



**BUILDING OFFICIALS
ASSOCIATION OF
FLORIDA**

CONSTITUTION & BYLAWS

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Building Officials Association of Florida

CONSTITUTION AND BYLAWS

INDEX

ARTICLE	TITLE	PAGE
I	NAME	3
II	PURPOSE AND OBJECTIVES	3
III	MEMBERSHIP	3
IV	VOTING RIGHTS	4
V	OFFICERS	4
VI	BOARD OF DIRECTORS	5
VII	ICC REGIONAL DIRECTORS	6
VIII	ADMINISTRATION	6
IX	STANDING COMMITTEES	6
X	CHAPTERS	8
XI	MISCELLANEOUS	9
XII	ANNUAL DUES	9
XIII	AUDITING REPORTS AND RECORDS	9
XIV	MEETINGS	9
XV	PARLIAMENTARY AUTHORITY	10
XVI	DISSOLUTION	10
XVII	AMENDMENTS	10
XVIII	INDEMNIFICATION	10

Building Officials Association of Florida

CONSTITUTION AND BYLAWS

ARTICLE I - NAME

SECTION 1. The name of this organization shall be the Building Officials Association of Florida hereinafter referred to as the “Association”.

ARTICLE II - PURPOSE AND OBJECTIVES

The objectives and purposes of the Association shall be:

SECTION 1. To promote the maximum safety to life, health, and property, at minimum building cost, through education and training of building officials, plans examiners, and inspectors throughout Florida.

SECTION 2. To create a better public understanding and appreciation of the proper administration and enforcement of building, housing, and zoning regulations and their importance to the safety, welfare, and prosperity of all Floridians.

SECTION 3. To improve the professional image of building officials by promoting standards of effectiveness and ethics in the administration, and enforcement of building, housing, and zoning laws through communication, education, and training.

SECTION 4. To assemble with other government officials and industry representatives concerned with building, housing, and zoning laws at an annual conference to enable the exchange of ideas and discuss issues of mutual interest.

SECTION 5. To develop, in cooperation with the continuing education systems of state universities and colleges, courses of instruction and certification of building code enforcement personnel.

SECTION 6. To provide professional assistance and technical guidance to legislative and other governmental bodies in the promulgation and administration of building codes and related regulations.

ARTICLE III - MEMBERSHIP

SECTION 1. There shall be no personal, individual, or other liability whatsoever on the part of any member of the Association, either for debts of the Association or for the act of omission of the Association or of any officer, or agent, or employee thereof.

SECTION 2. There shall be the following membership categories:

- a. **Active:** Any Code Official who holds an active license in accordance with F. S. 468 Part XII, 633, or a Code Enforcement Officer involved in the enforcement of the Florida Building Code and the Epcot Code shall be eligible to become an active member upon payment of membership dues.

- b. **Associate:** Any research organization, architect, engineer, an employee of a private provider, certified or registered general, building, or residential contractor, and their related associations, manufacturers, or dealers in building materials or equipment, or other individuals or partnerships may become a non-voting associate member upon payment of the membership dues.
- c. **Honorary:**
 - i. Any individual who has rendered outstanding service to the Association, and who is recommended by the Board of Directors, and confirmed by a majority of the voting members present at the annual meeting.
 - ii. Honorary members shall be relieved of payment of annual dues and annual conference registration fees.
- d. **Retired:** Any former active member or any former associate member who is retired.
- e. **Student:** An individual enrolled in a high school, junior college, college, university, or trade school studying in the design, construction or related fields of the construction industry (e.g. design professionals, contractors, inspectors, manufacturers and other construction related occupations).

ARTICLE IV - VOTING RIGHTS

SECTION 1. Each Active Member shall have one (1) vote at all membership meetings at which they attend. Retired active members upon payment of annual dues, shall retain voting rights and privileges.

SECTION 2. Each Honorary Member shall have one (1) vote at all membership meetings for which they are in attendance. Honorary members shall retain the voting rights and privileges of an Active member.

SECTION 3. Associate and Student Members are not granted voting privileges.

ARTICLE V - OFFICERS

SECTION 1. The officers of the Association shall consist of a President, Vice President, Secretary, and Treasurer, and shall be active members, employees of a governmental entity entitled to receive worker compensation and unemployment compensation benefits under chapter 440 and 443 F. S. from such entity and elected by a simple majority vote of the active members present at the annual meeting. No officer shall serve more than one (1) term in each elected position. All elected terms of office shall be for one (1) year.

SECTION 2. The duties of the President shall include the following:

- a. Preside over all meetings of the Association.
- b. Ex-officio member of all committees and the Board of Directors.
- c. Serve as Chairperson of the Executive Committee.
- d. Determine the time and place of all meetings of the Board of Directors and the Executive Committee.
- e. Call special meetings of the membership at the direction of the Board of Directors or at the written request, of not less than one-third of the active members.
- f. Appoint the following:
 - i. As many as two (2) active members as technical assistants to the Executive Committee.
 - ii. Members to all of the Standing Committees; including successors to members

of any committee who are unable to complete their term of office.

- iii Members to represent the Association at events relative to the Association's business.
- iv. May assign sub-committees as necessary.
- g. May sign checks on behalf of the Association.

SECTION 3. The duties of the Vice President shall include the following:

- a. Those duties assigned to the President when serving in his/her stead.
- b. May sign checks on behalf of the Association.

SECTION 4. The duties of the Secretary shall include the following:

- a. Those duties assigned to the Vice President when serving in his/her stead.
- b. Record and distribute minutes of all official meetings of the Association. (Committees shall be responsible for minutes of individual meetings and reports).
- c. May sign checks on behalf of the Association.

SECTION 5. The duties of the Treasurer shall include the following:

- a. Those duties assigned to the Secretary when serving in his/her stead.
- b. Act as overseer and reporter of all funds and transactions of the Association.
- c. May sign checks on behalf of the Association.

SECTION 6. In the case of the death, disability, resignation, or removal of the President, the Vice President shall become the President, the current Secretary shall become Vice President, and the current Treasurer shall become Secretary. The President shall appoint a successor to serve as Treasurer until the next annual meeting.

ARTICLE VI - BOARD OF DIRECTORS

SECTION 1. The property, business and policies of the Association shall be managed by and under the authority of the Board of Directors.

SECTION 2. Membership: The membership of the Board of Directors shall consist of the President, Vice President, Secretary, Treasurer, Immediate Past President and one (1) director from each Association approved Chapter.

- a. The membership of the Board of the Directors shall be active members of the Association.

SECTION 3. The term of office for the Board of Directors shall be:

- a. The term of the President, Vice President, Secretary, and Treasurer shall be as set forth in Article V, Section 1.
- b. The term of the Immediate Past President shall be the same as the term of the newly elected President.
- c. The term of Chapter Directors shall be three (3) years.

SECTION 4. All Chapter Directors shall be elected by the membership of their respective Chapter prior to the annual meeting. The Director or designee shall represent the Chapter membership at all Board of Directors' meetings.

- a. The Chapter Director shall notify the Executive Director or the President of the name of

the designee and it shall be noted in the minutes of the Board of Directors' meeting.

ARTICLE VII - ICC REGIONAL CHAPTER DIRECTOR

SECTION 1. The membership shall elect three (3) Directors from the Association to provide representation to the Regional Chapter of the International Code Council.

SECTION 2. The Directors shall be an active members in good standing.

SECTION 3 The terms of the Directors shall be three years with one such director being elected at each annual conference. Initial terms shall be for 1, 2, & 3 year terms by drawing lots.

SECTION 4. If the office of Regional Director becomes vacant for any reason, the President shall appoint a successor for the unexpired term until his or her successor is elected at the next annual conference, subject to the ratification of the Board of Directors.

ARTICLE VIII - ADMINISTRATION

SECTION 1. There may be an Executive Director selected by the Board of Directors who shall serve at the pleasure of the Board, and whose salary shall be established by the Board. The Board may, at its discretion, enter into a contract for periods not to exceed two (2) years with the Executive Director. The Executive Director shall be dismissed only for proven cause and upon a majority vote of the Board of Directors at a properly scheduled and noticed meeting.

SECTION 2. The Executive Director shall have duties as outlined in the personnel manual of the Association.

SECTION 3. The Executive Director shall be an ex-officio, non-voting member of all committees and shall be present at all meetings of the Board and, from time to time, may be directed by the Board to attend certain meetings on behalf of the Association and make written reports to the Board of such meetings.

ARTICLE IX - STANDING COMMITTEES

SECTION 1. There is hereby appointed an Executive Committee, which shall consist of the President, Vice President, Secretary, Treasurer, and Immediate Past President. The President, at his discretion, may appoint as many as two (2) members as technical assistants to the Executive Committee.

SECTION 2. There shall be a committee known as "Awards Committee".

a. Duties: The Committee shall select a deserving recipient of:

i. "Building Official of the Year" – chosen from the current list of Chapter "Building Officials of the Year" or those other nominations given to the committee chair prior to the Annual Conference.

ii. "Robert K. Becker Memorial Lifetime Achievement Award" -for years of loyal and dedicated service and contribution to the code enforcement profession and the Association.

b. The Committee shall consist of at least five (5) members of the Association. A past

President, a past recipient of each of the awards (if available) and additional members as appointed by the President.

- c. There shall be an award known as the “Half Vast Award”.
 - i. The membership shall select one or more persons in the Association and publicly recognize such person or persons for persistent and fastidious service to the Association.
 - ii. The Half Vast Award recipient shall be determined by ballot of the membership.
 - iii. The ballots shall be counted at the direction of the President.
 - iv. Presentation of the Half Vast Award shall be made at the annual meeting of the Association.

SECTION 3. There shall be a committee known as the “Nominating Committee”.

- a. Duties: To submit by the next annual meeting, a slate of nominations for President, Vice President, Secretary, and Treasurer through solicitation of candidates and review of nominations. The Nominating Committee shall also be responsible for developing candidates for Board of Directors endorsement to fill upcoming seats on state boards, commissions, and committees, as well as ICC Officers, Directors, and committee seats.
- b. The Nominating Committee shall be comprised of five (5) members appointed by the President, one each from five geographic distinct areas of the state (Panhandle, North East Coast, South East Coast, West Coast, and Central Interior)
- c. The Nominating Committee shall report to the Board of Directors.

SECTION 4. There shall be a committee known as the “Mutual Aid Committee”.

- a. Duties: To develop all necessary policies, procedures, and strategies to improve and enhance the ability of the Association to assist its members during times of need.
- b. The Committee shall consist of the Directors from each Chapter and the President may appoint up to four (4) additional active members to review and evaluate changes to Mutual Aid policies and procedures. All terms of appointment shall be for one (1) year.
- c. The Mutual Aid Committee shall report to the Board of Directors.

SECTION 5. There shall be a committee known as the "Professional Development Education Committee".

- a. Duties: To maintain, administer, and expand all aspects of the training and continuing education programs in order to improve and enhance the skills, knowledge, and experience of the building code enforcement profession as well as those of affiliated professions in the interest of promoting the health, safety, and welfare of the citizens of Florida.
- b. The President shall appoint the Professional Development Education Committee, which shall consist of a minimum of seven (7) active members, and up to six (6) non-voting advisory members. All terms of appointment shall be for one (1) year.
- c. The Professional Development Education Committee shall report to the Board of Directors.

SECTION 6. There shall be a committee known as the “Bylaws Committee”.

- a. Duties: To review, revise, and update the Constitution and Bylaws to reflect current conduct and practice of the Association as needed.
- b. The President shall appoint a Bylaws Committee of at least four (4) active members to receive and evaluate changes to the Bylaws on a biennially cycle, unless a super majority of the Board of Directors (75%) deems an emergency exists that requires a change. All terms of

appointment shall be for one (1) year.

c. The Bylaws Committee shall report to the Board of Directors.

SECTION 7. There shall be a committee known as the “Scholarship Committee”.

a. Duties: To develop, review, and revise necessary policies, procedures, and strategies required to develop, implement, and administer the scholarship program.

b. The President shall appoint a Scholarship Committee of at least four (4) active members to evaluate candidates for scholarship awards. All terms of appointment shall be for one (1) year.

c. The Scholarship Committee shall report to the Board of Directors.

SECTION 8. There shall be a committee known as the “Membership Services Committee”.

a. Duties: To develop all necessary policies, procedures, and strategies to improve and enhance the Association and its membership services.

b. The President shall appoint a Membership Services Committee of at least four (4) active members to receive and evaluate changes to Membership Services. All terms of appointment shall be for one (1) year.

c. The Membership Services Committee shall report to the Board of Directors.

SECTION 9. There shall be a committee known as the “Code Development Committee”.

a. Duties: To review the codes and draft recommended code change proposals, and/or prepare position statements/interpretations on unclear and/or conflicting code issues to the Board of Directors to improve the consistency and enforceability of the codes.

b. The President shall appoint a Code Development Committee of at least four (4) active members to develop and monitor code development activities. All terms of appointment shall be for one (1) year.

c. The Code Development Committee shall report to the Board of Directors.

SECTION 10. There shall be a committee known as the “Legislative Committee”.

a. Duties: To review the current laws, rules, and any proposed amendments to the same and recommend appropriate actions to the Board of Directors.

b. The President shall appoint a Legislative Committee of at least four (4) active members, to monitor legislative activities. All terms of appointment shall be for one (1) year.

c. The Legislative Committee shall report to the Board of Directors.

SECTION 11. There shall be a committee known as the “Professional Conduct Committee”.

a. Duties: To review and develop a Code of Ethics and a Guideline for Conduct, and upon request investigate complaints involving the conduct of members.

b. The President shall appoint a Professional Conduct Committee of at least three (3) members: one (1) member at large, one (1) Past President, and one (1) Consumer Advocate member.

c. The Professional Conduct Committee shall report to the Board of Directors.

ARTICLE X - CHAPTERS

SECTION 1. The Association shall encourage and recognize the establishment of regional and local Chapter organizations of its members, the purpose of which shall be the furtherance of the objectives of the Association in the region or locality. Applications for the establishment of a Chapter organization together with a copy of the proposed Chapter Bylaws and a list of those who have agreed

to become members of the Chapter organization shall be submitted to the Board of Directors for approval. After receiving the Board of Directors' approval, the Chapter organization shall then be established.

SECTION 2. All Chapter organizations shall be managed in accordance with this Constitution and the rules established by the Chapter Board of Directors.

SECTION 3. The Board of Directors' approval to establish such local Chapters shall not in any manner subject the Association to legal actions initiated by person(s) aggrieved by any action of the local Chapter.

SECTION 4. Each Chapter shall be entitled to elect one Director to serve on the Board of Directors as prescribed in Article VI, Section 2.

ARTICLE XI - MISCELLANEOUS

SECTION 1. The Association shall be a not for profit, non-political organization.

SECTION 2. No part of the net earnings of the Association shall inure to the benefit of or be distributable to its members, directors, officers, or other private persons except that the Association 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 Section 2 of this Article, notwithstanding any other provision of this Constitution and Bylaws. The Association shall not carry on any other activities not permitted to be carried on by an Association exempt from Federal income tax under Section 501 of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law).

ARTICLE XII - ANNUAL DUES

SECTION 1. The Board of Directors may establish or increase membership dues for active and associate members as necessary from time to time, however in no case shall the dues exceed \$50 for active members and \$55 for associate members. Any action of the Board to increase the dues shall be ratified by the voting membership.

SECTION 2. Dues shall be collected by the Association Office and held in readiness for use by the Association.

ARTICLE XIII - AUDITING REPORTS AND RECORDS

SECTION 1. The Board of Directors may order or authorize an audit of the Association's financial records at the end of each fiscal year, which shall include an inventory of all assets.

SECTION 2. The fiscal year for the Association shall be from January 1 through December 31.

SECTION 3. The records of the Association shall be kept in the ordinary and usual place of business and open for inspection in accordance with appropriate state laws.

ARTICLE XIV - MEETINGS

SECTION 1. An annual meeting shall be held each year at such time and place as may be designated by the Board of Directors. Board of Directors meetings shall be held at such time and place as designated by the President or upon request of seven (7) members of the Board. Nine (9) members of the Board of Directors present at any duly called meeting shall constitute a quorum.

SECTION 2. Special meetings of the Association may be called by the President at the direction of the Board of Directors, or shall be called at the written request of representatives of not less than one-third of the active members. Members shall be given not less than thirty (30) days written notice of any special meeting.

SECTION 3. At the conclusion of each annual meeting the Board of Directors shall meet to organize and transact such business as may be necessary.

ARTICLE XV - PARLIAMENTARY AUTHORITY

SECTION 1. In the business of the Association, either in general session, Board meetings, or committee meetings, Roberts Rules of Procedure (Roberts Rules In Brief, 2004 Edition) shall govern with respect to all questions of a parliamentary nature unless otherwise herein provided.

ARTICLE XVI - DISSOLUTION

SECTION 1. Upon dissolution of the Association, it shall be the obligation of the Board of Directors to see that all just debts and claims are paid. Any funds remaining shall be distributed to one or more regularly organized and qualified charitable, scientific, or educational organizations which shall have been ruled exempt by the Internal Revenue Service under Section 501 of the Internal Revenue Code and have been selected by the Board of Directors.

ARTICLE XVII - AMENDMENTS

SECTION 1. The Constitution and Bylaws may be changed or amended by either of the following methods:

- a. A two-thirds majority vote by the active voting members present at the annual meeting after minimum sixty (60) day written notification to the membership of the proposed changes amendments or;
- b. The Board of Directors may order that any proposed amendment be submitted in writing to all voting members. The proposed amendment shall become effective upon the receipt of the affirmative vote of a two-thirds majority of the voting members. Only those ballots or votes that are returned to the Secretary within the time frame established by the Board of Directors and specified on the ballot shall be recorded.

ARTICLE XVIII - INDEMNIFICATION

SECTION 1. The Association shall indemnify its directors, officers, committee members, and employees for reasonable attorney fees and justifiable expenses stemming from liabilities which are deemed by the Board of Directors to have been reasonably incurred as a result of a legal proceeding to which the indemnified person is made a party by reason of having been a director, officer, committee member, or employee of the Association at the time an actionable cause arose except where the director, officer, committee member, or employee is deemed by a hearing officer to have been guilty of willful malfeasance, misfeasance, or nonfeasance in the performance of his or her obligations to the

Association. In order to properly indemnify directors, officers, committee members, or employees of the Association, the Board of Directors may authorize adequate insurance to cover the indemnification authorized by this article.