

BY-LAWS OF THE MOBILE COUNTY
SHERIFF'S FLOTILLA OF MOBILE COUNTY, ALABAMA, INC.

ARTICLE 1

The title of this organization shall be:

"MOBILE COUNTY SHERIFF'S FLOTILLA OF MOBILE COUNTY, INC. :

but it may be referred to herein as:

"THE SHERIFF'S FLOTILLA"
OR
"THE FLOTILLA"

ARTICLE 2
OBJECT

A. The object of the organization is as follows:

To conduct the search for or rescue of person or persons lost or drowned in Mobile County or at the request of neighboring counties: for God and Country to uphold and defend the Constitution of Alabama and the Charter and the By-laws of the Flotilla;

To be loyal members of the Sheriff's Flotilla and at all times to strive to promote its principles and advance its welfare: to participate in the observance of civic functions and to bring closer fellowship among the individual members, and;

To participate in a proper manner in calls to duty by the Sheriff of Mobile County, AL in the observance of public safety and welfare.

B. The obligation shall be administered by the Sheriff, Chief Deputy, or designee to each new member before his final acceptance into the organization in terms and words as follows:

"I (state name) solemnly swear (or affirm) that I will support the Constitution of the State of Alabama, so long as I continue a citizen thereof: and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God." (Ala. Code 36-4-5)

C. The organization shall be non-political and non-sectarian.

ARTICLE 3
ELIGIBILITY OF MEMBERSHIP

Any U.S. citizen, residing in Mobile County, or a surrounding county, who is at least 21 years of age and of reputable character, shall be eligible for membership in the Flotilla.

ARTICLE 4
MEMBERSHIP

- A. Membership in the Sheriff's Flotilla shall be limited to 50 members.
- B. There shall be three classes of members:
 - Type A) – Boat Owners
 - Type B) – Non-Boat Owners
 - Type C) – Qualified Divers
- C. There should be no more than 20 Type B members and no more than 15 Type C members in the Flotilla at any given time.
- D. Any member in good standing who has consistently participated in Flotilla activities may request and be transferred to Emeritus status. This status may be granted at the discretion of the officers and places the member in an inactive, non-voting status. Dues are to be waived for Emeritus members, but they will be required to participate in one regular Flotilla activity each quarter of the year to maintain said status. Credentials and working uniform may be issued as available.
- E. All members shall be allowed one vote and may participate in all activities for the Flotilla.
- F. Only persons with valid State Vessel Operator's certification can operate a flotilla vessel.
- G. Honorary Member: Any member, having served the Flotilla faithfully and honorably for twenty (20) years may request Honorary Status. This Status may be granted at the discretion of the officers. This applies also to persons currently in emeritus status. Honorary members will not be issue uniforms, MSCO credentials, or equipment.

ARTICLE 5
APPLICATION FOR MEMBERSHIP

- A. Membership in the Flotilla shall only be acquired by written application or reinstatement.
- B. Each member must read a copy of the By-Laws and sign an acknowledgment in the form attached to these By-Laws.
- C. New applicants shall be sponsored by a member in good standing. That member shall submit to the Secretary a completed application for membership.

ARTICLE 6
INVESTIGATION OF APPLICANT

- A. When application has been submitted, the Secretary will forward the application to the Sheriff's Office for further MCSO review; and.
- B. The Sheriff's Office will process the application through NCIC and Department of Public Safety.
- C. The Sheriff's Office then returns the approved application to the Flotilla.

- D. Application is then given to the membership committee for investigation. Upon completion, the Chairperson will submit the committee's finding at the next monthly meeting.
- E. With a favorable report the applicant will be voted on. Three or more dissenting votes by a quorum of the membership shall reject the applicant and he/she may not again apply for membership until the expiration of one year from the date of application.
- F. With approval of their application, the applicant will be placed in the CADET program.

ARTICLE 7
CADET PROGRAM

- A. Purpose – To indoctrinate and train individuals for acceptance into the Flotilla.
- B. The program is available to any U.S. citizen, residing in Mobile County, or a surrounding county, who is at least 18 years of age and of reputable character.
- C. An individual participating in the Cadet program is not a member of the Flotilla and shall not hold a slot on the regular Flotilla roster.
- D. Duties are limited to those assigned by the Cadet Lieutenant and/or on scene officers. These are to include but are not limited to: handling equipment, communications, etc.
- E. Minimum requirements to be completed by the Cadet to become eligible for membership into the Flotilla are:
 - 1. Attain the age of 21 years old.
 - 2. Must complete a swim test to include:
 - a) A 50 yard untimed swim
 - b) Tread/float for 5 minutes

Swim test may be taken with the aid of a flotation device. If flotation device is used to pass swim test, member shall be required to wear a PFD while participating in a call out on the shoreline or on dock and at all times while on board a boat.
 - 3. Demonstrate proficiency in boat handling and line handling.
 - 4. Complete a certified course in First Aid and CPR with use of AED..
 - 5. Demonstrate proficiency in handling communications equipment.
- F. The Cadet program shall be limited to a maximum of 10 persons with no more than five (5) members under the age of 21.
- G. A prospective member shall be in the cadet program until they have satisfactorily completed all requirements to be a member of the Sheriff's Flotilla. A probationary period of one year is required after becoming a member.

ARTICLE 8
TRANSFER FROM CADET PROGRAM TO REGULAR MEMBERSHIP

- A. Upon satisfactory completion of requirements for Cadet program, as set forth in Section (Article) 7 above, the individual's name is submitted to the Secretary by the Cadet Lieutenants for full membership into the Flotilla.

- B. When a membership slot which the applicant is qualified to fill is available, the \$25 initiation fee is paid.
- C. If one year since application was submitted has passed, the individual must go through another investigation. If one year has not lapsed, then a second investigation is not required.
- D. With a favorable report from investigation committee, the applicant is voted on for membership into the Flotilla. A one-third dissenting vote by the membership present will reject the applicant.

ARTICLE 9
REINSTATEMENT

Only members who have resigned in good standing may apply for reinstatement. All applications for reinstatement shall be in the form and manner of regular applications, except it shall require a negative vote of one-third of a quorum of the membership present and voting to reject. Reinstatement must be in line with the total membership as set forth in paragraph 4-A. Reinstatement must be investigated as an original petition. In the case of reinstatement, member shall be required to pay dues for the current year.

ARTICLE 10
DUES

- A. The membership dues shall be due and payable in advance prior to or during October of each year in the amount of \$25.00 per year.
- B. With the approval of two-thirds of the officers, a member's dues may be waived or deferred to a later date.
- C. Any member refusing or failing to pay the dues or assessments as fixed by the Flotilla, when due, shall automatically be suspended.
- D. Any member who resigns in good standing may be reinstated by paying the current year's dues, provided a vacancy exists.
- E. Dues are waived for Emeritus status.

ARTICLE 11
EXPULSION OF MEMBERS

- A. Any member of the Flotilla who shall at any time cease to be a member in good standing may be automatically and immediately expelled from the Flotilla. Badges shields, insignias and any other property furnished by the Flotilla shall always remain the property of the Sheriff's Office and shall be returned to the Commander upon dismissal from the Flotilla.
- B. Membership in the Flotilla shall be forfeited by:
 - 1. Failure to attend three or more consecutive meetings or callouts without an acceptable excuse.
 - 2. For false statement in making application for membership and/or violations of any of the provisions of the Articles of Incorporation of the Flotilla.
 - 3. For conduct prejudicial to the general welfare, discipline, prestige or the best interest of the Flotilla, or any part thereof.

4. For failure to provide at least 50 hours of service annually.
- C. No member will be expelled from the Flotilla without being given the privilege of appearing before the Disciplinary Review Committee and stating their defense.

ARTICLE 12
LEAVE OF ABSENCE

- A. A member may request in writing for a leave of absence, not to exceed six (6) months in duration.
- B. Leave of absence does not relieve that individual from paying dues or assessments.

ARTICLE 13
ORGANIZATION

The Flotilla will consist of the following Officers:

1. The Captain
2. Commander
3. Lieutenant Commander (appointed)
4. Secretary - The Secretary will wear the insignia of a Lt. JG, or one (1) silver bar.
5. Treasurer – Treasurer will wear the insignia of a Lt. JG, or one (1) silver bar.
6. Three Lieutenants – each assigned as follows:
 - a. Group 1 Lieutenant
 - b. Group 2 Lieutenant
 - c. Dive Lieutenant

Also, any such office as the Captain may from time to time deem necessary or desirable.

ARTICLE 14
NOMINATION AND ELECTION OF OFFICERS

- A. The officers shall be elected annually by vote of the members, except for the Lieutenant Commander, who shall be appointed by the Sheriff in accordance with Articles of Incorporation.
- B. The nominating committee will be appointed during the August meeting. It will present its recommended candidates at the annual September meeting. Nominations will then be accepted from the floor until the Captain closes the nominations. The Captain, Commander, Secretary, and Treasurer) will then be elected by ballot of the entire membership present. The candidate receiving the majority vote will win that position. Then members of the dive group will elect by ballot their group Lieutenant. All members of Group 1 and Group 2 will elect two (2) Lieutenants, one (1) for each group.
- C. These elected officers shall be elected for one (1) year and will hold office from October 1 until their successors have been duly elected and qualified.
- D. A vacancy or vacancies occurring in any elective office or offices will be filled by the nomination election of a successor at the next regular meeting. Notice of the fact that

nominations or elections shall be held to fill a vacancy or vacancies, specifying the office or offices to be filled, shall be included in the call for meeting, and shall be mailed or telephoned to all members of the Flotilla in good standing at least one week prior to date of election of such affairs.

- E. If a member cannot be present at the election of officers, the member may vote by proxy using email, or U.S. Postal mail. All votes must be received by the Captain by 4:00 PM on election day.

ARTICLE 15
MEETING OF THE FLOTILLA

- A. Meetings of the Flotilla shall be held each second Monday of the month or at the call of the Captain.
- B. Fifty percent of the active membership shall constitute a quorum at any Flotilla meeting.

ARTICLE 16
POWERS AND DUTIES OF CAPTAIN

- A. The Captain shall be the Chief Executive Officer of the Flotilla. The Captain's powers and duties shall include (but not be limited to) the following:
 - 1. Supervise the business and affairs of the Flotilla.
 - 2. To preside at all meetings of the Flotilla and all callouts when in attendance.
 - 3. To specify the date, time and place of all meetings and functions of the Flotilla whenever in his judgment it may be necessary or desirable.
 - 4. Arrange for and authorize the purchase of the materials, equipment, and supplies, for such price and on such terms and conditions as he/she shall from time to time think best. Such expenditures are not to exceed \$500.00 without Flotilla approval.
 - 5. Subject to the approval of the Flotilla, to create, make and issue mortgages, bonds, deeds of trust, trust agreements, and negotiable or transferable instruments, secured by mortgage or otherwise, and to do every act or thing necessary to effectuate the same.
 - 6. At his/her discretion, to affirm the appointment or suspend appointive officers, committee agents permanently or temporarily as he/she may from time to time think fit, and to determine their duties except that he/she shall not be empowered to remove the Lieutenant Commander from office.
 - 7. To appoint any person or persons to accept and hold in trust for the Flotilla any property belonging to the Flotilla, or in which it is interested.
 - 8. To prescribe rules and regulations governing the use of Flotilla material, equipment supplies and services.
 - 9. With the approval of the Flotilla, to sell, lease, or dispose of any Flotilla material and equipment, at such prices and of such terms and conditions and for such considerations as he/she may deem proper whenever it may be necessary or desirable for the Flotilla to dispose of such property.

10. To delegate by regulations any of these duties, functions, or powers to any Flotilla officer or to any committee constituted for such specific purpose, but the Captain shall continue to be responsible to the Flotilla for the prompt, efficient and proper performance of all duties, functions, and powers to delegate.
11. To see that all orders and resolutions of the flotilla are carried into effect, and that all officers and committees perform their duties as provided by these By-laws, or by orders or resolutions of the Flotilla.
12. To be an ex-officio member of all committees with voice and votes at all meetings of such committees.
13. To approve and countersign all orders for disbursement of any funds by the Flotilla, whether general or specific funds.
14. At the expiration of his/her term of office, make an annual report covering the activities, business, finances, status of materials equipment and supplies of the Flotilla during his term of office and make such recommendations as he/she believes to be of the best interest for the Flotilla during the ensuing year.
15. To call an officers meeting at least once a month, prior to the regular Flotilla meeting.
16. Captain may authorize remote attendance.

ARTICLE 17
DUTIES OF THE COMMANDER

- A. The Commander shall be the Administrative Officer of the Flotilla. He/she shall carry out the responsibilities of the Captain when the Captain is not present.
- B. He/she shall be responsible for all administrative duties such as, but not limited to:
 1. Assignment of unit numbers.
 2. Tracking of material and equipment.
 3. Maintaining roster and keeping the Sheriff's Office apprised of all changes to the roster of the Flotilla.
 4. Recording the hours of service provided by the Flotilla. An annual report of hours from October 1 to September 30 shall be presented at the December meeting.

ARTICLE 18
DUTIES OF THE SECRETARY

- A. Keep full minutes of all Flotilla meetings. He/she shall attend all meetings, acting as clerk thereof, and record all votes and minutes in a bound book kept for that purpose and belonging to the Flotilla. He/she shall perform like duties for any Flotilla committee when called upon by the chairman thereof.
- B. Keep such records and make such reports as he/she shall be called upon from time to time by the Captain or Commander.
- C. Keep the current records of the Flotilla in proper form at all times including the names and addresses of all members and applications for membership.

- D. Under the direction of the Captain, handle all correspondence of the Flotilla.
- E. For his/her services he/she shall be exempt from the payment of dues.
- F. The Secretary shall hold the rank of LT JG.

DUTIES OF THE TREASURER

- A. Sign all orders for disbursement of the Flotilla funds, after such disbursements have been approved by the Captain.
- B. Turn over to his successor in office all books, records, papers, and property of the Flotilla of whatever kind or description, in his/her possession, taking receipt therefore.
- C. Be subject to the supervision and direction of the Captain or Commander.
- D. Keep full and accurate accounts of all receipts and disbursements, in the manner prescribed and approved by the Captain in books provided by and belonging to the Flotilla.
- E. Deposit all moneys and other valuables in the name of the Flotilla and to the credit of the Flotilla, in such depositories as may be designated by the Captain, from time to time.
- F. Disburse the funds of the Flotilla, only upon orders signed by the Captain. The invoices or detailed statements of the transaction shall be attached to and made a part of the order authorizing its payment.
- G. Take proper receipt for all disbursements and shall give proper receipt for all moneys received.
- H. Make a monthly report in detail of the finances of the Flotilla to the Captain. At the September meeting, he/she shall render to the Flotilla an annual report of all transactions during the year.
- I. Be charged with the collection of all dues and the keeping of accurate records thereof and shall notify those members who may be in arrears.
- J. Give the Flotilla such bond, in such amount as the Officers may direct, for the faithful performance of the duties of his/her office and the restoration to the Flotilla in case of death, resignation or removal from office or at the expiration of his/her term of office, of all books, papers, vouchers, money or other property of the Flotilla's of whatever kind or descriptions that may be in his/her possession, the premium from the said bond to be paid from Flotilla funds.
- K. For his/her services he/she shall be exempt from the payment of dues.
- L. The treasurer shall hold the rank of Lt JG

ARTICLE 19 **DUTIES OF THE LIEUTENANTS**

- A. The Lieutenants will be in charge of their assigned crews and will carry out all instructions passed down to them. The Lieutenants will act in the absence of the Captain and Commander.
- B. The Lieutenants shall be responsible for keeping all members in their group informed of all activities of the Flotilla.
- C. The Lieutenants shall be responsible for ensuring that all members of their group are properly trained in their assigned duties.

D. Lieutenant shall monitor which members are available to serve and track their service hours.

ARTICLE 20
DUTIES OF THE LIEUTENANT COMMANDER

The duties of the Lieutenant Commander shall be to act as a liaison with the Sheriff's Office and assist the Captain when called upon.

ARTICLE 21
STANDING COMMITTEES

As auxiliary to the Captain and for the purpose of carrying out routine function, the following standing committee shall be appointed by the Captain:

1. Membership Committee shall be assigned at the October meeting for a term of one year. Their duties are to investigate all prospective members and to report to the Flotilla at the next monthly meeting.

ARTICLE 22
ORDER OF BUSINESS

The order of business at all monthly meetings shall be:

1. Call to order
2. Prayer
3. Pledge
4. Minutes of the last meeting read.
5. Treasurer's report
6. Recognition of visitors
7. Previous callouts
8. Committee
9. Old business
10. New business
11. Closing comments
12. Adjournment

At all other meetings, the order shall be at the discretion of the Captain.

ARTICLE 23
DISCIPLINARY REVIEW

A. A Disciplinary Review Committee shall be established to investigate complaints on any member in the Flotilla. To establish a complaint against the Captain, Commander, Secretary, or Treasurer at least one-third of the membership shall sign a petition stating the reason for the complaint against the officer.

- B. To establish a complaint against the Lieutenant of any group, at least one-third of the members of that group shall sign a petition stating the reason for the complaint against the Lieutenant.
- C. Any Officer can request a Disciplinary Review Committee for any member of their group at an Officers' meeting. They must state in writing the complaint or charge against the member.
- D. The Captain, or the Commander if complaint is against the Captain, shall appoint a review committee to consist of one member of each group and two officers for a total of five members. This committee shall elect its own chairperson.
- E. The Review Committee shall investigate as required to determine the facts including a statement from the person charged. At the next monthly meeting the committee shall report its decision.
- F. This decision shall be acted upon by the officers at the next officers meeting.
- G. The person charged has a right to appeal this decision to the full Officer Board by stating in writing their appeal within fifteen days after notification of the Disciplinary Review Committee decision.
- H. The Captain shall call an officers meeting before the next Flotilla meeting to address this appeal.
- I. After hearing the appeal, the officers by a majority vote may let the decision stand, modify the decision, or drop the decision completely. This shall be the final ruling on the matter.
- J.

ARTICLE 24
CHANGE OF ADDRESS

Any member changing his/her place of residence, mail address, email address, or phone number shall immediately notify the Commander.

ARTICLE 25
CODE OF CONDUCT

- A. The dress code shall be in accordance with that described by the Mobile County Sheriff's Office with the exception that facial beards will be allowed with a written doctor's justification.
- B. Beard, mustaches, and hair shall be kept neatly trimmed at all times.
- C. The Captain shall designate the uniforms of the Flotilla.
- D. Uniforms should be required at all scheduled callouts.
- E. Side arms may be carried as part of the uniform only by persons 21 years of age or older, currently qualified through the Sheriff's Office and when properly authorized.
- F. Members are expected to attend all meetings and callouts. Each day of a multi-day operation is considered a callout.
- G. Personal Flotation Devices (PFD) shall be worn by all Flotilla members when any type of watercraft is underway on a callout (be it a County Flotilla or personally owned vessel). It is the responsibility of the operator to ensure that all persons aboard the vessel are in compliance. If any person is found to be without a PFD properly worn, the operator shall be liable and assessed a fine of \$10.00 for each person not

wearing a PFD. If a Flotilla member is one of those in violation of this procedure, the member shall also be assessed a \$10.00 fine.

- H. All members are subject to and must abide by Mobile County Sheriff's Office Standard Operating Procedures (SOP).
- I. Individuals may only wear the Flotilla uniform and use the Flotilla equipment when on official business.

ARTICLE 26
DEFINITION OF NOTICE

All notices of whatever kind required to be sent to officers, committees, or members shall be deemed to have been properly served when mailed or communicated by telephone to the address or phone number last given by said officer or member.

ARTICLE 27
FISCAL YEAR

The fiscal year of the Flotilla shall begin on the first day of October and end on the last day of September of each calendar year.

ARTICLE 28
AMENDMENTS

Amendment to these By-laws shall be proposed in writing at any regular Flotilla meeting. The By-laws may then be amended at the next regular Flotilla meeting by a vote of two-thirds of a quorum of the members in good standing present.

ARTICLE 29
ACKNOWLEDGMENT STATEMENT

An acknowledgment statement, in the form attached, must be signed by each member of the Flotilla, and kept on file with the Secretary.

ARTICLE 30
PRESERVATION OF BY-LAWS

A certified copy of these By-Laws showing all amendments thereto shall be kept in the minute book of the Flotilla at all times and shall be available at all Flotilla meetings.

NAME: _____

I have read and understand the Bylaws of the Mobile County Sheriff's Flotilla of Mobile County, Inc. and do hereby agree to abide by the same.

Member signature: _____

Date: _____

Secretary signature: _____

Mobile County Sheriff's Flotilla

Chartered: February 1965

Articles 6 & 8 amended August 1975

Article 11 amended June 1976

Article 8 amended June 1995

(replaced entire contents)

Article 7

amended by amending Article 7.E.2

and added Article rG, Article 23.G, H, I and Article 25.G

Article VIII (August 12, 1996)

(amended Article 25 by adding Sect. 7.H) UNCLEAR

Article VIII (February 1999)

(amended Article 13 number 4, additional contents)

(amended Article 7, Article G, additional contents)

(April 12, 2004)

Amended Article 10A, change months)

(amended Article 14B, change months)

(amended Article 14C, change: months)

(amended Article 17, B-4, change months)

(amended Article 18, from one to two position)

(amended Article 21, change month)

(amended Article 27, change months)

(amended Article 30, change dates)

(Sept. 10, 2007)

(amended Article 1 0A, change dues)

(amended Article 11A equipment

(April 14, 2008) what happened here?

May 14, 2012

(amended Article 25 by adding "H" and made "housekeeping" changes)

August 14, 2023

(amended Article 2, Section b – “or designee”)

(amend Article 3 adding additional content)

(amend Article 4 by adding Sect F and G)
(amend Article 6, additional content to Section A)
(amend Article 7, Section B additional content)
(amend Article 7, add Section E(4))
(amend Article 8, Section B – additional co
(amend Article 10, Section A and B, - additional content)
(amend Article 13 – remove “Command”)
(amend Article 14, add Section E)
(amend Article 16, add Section 16)
(amend Article 19, Paragraph C - housekeeping changes)
(amend Article 19, add Section D)
(amend Article 25, Section - additional content)
(amend Article 25, add Section H).