

# BYLAWS OF BUILDING OFFICIALS ASSOCIATION OF PALM BEACH COUNTY, INC.

## ARTICLE I NAME AND PURPOSE

**SECTION 1. NAME.** This organization shall be known as The Building Officials Association of Palm Beach County, Inc., hereinafter in these Bylaws referred to as the Association.

**SECTION 2. OBJECTIVES.** The objectives of the Association are: To develop, maintain and promote the adoption of Construction Codes and supplements thereto.

To promote uniformity in building regulations through the adoption of the Codes and to encourage uniformity in the application, interpretation and enforcement of said Codes. To study, review, and advance the fundamental principles of safety in building construction.

To advance the professional skills of those engaged in the administration and enforcement of building regulations.

To advise and assist in the administration of building codes and ordinances. To organize, promote, and publicize educational programs and materials, including but not limited to the certification of code enforcement personnel.

To promote the objectives of the Building Officials Association of Florida. To perform other functions as deemed relevant to or desirable for the attainment of these objectives.

## ARTICLE II MEMBERSHIP AND VOTING

**SECTION 1. MEMBERSHIP CATEGORIES.** There shall be the following membership categories:

1. **ACTIVE MEMBER.** Any building official, fire official, plans examiner, inspector, Certified Permit Technician, or code enforcement officer involved in the enforcement of building, fire, housing or zoning codes, ordinances or statutes shall be eligible to become an active member upon payment of membership dues. Honorary members, as designated by the Board of Directors, and confirmed by a majority of those members voting at any meeting, shall be relieved of payment of annual dues.

2. **RETIRED ACTIVE MEMBER.** Any former active member or any former associate member who is retired.

**3. ASSOCIATE MEMBER.** An individual, company or organization who express an interest and share in the objectives of the association may become non-voting associate members upon payment of membership dues and approval of the Board of Directors. This includes an individual who is involved in the acceptance, processing, and issuance of permits for enforcement of the Florida Building Code.

**4. STUDENT MEMBER.** An individual enrolled in a high school, junior college, community 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).

**5. CORPORATE MEMBER.** Corporate members shall be those employees of a sponsoring corporation involved in the support or business of the construction industry. Such memberships allow for up to five (5) employees to represent the corporation at all Association meetings and functions upon payment of annual dues. This is a non-voting category of the Association. Corporate members may be offered the opportunity to address the membership, display information or provide other materials at meetings and functions, time permitting, with permission of the person in charge of the event.

**6. HONORARY MEMBER.** An individual that has served the Association and is recognized by the current members of the Association as being or having been a significant factor within the Association and the building industry for a significant period of time and having left a positive legacy for the benefit of being associated with the organization. Such member shall be entitled to all of the benefits of an Active Member at the Chapter level (excludes State and International) and shall not be subject to annual membership dues.

**SECTION 2. VOTING.** All voting shall be in accordance with the following:

**1. GENERAL.** Only Active Members, and Retired Active Members upon payment of annual dues, shall be entitled to vote. All members shall be entitled to participate in meetings and discussions. In order to assure fair and definite consideration of all pertinent questions, any member may make or second motions.

**2. NUMBER OF VOTES.** Each active member and retired active member shall have one (1) vote at all membership meetings at which they are in attendance. Honorary members shall retain the rights and privileges of an active member.

**3.** Associate, Corporate, and Student Members are not granted voting privileges.

### **SECTION 3. ANNUAL MEMBERSHIP DUES.**

The cost of the annual dues shall be in accordance with the following schedule:

**ACTIVE MEMBER \$30.00**

**RETIRED ACTIVE MEMBER \$15.00**

**ASSOCIATE MEMBER \$25.00**

**STUDENT MEMBER \$10.00**

**CORPORATE MEMBER \$350.00**

All membership dues are payable yearly prior to January 1. For renewal go to the BOAPBCGOV website for instructions in October, November or December and use the "contact Us" upper right hand corner and the check can be send to the PO box. If a Government entity is paying they still pay to the State. These By-Laws go into effect on 1/1/2025 and dues will change on the 2026 cycle.

## **ARTICLE III OFFICERS**

**SECTION 1.** The officers of the Association shall consist of a President, Vice President, Treasurer, and Secretary, and shall be active members, A minimum of three (3) of the officers shall be employees of a governmental entity entitled to receive worker compensation and unemployment compensation benefits under chapter 440 and 443 F. S. A maximum of Two (2) officers may be a contracted employee of a government entity charged with regulatory responsibilities of enforcing the Florida Building Code or a retired active member that has not been retired more than 4 years when they first run for office. All officers of the Association shall be 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, within 5 years of their last term of service as an officer of the Association. All elected terms of office shall be for one (1) term. A term is defined as from the time the officer is sworn into office until the successor is sworn in.

**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. Determine the time and place of all meetings of the Board of Directors including banking transitions of signatures for banking after 1st January Meeting.
- d. Verify the updated Officers and January Meeting minutes outlining Officer Changes is present for the January Bank Meeting.

- e. Announce the committees annually in February per Bylaws
  - i. Chairpersons to all of the Standing Committees; including successors to Chairpersons of any committee who are unable to complete their term of office
  - ii. May assign sub-committees as necessary.
- f. Oversees communications with BOAF and ICC Including Letters of Recommendations and submitting the annual report for grant training
- g. Use BOAPBC debit card and 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. Follow up on BOAF and ICC training classes
- c. Work with treasure to ensure Tax document are submitted to Accountant timely.
- d. Use the BOAPBC debit card and may sign checks on behalf of the Association.

**SECTION 4.** The duties of the Treasurer shall include the following:

- a. Those duties assigned to the Vice President when serving in his/her stead.
- b. Act as overseer and reporter at monthly meeting of all funds and transactions of the Association Including the PO Box payment and monthly checking for mail/checks.
- c. Provide monthly meeting lunches.
- d. Send scholarships checks after verification of transcript, etc.
- e. Use the BOAPBC debit card and may sign checks on behalf of the Association
- f. Submit required Tax Document to accountant.

**SECTION 5.** The duties of the Secretary shall include the following:

- a. Those duties assigned to the Treasurer when serving in his/her stead.
- b. Record and distribute minutes and agenda of all official meetings of the Association. (Committees shall be responsible for minutes of individual meetings and reports). Distribute prior to monthly meeting to officers for changes
- c. Update BOAPBCGOV.ORG website.
- d. File State Officer changes on Sunbiz.org
- e. Update letterhead and minute templates in January, prepare the updates officer changes for the president for January banking meeting.
- f. Use the BOAPBC debit card and may sign checks on behalf of the Association

## **ARTICLE IV BOARD OF DIRECTORS**

**SECTION 1. DUTIES.** The property and the business affairs of the Association shall be under the direction of the Board of Directors.

**SECTION 2. NUMBER AND QUALIFICATIONS.** There shall be a seven member Board of Directors. The Board of Directors shall consist of four officers, those being a President, a Vice President, a Secretary and a Treasurer, together with three other Directors, one of whom shall be Immediate Past President of the Board. Each member of the Board of Directors shall, at all times during his or her tenure in office, be a voting Active Member or Retired Active Member

**EXCEPTION:** Upon termination of employment, a member of the Board of Directors may continue to serve in his or her official capacity, at the pleasure of the Board of Directors, until the next election of the affected Board of Directors Seat.

**SECTION 3. OFFICERS.** The officers of the Association shall be the President, Vice President, Secretary and Treasurer who shall be elected annually at the December November meeting by a majority vote of the Active Members present and voting. At the option of the members voting at the meeting, by a recognized floor motion and vote, the offices of secretary and treasurer may be combined or separated.

**SECTION 4. BOARD OF DIRECTORS.** The Directors of the Association shall be elected at the November meeting by a majority vote of the Active Members present and voting.

### **SECTION 5. TERMS OF OFFICE.**

**1. OFFICERS.** The officers shall be elected for one year terms. In no case, shall an Officer serve more than two (2) consecutive terms in the same position.

**2. DIRECTORS.** The full term of office for a Director shall be two (2) years and no Director shall serve more than one consecutive full term. However, if a Director is appointed midterm as stated in Section 6, nothing in this section shall preclude a Director from being elected to a full term.

**3. GENERAL.** Nothing contained within this section shall be construed to interfere with the term of office of the present members of the Board of Directors.

**SECTION 6. VACANCIES.** A vacancy in the office of the President shall be filled by the Vice President. A vacancy in the office of the Vice President shall be filled by the Treasurer and shall remain the Treasurer for remainder of term. A vacancy in the office of the Treasurer may be filled by the Secretary. A vacancy in the office of the Secretary shall be filled by a majority vote of the Board of Directors for the unexpired term. A vacancy in the office of the Director may be filled by a majority vote of the remaining members of the Board of Directors and the person elected shall serve until the next annual election at which time such office shall be filled by a regular election for the remainder of the unexpired term. (See Section 2 for required qualifications.)

**SECTION 7. ABSENCES.** The Board of Directors shall attend each monthly meeting. Absence from 3 consecutive monthly meetings, without a majority of the Board of Directors approval, will require the office to be vacated. The approved absence shall be communicated at the general meeting the absence occurred.

## **ARTICLE V LIMITATION OF EMPLOYER REPRESENTATION**

**SECTION 1.** To encourage wide representation by Active members, no more than two employees of the same employer may serve simultaneously on the Board of Directors.

## **ARTICLE VI COMMITTEES**

**SECTION 1. STANDING COMMITTEES.** The Association shall have, as a minimum, the following standing committees:

1. **BYLAWS COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of three members.

- (a) The committee shall recommend Bylaw changes to the general membership.
- (b) Proposed changes to the Association Bylaws shall be mailed, or emailed using the last known email address in the Association records, to the entire membership sixty (60) days prior to the annual November meeting. The proposed changes shall be an agenda item for discussion and explanation at the annual September and/or October meeting(s). The proposed changes may be voted on by those present and voting at the annual November meeting. A simple majority vote of 50% plus one of those present at the November meeting is required to pass a Bylaw change. If majority is not in attendance voting to be moved to December.

**2. NOMINATING COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of three members.

(a) At the November meeting, the committee shall present to the membership their recommended nominations for the elective offices as listed in these Bylaws.

(b) This committee is responsible for the recognition of those persons, members and non-members that have acted as 'Friends to The Association'. This committee will produce Certificates of Appreciation for the President's signature and arrange for presentation to these 'Friends of The Association'. Proposals for recognition can be made at regular meetings and authorized by a majority vote of the attending voting membership. (Certificates of Appreciation for monthly meeting presentations would not require a vote.)

(c) This committee shall solicit from the membership recommendations to recognize The Building Official, Inspector, Plan Examiner and Permit Tech of the year. From the recommendations solicited, this committee shall select The Building Official, Inspector, Plan Examiner and Permit Tech of the year. Those selected shall be recognized at the annual meeting.

**3. LIAISON COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of three members. The duties of this committee shall be:

a. To further the objectives of the Association as set forth in Article I, Section 2.

b. Receive and answer all program requests for Association representation and discussion from other organizations.

c. Represent the Association in all public relation endeavors.

**4. EDUCATION COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of 5 members. The committee shall recommend and procure a training schedule for the year.

**5. BUILDING SAFETY COMMITTEE.** This committee shall be announced annually in February by the President. The committee shall disseminate information to the membership about safety principles. It shall propose the Annual May Building Safety Month proclamation for vote in the March/April Meetings.

**6. MUTUAL AID COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of three (3) members. The committee shall be responsible to act as liaison to the B.O.A.F. Statewide Mutual AID Coordinator.

**7. SCHOLARSHIP COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of four (4) members. The duties of this committees shall be:

- a. Making the Annual Charles R. O’Meilia Scholarship packet available on line to the Students of High Schools and Trades schools in Palm Beach County.
- b. Chairman to provide the application to the committee in a timely manner. All voting to be completed by June 30<sup>th</sup>, with winner to be announced in the July meeting
- c. Provide the winners the requirements to renew their scholarship consecutively for three years. This would include the committee chairman’s email address and the PO Box for BOAPBC.

**8. LEGISLATIVE COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of four (4) members. The duties of this committees shall be:

- a. Review the current laws, rules, and any proposed amendments to the same and recommend appropriate actions to the members of BOAPBC.
- b. Monitor legislative activities and attend the BOAF State committee meetings.

**9. CODE DEVELOPMENT COMMITTEE.** This committee shall be announced annually in February by the President and shall have a minimum of four (4) members. The duties of this committees shall be:

- a. 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 members of BOAPBC to improve the consistency and enforceability of the codes.
- b. To develop and monitor code development activities.
- c. Participate in the State CDC meetings.



**10. OTHER COMMITTEES.** The President, with the approval of the Board of Directors, may appoint other committees that are deemed necessary to further the objectives of the Association and/or for other purposes such as fund raising or entertainment.

a. The Other committees appointed by the Board of Directors for fund raising events shall fill out and have the approved BOAPBC EVENT PLANNING OUTLINE form filled out, presented and approved by the Board of Directors. This is to be completed prior to any deposits, expenditures or commitment of BOAPBC funds.

b. Receipt for monies spent shall be forwarded to the treasurer within 10 days of payment for services. Full accounting for activity is to be presented at the next local meeting/or 30days after event occurs whichever is longer.

**11. ONGOING COMMITTEE MEMBERSHIPS.** The President shall have the authority to add members to the various committees throughout the year, if needed, to ensure the work of the committees is carried out to further the objectives of the Association. Additions, deletions and changes to the various committees is to be announced at the first regular meeting of the Association following such changes.

## **ARTICLE VII MISCELLANEOUS**

**SECTION 1.** The Association is a non-profit, non-political organization as defined under exemption requirements for 501(c)(3) organizations.

**SECTION 2.** Severability. In the event any section of these By-Laws is found to be nonapplicable or otherwise unenforceable, such ruling shall have no effect or impact on the remaining portions of this document.

## **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 IX PARLIAMENTARY AUTHORITY**

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 XI CONFLICT OF INTEREST DISCLOSURE**

Whenever any officer or director has a potential conflict of interest on a matter to come before the Association, the affected party shall disclose such potential conflict to the Board and shall make such potential conflict a matter of record. In the event of a potential conflict, the affected party shall refrain from taking any action on the matter. Any action taken in violation of this section shall automatically be set aside and shall be reconsidered by the Board as appropriate