

ARTICLE FIVE – VOTING

At all meetings, except for the election of officers, directors, and new members, all votes shall be vice voce, except that for election of officers ballots shall be provided and there shall not appear any place on such ballot any mark or marking that might tend to indicate the person who cast such ballot.

At any regular or special meeting, if a majority is required, any question may be voted upon in the manner and style provided for election of officers and directors.

At all votes by ballot the chairman of such meeting shall immediately prior to the commencement of balloting appoint a committee of three who shall act as “Inspectors of

Election” and who shall at the conclusion of such balloting certify in writing to the chairperson the results and the certified copy shall be physically affixed in the minute book to the minutes of that meeting.

No “Inspector of Election” shall be a candidate for office or shall be personally interested in the question voted upon.

ARTICLE SIX – ORDER OF BUSINESS

1. ROLL CALL
2. READING OF THE MINUTES OF THE PREVIOUS MEETING
3. REPORTS OF THE COMMITTEE’S
4. REPORTS OF THE OFFICERS
5. OLD AND UNFINISHED BUSINESS
6. NEW BUSINESS
7. GOOD AND WELFARE
8. ADJOURNMENTS

ARTICLE SEVEN - BOARD OF DIRECTORS

The business of this organization shall be managed by a Board of Directors consisting of the seven officers of this organization.

The directors for the ensuing terms shall be elected by the membership at the December meeting of the organization, and they shall serve for a term of two years.

Elections of officers will be staggered. In December of even years, elections will be held for the offices of President, Treasurer, and Pipe Major. In December of odd years, elections will be held for the offices of Vice President, Secretary, Quartermaster, and Drum Sergeant. All terms will last for two years.

The Board of Directors shall have the control and management of the affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by its chairman after due notice to all the directors of such meeting.

Three of the members of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held regularly on a quarterly basis at a time to be determined by a majority of the Board of Directors.

Each director shall have one vote and such voting may not be done by proxy.

The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

Vacancies in the Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the term.

The president of the organization by virtue of the office shall be chairperson of the Board of Directors. The Board of Directors shall select from one of their number a secretary of the Board of Directors.

A director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any director. A director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules as it may in its discretion consider necessary for the best interests of the organization, for this hearing.

ARTICLE EIGHT — OFFICERS

A. Elected Officers

The officers of the organization shall be as follows:

President
Vice President
Secretary
Treasurer
Quarter Master
Pipe Major
Drum Sergeant

A(1). President

The president shall preside at all membership meetings, by virtue of the office be chairperson of the Board of Directors, present at each annual meeting of the organization an annual report of the work of the organization, appoint all committees, temporary or permanent, see that all books, reports and certificates as required by law are properly kept or filed, be one of the officers who may sign the checks or drafts of the organization, and have such powers as may be reasonably construed as belonging to the chief executive of any organization.

A(2). Vice President

The vice president shall in the event of the absence or inability of the president to exercise his or her office become acting president of the organization with all the rights, privileges and powers as if he or she had been the duly elected president.

A(3). Secretary

The secretary shall keep the minutes and records of the organization in appropriate books, file any certificate required by any statute, federal or state, give and serve all notices to members of the organization, be the official custodian of the records and seal of the organization, be one of the officers required to sign the checks and drafts of the organization, present to the membership at any meetings any communication addressed to the secretary of the organization, submit to the Board of Directors any communications which shall be addressed to the secretary of the organization, attend to all correspondence of the organization and exercise all duties incident to the office of secretary.

A(4). Treasurer

The Treasurer shall have the care and custody of all monies belonging to the organization, be solely responsible for such monies or securities of the organization and be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.

The Treasurer shall render at stated periods as the Board of Directors shall determine a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting and shall exercise all duties incident to the office of Treasurer.

A(5). Quartermaster

The quartermaster shall be responsible for procurement, maintenance and accounting of all band property. He shall ensure the return, repair, or replacement of property.

A(6). Pipe Major

The Pipe Major must be a playing member of the pipe section and must demonstrate good character, musicianship and leadership ability, and promote the musical growth of the band as a whole. The powers and duties of the Pipe Major shall include:

1. To lead the band in the field in the absence of the Drum Major.
2. To assure that the Pipe Major or an appointed assistant is present at each band practice and performance.
3. To be responsible for the selection of tunes and sets from the effective repertoire. Also to be responsible for the selection of marching routines in cooperation with the Drum Major and Drum Sergeant.
4. To require reasonable competence of execution of the effective repertoire.
5. To have the authority to disqualify any member of the band from a particular engagement because of absenteeism from meetings, inadequacy of performance, or unfamiliarity with the pertinent repertoire.
6. To judge whether a member's instrument is sufficiently well maintained and tuned for him/her to participate in a band rehearsal or performance.
7. To designate particular settings of each tune that the band is to perform and to require adherence to those settings.

8. To devise a reasonable timetable for the acquisition of new tunes by band members.
9. To devise and conduct a program of practice chanter and pipe instruction of effective repertoire tunes for band members at regular band practices, to respond to individual need, and at all times exercise the freedom to alter established routines to meet particular exigencies.
10. To be responsible for monitoring the progress of participants in the Band Training Program, both first hand as well as through master class instructors who shall be appointed by the Pipe Major.
11. To appoint an assistant to help in these duties, and to fill in for the Pipe Major when absent.
12. To work with the Drum Sergeant in a cooperative manner to accomplish the goals of the band.
13. To decide what performance format and music will be played at each event.
14. To decide which pipers and how many drummers will perform at each even, and if a Color Guard or Parade Rig will be necessary.
15. To set the example for the Band.
16. To have final authority in all musical and performance matters with students and performing members of the band.

A(7). Drum Sergeant

The Drum Sergeant must be a playing member of the drum section and must demonstrate good character, musicianship and leadership ability. The powers and duties of the Drum Sergeant shall include:

1. To select or compose drum settings appropriate to the tunes in each of the band's three levels of performance.
2. To provide the drum section with copies of settings required.
3. To require reasonable competence of all rudiments used in band drum settings and to require demonstration of familiarity with all settings required for a given performance.
4. To have the authority to disqualify any member of the drum section from a particular engagement because of absenteeism from meetings, inadequacy of performance, or unfamiliarity with the pertinent repertoire.
5. To devise and conduct a program of drumming instruction of effective repertoire tunes for band members at regular band practices, to respond to individual need, and at all times exercise the freedom to alter established routines to meet particular exigencies.
6. To follow the Pipe Major's timetable for acquisition of new tunes and sets.
7. To oversee, where practicable, the instruction of bass and tenor drummers.
8. To consult with the Pipe Major regarding which, and how many, drummers will be employed in a given performance.
9. To appoint an assistant to help with the outlined duties, and to fill for the Drum Sergeant when absent.
10. To work with the Pipe Major in a cooperative manner to accomplish the goals of the band.

11. To set the example for the Drum Section and the Band.

No person may occupy more than one Officer position at one time.

No officer or director shall for reason of the office be entitled to receive any salary or compensation.

B. Appointed Positions

The organization may also have appointed positions as follows. Vacancies of these positions do not have to be filled. Additional appointed positions may be created and appointed by the Board of Directors as needs dictate.

Drum Major
Pipe Sergeant(S)
Pipe Corporeal(s)
Drum Corporeal(s)
Band Manager

(1). Drum Major

The Drum Major will be appointed in accordance with the wishes of the active membership, to be determined as follows. The Drum Major shall be elected by a majority vote of the membership. Selection should follow some type of audition or qualifier. The Drum Major will be eligible for active membership. Individuals under consideration should demonstrate good character, exemplary military appearance, and leadership ability. In addition, candidates should have a general familiarity with the structure of pipe music, including the variety of meters, tempos and be familiar with the conventions of Scottish piping and drumming. The duties of the Drum Major may include:

1. To drill the band in conventional march steps and maneuvers.
2. To help the Pipe Major and Drum Sergeant plan programs and to instruct the band in the execution of performing routines.
3. To inspect performance areas and prepare the band for any obstacles to a smooth performance.
4. To inspect uniforms and general appearance of band members, having the prerogative to disqualify any member from a particular engagement who fails to present a smart appearance.
5. To lead the band on the march, consulting with the Pipe Major about musical selections and special issues, and dismissing the band.
6. To maintain general order and decorum in the ranks.
7. To set and regulate the March pace and tempo.
8. To set the example for the Band

B(2). Pipe Sergeant(s)

The Pipe Sergeant is the primary assistant to the Pipe Major. The Pipe Sergeant(s) will be appointed by the Pipe Major. Not more than two Pipe Sergeant(s) will be appointed. Responsibilities of the Pipe Sergeant(s) include:

1. Set the example for the pipe section
2. Assist in the tuning of the pipe section.
3. Assist in the training of the pipe section, specifically those students not yet on the pipes.
4. Assist in the maintenance of the bagpipes.
5. Performs duties as directed by the pipe major.

B(3). Pipe Corporal(s)

The Pipe Major may appoint Pipe Corporals, not more than 2. These appointments may be done as special recognition of ability or responsibility. Responsibilities of the Pipe Corporals will be designated by the Pipe major.

B(4). Drum Corporal(s)

The Drum Sergeant may appoint Drum Corporals, not more than two. The Drum Corporals will assist the Drum Sergeant with his responsibilities to the band, and will lead the drum Section in his absence. These appointments may be made as special recognition of ability or responsibility. Additional responsibilities of the Drum Corporal(S) will be designated by the Drum Sergeant.

B(5). Band Manager

The Band Manager is appointed by the Board of Directors. The Band Manager must be an Active or Booster member of the Band. The Band manager reports directly to the pipe major. Responsibilities of the Band Manager include:

1. Plans and schedules all band events, commitments, and performances, with the approval of the Pipe Major
2. Updates and maintains the band schedule, giving information to the Web Master or Secretary for posting.
3. Acts as, or appoints individuals to act as Event Organizers to coordinate logistics for band missions and performances, and assist with event planning.
4. Works with the Pipe Major to ensure execution of short-term activities as well as develop long-term plans, policies, and goals.
5. Supervises publicity and public relations activities of the band, and ensures the Band's activities are appropriately publicized.
6. Writes, or coordinates the writing of, appropriate articles on the band for media or publicity.
7. Arranges photo support/coverage of band activities, as appropriate.
8. Maintains a positive liaison with local Public Service departments and societies, Celtic cultural and social organizations, pubs and restaurants, and pipe bands.

ARTICLE NINE - SALARIES

The Board of Directors shall hire and fix the compensation of any and all employees which they in their discretion may determine to be necessary in the conduct of the business of the organization. However, since the organization is a not for profit membership organization, it is the intent of the organization that salaries and compensation not be paid to any member, officer, or Board member, or any employee unless such compensation is approved by a two thirds vote of the active members at a regularly scheduled meeting of active members.

ARTICLE TEN — COMMITTEES

All committees except the Executive Committee of this organization shall be appointed by the President and their term of office shall be for a period of one year or less if sooner terminated by the action of the President. The Executive Committee of this organization shall be appointed by a majority vote of the Board of Directors and shall consist of three members, only one of whom can be a member of the Board of Directors. The Executive Committee can receive such assignments and duties as set forth in these By-Laws and as given to it from time to time by either the majority vote of the Board of Directors or by the President.

ARTICLE ELEVEN — DUES

The dues of this organization are set forth in Section 2(G) of the Membership rules of these By-Laws.

ARTICLE TWELVE - AMENDMENTS

These By-Laws may be altered, amended, repealed, or added to by an affirmative vote of not less than two thirds of active members. Notification of proposed changes to the bylaws must be submitted to the membership through the Secretary at least 30 days prior to a vote.