

# BYLAWS OF THE UTAH ASSOCIATION of BUILDING OFFICIALS

*A CHAPTER OF THE INTERNATIONAL CODE COUNCIL*

## ARTICLE I NAME, PURPOSE, AND OBJECTIVES

**SECTION I** This organization shall be known as the Utah Association of Building Officials, a Chapter of the International Code Council.

**SECTION II** The purposes and objectives of this Association are:

- A. To study and take action on matters involving the welfare of the citizens of the State of Utah which are of concern to, or the responsibility of, the Building Official, to represent the Building Officials in Building Code promulgation, and to investigate and take action in such matters at the direction of the membership.
- B. To place the public safety and welfare of the citizens of Utah above all other interests and to apply the special knowledge and skills of Building Officials to benefit the human element of the built environment.
- C. To promote the recognition and importance of the Building Official's responsibility and the value and benefits of adequate code administration organizations. To help any jurisdiction within the State of Utah to evaluate, establish, monitor, or improve their code enforcement effort. To encourage the employment of adequately trained, properly supervised, equitably compensated code enforcement personnel.
- D. To develop, recommend and promote uniform regulations and legislation pertaining to building construction and encourage uniformity in code enforcement and interpretation.
- E. To review and research all proposed building, plumbing, electrical, mechanical and similar codes or legislation and proposed amendments thereto when deemed appropriate, and make each member aware of the implications of such codes, amendments, and legislation, and take an active position on such codes, amendments or legislation.
- F. To operate in harmony with and promote the purposes and objective of other specialty code-oriented chapters in Utah without conflicting therewith.
- G. To advance the professional skills of those involved in the administration and enforcement of building laws.
- H. To work with, build relationships, and help with educating community at large, elected officials, the Utah HBA and General Contractor Associations throughout the State of Utah.

**SECTION III** This Association shall be nonpartisan and shall not be used directly or indirectly for the dissemination of partisan principles.

## **ARTICLE II JURISDICTION**

**SECTION I**      The geographic boundaries of this Association shall encompass the State of Utah.

## **ARTICLE III MEMBERSHIP**

**SECTION I**      The membership shall be confined to those persons who have paid their dues and are:

A.                Class A Members

A Class A member is a governmental unit or department represented by a building official who is charged with the administration and enforcement of laws and ordinances related to building construction. A Class A member's building official may, in addition, designate in writing individuals employed by said jurisdiction or individuals with ICC certifications contracted to provide services to said jurisdiction to serve and vote on committees and to serve as its voting representatives at all business and special meetings.

B.                Associate Members

An Associate member is an individual who is contracted with or employed by a jurisdiction eligible for Class A membership or employed by a current Corporate Member and must hold a current Utah Inspector License.

C                 Corporate Members

A Corporate member is a firm, corporation or association interested in the objectives of the Association.

D                 Professional Members

A Professional member is an individual interested in the objectives of the Association.

E                 Retired Members

A UABO member who is retired from a jurisdiction and/or the industry.

F                 Honorary Members

An Honorary member is an individual who has rendered outstanding and meritorious service in the furtherance of the objectives of this Association. An honorary membership shall be proposed by the Board of Directors and confirmed by majority vote of the members at the Annual Business Meeting and such memberships shall be for life.

**SECTION II** Voting Eligibility

- A. All members and designated representatives shall be entitled to participate in meetings and serve on committees, receive agendas and minutes. Only designated voting representatives of Class A members and board members shall be entitled to make and second motions, and to vote. Voting by members may be in-person at meetings, via tele-video conference, written or electronic mail consent, or by other means as deemed allowable by Utah Nonprofit law. No less than ten (10) voting members shall constitute a quorum. On committees, designated voting representatives of Class A members and professional members shall be entitled to make and second motions and to vote.
- B. Each Class A member voting representative shall have one vote on any given matter.
- C. A Class A member may authorize a person from their jurisdiction to serve as their proxy at any meeting provided written authorization is presented to the presiding officer prior to the start of the meeting.

**SECTION III** Code of Ethics

- A. All designated voting representatives of Class A members and other members representing or purporting to represent the organization are bound by the Association's Code of Ethics. It is each member's responsibility to be familiar with the provisions of the Code and to fulfill those provisions.
- B. All designated voting representatives of Class A members and other members representing or purporting to represent the organization are subject to and must abide by any sanctions imposed by the Board of Directors. Appeals of the actions of the Board of Directors shall be reviewed and acted upon by the designated voting representatives of Class A members at a regular Business Meeting.
- C. The Code of Ethics and the matrix of sanctions may only be revised at any regular Business Meeting by a majority vote of the designated voting representatives of Class A and Professional members. The process for review of complaints may be revised by either the Board of Directors or a majority vote of the designated voting representatives of Class A members at any regular Business Meeting.

**ARTICLE IV**  
**OFFICERS AND BOARD OF DIRECTORS**

**SECTION I** Officers - Executive Board

The Officers of this Association shall be a President, Vice President, Immediate Past President, Secretary and Treasurer. Installation of Officers shall occur at the annual business meeting.

**SECTION II** Immediate Past President

The Immediate Past President is the person who most recently served a full term as President.

**SECTION III** Board of Directors

The Board of Directors shall consist of one member representative from each ICC and IAEI Chapters of Utah.

**SECTION IV** Appointed Positions

The president may establish a support staff to assist the board as deemed necessary. Such positions shall be confirmed by the board of directors. These positions shall not be executive board voting members.

**SECTION V** Eligibility and Terms of Office

- A. Only Class A members who are Building Officials may serve on the Board of Directors.
- B. At no time can more than two voting representatives who are under contract for services with Class A members be elected to serve on the Executive Board.
- C. There shall be no compensation paid to officers or directors of the Association, other than that which may be authorized by the Board of Directors as reimbursement of expenses incurred during the conduct of Association business.
- D. The term for officers shall be one year, and no officer shall hold the same office for more than two consecutive terms. No individual may serve more than eight (8) consecutive years on the Board of Directors. Elective year shall be from the end of the Annual Business Meeting to the end of the Annual Business Meeting the following year.
- E. In the event of a change in employment, or other status changes, a board member may complete or continue to serve the organization to fulfill their term if they so choose.

**SECTION VI** Vacancies

- A. A vacancy in the office of President shall be filled by the Vice President. A vacancy in the office of Vice President, Secretary or Treasurer may be filled by the appointment of a designated voting representative of a Class A member by the Board of Directors to serve the remaining term of office. If the immediate Past President chooses not to serve or is unable to serve, the Board of Directors may elect to leave the position open or appoint any former President who has served a full term in that office and is a member in good standing.
- B. Vacancies on the Board of Directors shall be filled by the Chapter where such vacancy exists.

**SECTION VII** Appointment and Removal of an Officer or Director

- A. Any officer or director may be removed from office by majority vote of the Board of Directors if they have missed two consecutive meetings of the Board of Directors and/or Business Meetings during their terms of office without an accepted excuse. The acceptance of an excuse for absence shall be at the discretion of the Board of Directors.

- B. Any officer or director may be removed upon the vote of a majority of the members present and voting at a duly called, noticed and attended Business Meeting, so long as the number of votes cast in favor of removal is a majority of those necessary for a quorum. The call for removal of an officer or director shall appear on the agenda of a regular Business or special meeting.

## **ARTICLE V POWERS AND DUTIES OF THE BOARD OF DIRECTORS AND OFFICERS**

- SECTION I** The Board of Directors shall have the authority to carry on the business of this Association between Business Meetings, and employ or appoint an Executive Director or Administrator.
- SECTION II** The Board of Directors shall meet at least quarterly to carry on the business of the Association. A majority of the Board of Directors shall constitute a quorum for the purpose of a meeting. When appropriate or necessary, the Board may conduct meetings remotely by using telephones, electronic communications, or by other means as deemed allowable by Utah Nonprofit law. All electronic meetings require simultaneous communications and all participating members must be able to participate real time and, if a vote is taken, a majority of the Board members must be participating with all responses signed or verified by the sender and recorded in the corporate minutes.
- SECTION III** The President or any two board members may call the Board of Directors together for any number of special meetings that may be deemed necessary to carry on the business of the Association. All members shall be notified not less than two days prior to any meeting.
- SECTION IV** The President shall preside at all meetings of the Association and its Board of Directors, appoint all committees subject to approval by the Board of Directors, and perform such duties as may be required by these bylaws. The President shall be the official spokesperson for the association.
- SECTION V** The Vice President shall assist the President, oversee the implementation of the Association's strategic plan and act as liaison to other specialty code-oriented chapters and organizations in Utah and assume the office of President once the current President has completed their term in office.
- SECTION VI** The Secretary shall keep just and accurate minutes of any action taken at a Business Meeting of the Association. The Treasurer shall supervise the Association's disbursements, provide timely financial reports to the Board of Directors and the members and assist in the preparation of the annual budget. The Secretary and Treasurer are not voting members of the board of directors nor of the executive board.
- SECTION VII** The Board of Directors shall attend and take part in Board of Director meetings and shall assist in committee activities and other Association projects and programs as assigned to them by the President.
- SECTION VIII** The Treasurer shall receive all dues of the members of the Association and deposit the same to the credit of this Association in a bank, or banks, approved by the Board of Directors. The Treasurer or Designee shall keep an accurate record showing the amounts received, deposited, and expended by the Association and prepare checks for signature. The Treasurer or Designee shall make a report at the Annual Business Meeting and other times when directed to do so by the President or Board of Directors. Additional duties will be assigned by agreement with the Board of Directors. The Treasurer or Designee shall be an ex-officio member, without voting privileges, of the Board of Directors.

## **ARTICLE VI MEETINGS**

**SECTION I** A regular Business Meeting shall be held each quarter of the calendar year. One Business Meeting shall be known as the Annual Business Meeting and shall be held at a time and date approved by the Board of Directors each calendar year. The time and place of the meetings shall be determined by the Board of Directors. Additional or special meetings, as deemed necessary may be called by the President with consent of the Board of Directors. Business Meetings will be held in the Salt Lake County area.

**SECTION II** Not less than thirty days' notice shall be given prior to Annual Business Meetings, and not less than ten days' notice shall be given to all members prior to regular meetings. Special Meeting shall require at least 2 days' notice.

## **ARTICLE VII COMMITTEES**

**SECTION I** Standing Committees

The President shall, with consent of the Board of Directors, appoint from the Class A or Professional membership, Chairpersons to the standing committees.

These standing committees shall be known as the:

- A. Codes Committee
- B. Legislative Committee
- C. Education Committee

The Chairpersons shall, with consent of the Board of Directors, appoint the committee membership.

**SECTION II** Other committees and applicable general provisions.

The President may establish such other limited duration committees as deemed necessary to carry on the goals of the Association. All committees shall establish goals statements. Meetings shall be run under Roberts Rules of Order. The chairperson shall take minutes and attendance and report to the Board of Directors. Two unexcused absences will be grounds for removal.

## **ARTICLE VIII DUES**

**SECTION I** Annual dues shall be established by the Board of Directors with notice of 30 days to the membership before final board approval.

**SECTION II** Dues are assessed on the calendar year. Dues are payable on or before December 31 of each year. Dues must be paid within sixty days of the due date or the membership will be dropped.

**SECTION III** Honorary members shall not be assessed dues. A list of Honorary members shall be kept by the board.

**ARTICLE IX  
FISCAL YEAR**

**SECTION I** The fiscal year of this Association shall be established as the period commencing on July 1 and terminating on June 30 of the following year.

**ARTICLE X  
RULES OF ORDER**

**SECTION I** Questions of rules of order shall be determined in accordance with Robert's Rules of Order, except as herein provided.

**SECTION II** A "Majority Vote" or "Majority Vote of the Membership" means, unless otherwise specified, a simple majority of the voting members in attendance at the respective meetings, (Business or special) and the Annual Business Meeting.

**ARTICLE XI  
NOMINATION OF  
EXECUTIVE BOARD**

**SECTION I** The nominating committee shall consist of the Past President and up to three other designated voting representatives of Class A members appointed by the President.

A The Chapters shall present their recommendations for officers to the Board of Directors at the Annual Business Meeting. The rotation shall be as listed below:

**Bonneville Chapter  
UAPMO  
Beehive Chapter  
Utah Chapter  
Utah Chapter IAEI**

B Any Chapter that does not put forth a representative at the Annual Business Meeting will forfeit this right and the next represented Chapter will put forth their representative for the position for the coming year. The Chapter so passed over will assume their normal position on the leadership list.

C The Vice President shall be confirmed at the Annual Business Meeting. The Secretary and Treasurer shall be appointed by the President and confirmed by the board of directors. The sitting Vice President shall automatically assume the position of President at the completion of the President's term or vacation of the position.

**SECTION II** Nominations from the floor of the Annual Meeting shall not be allowed.

**ARTICLE XII**  
**AMENDMENT(S) TO CONSTITUTION AND BYLAWS**

- SECTION I** Amendments to the bylaws of this Association may be proposed by any Class A member at any time.
- SECTION II** The amendment(s) must be presented in writing, showing the article or section as worded, and also as proposed. The language to be deleted shall be ~~bracketed~~ and **proposed shall be bolded and underlined**. The amendment(s) must be presented to the Secretary not less than thirty (30) days prior to the next regular Business Meeting.
- SECTION III** The proposed amendment(s) shall list the reason for the change, the name and signature of the person submitting the proposal.
- SECTION IV** The Secretary shall send a copy of the proposed amendment(s) to all Class A and Professional members in good standing not less than fifteen (15) days prior to the next regular business meeting.
- SECTION V** Approval of two-thirds of the Class A members shall be required for the passage of any amendment.