

**FILED EFFECTIVE**

**ARTICLES OF INCORPORATION**

**OF**

2013 JAN 17 AM 8:57

**NEW PLYMOUTH VOLUNTEER FIRE DEPARTMENT, INC.**

STATE OF IDAHO  
SHERIFF'S OFFICE  
NEW PLYMOUTH

THE Undersigned, acting as the incorporators of a nonprofit corporation (Corporation) organized under and pursuant to the Idaho Nonprofit Corporation Act, Chapter 3, title 30, Idaho Code (Act), adopts the following Articles of Incorporation (Articles).

**ARTICLE I**

The name of the corporation is New Plymouth Volunteer Fire Department, Inc.

**ARTICLE II**

**Nonprofit Status**

The Corporation is a nonprofit corporation.

**ARTICLE III**

**Period of Duration**

The period of duration of the Corporation is perpetual.

**ARTICLE IV**

**Registered Office and Agent**

The location of the Corporation is in the City of New Plymouth, County of Payette, and in the State of Idaho. The address of the initial registered office is 6110 Custer Road, New Plymouth, Idaho 83655, and the name of the initial registered agent at this address is Jerry Stelling.

**ARTICLE V**

**Purposes**

The purposes for which the Corporation is organized and will be operated are as follows:

A. The purposes for which the Corporation is formed are charitable, and are to concern themselves with the provision of assistance, monetarily and otherwise, to members of the community, including, but not necessarily limited to, assistance to members of the community who have suffered loss from fire or other disasters.

- B. Charitable or educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time, including, for such purposes, the making of distributions to organizations that qualify as exempt under such Section 501(c)(3).
- C. To exercise all powers granted by law necessary and proper to carry out the foregoing purposes, including, but not limited to, the power to accept donations of money, property, whether real or personal, or any other things of value. Nothing herein contained shall be deemed to authorize or permit the corporation to carry on any business for profit, to exercise and power, or to do any act that corporation formed under the act, or any amendment thereto or substitute therefore, may not at time lawfully carry on or do.

## **ARTICLE VI**

### **Limitations**

No part of the net earnings or the assets of the Corporation shall inure to the benefits of, or be distributable to, its members, directors, officers, or other private persons except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article V hereof. No substantial part of the activities of the Corporation shall be for carrying on of propaganda, or otherwise attempting to influence legislation and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provisions of these Articles, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1886, as amended from time to time.

## **ARTICLE VII**

### **Members**

The Corporation shall have members. Said members shall consist of those persons who meet all the requirements and qualification and serve in the capacity as a volunteer fireman for the City/Rural of New Plymouth.

## **ARTICLE VIII**

### **Board of Directors**

The affairs of the Corporation shall be managed by its Board of Directors. The number of Directors service on the Board of Directors shall be fixed in accordance with the Corporation's Bylaws. Other than the Directors constituting the initial Board of Directors, who were designated in these Articles, the Directors shall be elected by the existing Directors of the Corporation in the manner and for the term provided in the Bylaws of the Corporation.

The names and street addresses of the persons constituting the initial Board of Directors are:

<u>NAME</u>	<u>ADDRESS</u>
Ray Zahm	6120 Adams Road New Plymouth, ID 83655
Brian Avansino	4810 South Whitely Drive Fruitland, ID 83619
Jerry Stelling	6110 Custer Road New Plymouth, ID 83655

## **ARTICLE IX**

### **Distribution on Dissolution**

Upon dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, distribute all of the assets of the Corporation to a nonprofit corporation qualified under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time, selected by the Board of Directors, in such manner as the Board of Directors shall determine. Any such assets not so distributed shall be distributed by the district court of the county in which the principal office of the Corporation is then located, exclusively for the purposes or to such organizations, as such court shall determine to be consistent with the purposes of the Corporation.

## **ARTICLE X**

### **Incorporator**

The name and street address of the incorporator is Jerry Stelling 6110 Custer Road, New Plymouth, ID 83655.

## **ARTICLE XI**

### **Bylaws**

Provisions for the regulation of the internal affairs of the Corporation shall be set forth in the Bylaws.

## ARTICLE XII

### Amendment of Bylaws

The Board of Directors of the Corporation shall be authorized to amend the Corporation's Bylaws at a properly noticed special or regular meeting of the Board of Directors.

DATED this 21 day of December, 2012.

  
Jerry Stelling

STATE OF IDAHO )  
: ss.  
County of Payette )

On this 21 day of December, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared JERRY STELLING, Known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



  
Carla Laird  
Notary Public for Idaho  
Residing at: New Plymouth, ID  
My Commission Expires: Apr 29, 2018