

Nebraska Code Officials Association, Inc.

CONSTITUTION and BY-LAWS

(as amended January 2006)

I N D E X

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ARTICLE I

NAME OF THE ORGANIZATION

The name of this organization shall be known as the Nebraska Code Officials Association, hereinafter referred to as the "Chapter or N.C.O.A., which N.C.O.A. is a Chapter of the International Code Council, Inc., also referred to as the I.C.C.

ARTICLE II.

CHAPTER OBJECTIVES

Section 1. The objectives of this Chapter are:

- a.** To promote the public safety and welfare in the areas of community planning and building construction and occupancy;
- b.** To develop, recommend and promote uniform regulations and legislation pertaining to building construction, and to encourage uniformity in zoning practice and code interpretation;

- c.** To support the hiring and continual education of qualified persons to administer and enforce building codes;
- d.** To establish minimum uniform standards for building departments and promote adequate recognition of the building department in the administrative organization;
- e.** To advise and assist in administering building laws and ordinances;
- f.** To further public safety in construction, use and location of buildings through the promotion and implementation of the International Building Code and related companion codes;
- g.** To promote public awareness of the provisions of building codes and zoning ordinances;
- h.** To act as a forum for the investigation and discussion of the principles underlying safety in the construction, occupancy and locations of buildings;
- i.** To act as a chapter of the International Code Council, Inc.;
- j.** To do all such other things as are incidental to or desirable for the attainment of the above objectives; and
- k.** To support and promote the International Code Council, Inc. and their mission in promulgating a comprehensive and compatible regulatory system.

Section 2. This chapter is not organized for profit, and no part of the earnings shall be to the benefit of any member or officer except as compensation for services rendered or for necessary expenses actually incurred.

Section 3. Acts, omissions, agreements or representation by the Chapter shall not be binding upon the International Code Council.

ARTICLE III. CLASSES OF MEMBERSHIPS

Section 1. There shall be the following classes of memberships:

a. Governmental Members. There shall be two classes of Governmental membership.

1. Unit. A Governmental Unit engaged in the administration or formulation of laws and ordinances relating to building construction. In no case shall a governmental unit be entitled to more than one Unit membership, except as it has separate agencies engaged in the above activities, in which case the Board of Directors, in accordance with the provisions of Section 2 of this article, may classify such separate agencies as members.

2. Individual. An individual responsible for the enforcement or

administration of laws and ordinances relating to building construction and employed by a Governmental Government Unit.

b. Professional Member. An individual or firm, incorporated or unincorporated, engaged in the practice of architecture, engineering, inspection, construction research, or testing and/or interested in the objectives of this organization.

c. Honorary Member. An individual who has rendered outstanding and meritorious services in the furtherance of the objectives of this organization and who shall be nominated by the Executive Board and confirmed by a majority vote at a Business meeting.

d. Student Member. Any individual enrolled in classes or a course of study occupying at least twelve (12) hours of classroom instruction per week.

e. Retired Member. Any former member who is retired.

Section 2. All memberships shall be subject to the classification of the Executive Board.

Section 3. All members may make and second motions and serve on committees. Only Active Government Individual members as defined in the bylaws of Nebraska Code Officials Association shall be entitled to vote on the following Chapter matters and serve on the Executive Board:

- a). By-laws
- b). Articles of Incorporation
- c). Membership
- d). Officers
- e). Executive Board
- f). Assets
- g). Mergers
- h). Dissolution
- i). Code Development Activities.

Section 4. Professional, Honorary, Student, and Retired members are limited to these activities:

- a). Attending regular meetings
- b). Submitting comments and information
- c). Committee membership both voting and non-voting participation.

ARTICLE IV

EXECUTIVE BOARD OFFICERS

Section 1. The officers shall be the President, Vice-President, Past President, Secretary, Treasurer, and two Directors, all of whom shall be active Government Individual members at the time of their election to office. Officers must remain active Government Individual members during their tenure. The elective officers shall constitute the Executive Board.

Section 2. The officers shall be elected for a term of two years. The election of all officers shall be at the chapter's Annual Business meeting by a majority vote of all the active members present.

Section 3. The term of the office of each elective officer shall begin at the close of the Annual Chapter Business meeting at which he is elected and shall continue for the period designated above or until a successor is duly elected.

Section 4. A vacancy in the office of President shall be filled by the Vice-President. In the event of a vacancy of any other position on the Executive Board, such position shall be filled by the Executive Board with a majority vote.

Section 5. The President shall preside at all Business Meetings and at the meetings of the Executive Board and shall be an ex-officio member, without vote, of all committees.

Section 6. Officers shall not act in their official capacities by proxy.

ARTICLE V DUTIES OF EXECUTIVE BOARD OFFICERS

Section 1. Duties of the President.

a. The President shall officiate at all business meetings of the Chapter. The President shall arrange for the Vice-President to officiate at those meetings from which the President will be absent. If the President and the Vice-President are to be absent at such business meeting, the President shall arrange for a President Pro-Tem to conduct the meeting.

b. The President shall monitor the official duties of the other officers and assure that the duties of each office are promptly fulfilled. The President shall anticipate the activities and events which are sponsored by the Chapter and assure that they are properly scheduled and planned.

c. The President shall annually appoint committees commensurate with the need therefore and require timely action and reports by same. Such committees shall be promptly dissolved upon completion of their work or at the discretion of the President or at the end of the President's term.

d. Committees may include but are not limited to:

The "Nominating Committee" is appointed in the third meeting of the year for the recommended nominees to be announced at the last meeting of the year.

The "Audit Committee" is to audit the Treasurer's financial figures. This committee consisting of at least two Government Individual members is to be appointed by the President at the third meeting of the year so that an annual Audit Committee report can be made at the last meeting of the year. The "Legislative Committee" is to keep apprised and review upcoming bills of the State Legislature.

The "Education Committee" is to plan and assure educational programs for the Chapter membership and promote professional development.

The "Code Development Committee" is to evaluate and initiate code change proposals to the interest of the chapter and to conduct active Code informational programs. Alternative education and code development activities may be assigned to a single committee to provide programs for meetings. Such a committee would appropriately be called the Education and Code Development Committee.

The "Program Committee" is to provide interesting and informative programs for seminars, Chapter meetings, and/or special meetings.

The "Membership Committee" is to provide written correspondence to those persons or firms that are potential members.

The "DATNE Committee" is to pursue activities the Chapter can provide in the event of a disaster.

Section 2. Duties of the Past President.

a. The Past President shall assist with the duties of the President.

Section 3. Duties of the Vice-President.

a. The Vice-President shall assist the President and become familiar with the duties of the higher office.

b. The Vice-President shall assure a full, interesting, educational and informative program at each of the Chapter meetings or seminars. The Vice-President shall monitor and coordinate the preparation of meeting programs as proposed by Chapter committees, the general membership, or the Board. Suggested sources for programs and speakers are professional organizations, education media, Chapter

membership, I.C.C. staff or officers, State and Federal agencies, building material suppliers, and the construction industry.

Section 4. Duties of the Secretary.

- a. The Secretary shall keep the minutes of all the meetings and shall forward copies of same to all members and the I.C.C. editor within thirty days of the close of each meeting.
- b. The Secretary shall record the official correspondence of the Chapter and report same at the next meeting.
- c. With the assistance of the Vice-President, he or she shall issue a detailed agenda for the next meeting for distribution to the membership.
- d. The Secretary shall be responsible for the registration of all delegates at Chapter conferences and seminars.
- e. The Secretary shall maintain a current roster of Chapter membership and shall annually publish and distribute a complete and current list of the Chapter membership to each member.
- f. The Secretary shall cooperate with the Membership Committee in their efforts to expand the Chapter and promote the benefits of the Chapter membership.

- g. The Secretary shall be responsible for preparing and submitting the Annual Chapter Report to I.C.C.

Section 5. Duties of the Treasurer.

- a. The Treasurer shall keep and maintain the financial records of the Chapter.
- b. The Treasurer shall be responsible for the receipting, recording, and accounting of monies received and expended by the Chapter, including such transactions at any special meeting and at any seminar.
- c. The Treasurer shall present copies of the annual records to the Audit Committee for them to make a detailed audit report at the last meeting of the year.
- d. The Treasurer shall submit a detailed financial report to the membership at every Chapter meeting.

Section 6. Duties of the Directors.

- a. The Directors shall give willing support and assistance where needed.
- b. The Directors shall coordinate with the State staff in the Governor's proclamation for Building Safety Week and in the distribution of this information and materials to the membership.

Section 7. Duties of All Officers.

- a. All Officers shall work together to provide interesting and productive meetings for the Chapter membership and their guests.
- b. All Officers shall strive in every way toward the preservation, perpetuation and improvement of the Chapter and its goals.
- c. All Officers shall promote and assist the proliferation of the Chapter to other jurisdictions.

ARTICLE VI EXECUTIVE BOARD POWERS

Section 1. The Executive Board shall have the authority to carry on the business of this organization between Chapter Business meetings except that the Board shall not have authority to authorize or make any expenditure in excess of \$500.00.

Section 2. The Executive Board shall have power to appoint an Assistant Secretary, and Assistant Treasurer, an Attorney, an Auditor, a Director of Publications, and such others as may be needed to serve at the request of the Executive Board.

Section 3. The Executive Board should meet and organize at the close of the Annual Chapter Business Meeting and transact such business as may be necessary. Special meetings shall be held as and when called by the President or when requested by a majority of the members of the Executive Board. A majority of the members of the Executive Board shall constitute a quorum at any meeting. There shall be no representation of Board members by proxy. Complete records shall be kept of all proceedings and actions of the Executive Board.

ARTICLE VII MEETINGS

Section 1. Business Meetings shall be held at least four times a calendar year. The first meeting of the year shall be known as the Annual Chapter Business Meeting.

Section 2. Five percent of the Government Individual paid active members shall constitute a quorum for the transaction of business on the floor of the Business meetings. Three Executive Board Members shall be present to constitute a quorum.

Section 3. Meetings of committees shall be by call of their respective chairmen who shall render reports at Business Meetings.

ARTICLE VIII ORDER OF BUSINESS

Section 1. The order of business of the Quarterly and Annual Chapter Business Meetings shall be as follows:

- a). Roll Call of Officers
- b). Approval of Minutes of Previous Meetings
- c). Communications
- d). Reports of Officers and Committees
- e). Unfinished Business
- f). New Business
- g). Election and Installation of Officers
- h). Program of Special Speakers
- i). Adjournment

Section 2. The order of business may be changed by a majority vote of the members present at the Annual or Quarterly Chapter Business Meeting.

Section 3. Roberts Rules of Order shall apply to the conduct of business meetings.

ARTICLE IX DUES

The annual dues for all members shall be at least but not limited to \$100.00 for each Government Unit membership; \$15.00 each for Government Individual memberships; \$100.00 each for Professional memberships; and as recommended at the Annual Meeting by the Executive Board and approved by the membership. No dues shall be charged for Honorary, Student, or Retired Memberships.

ARTICLE X SUPPORT AT MEETINGS OUT OF STATE

The Chapter may designate members to attend at seminars, conferences, and/or hearings when representing the Chapter. The Chapter may financially support the designated members to attend and represent the Chapter at the I.C.C. Annual Business meetings and/or Code Development Hearings. Such financial support shall include and be limited to expenses noted in the travel reimbursement policy.

ARTICLE XI TRAVEL REIMBURSEMENT POLICY

Section 1. Policy.

The purpose of this regulation is to establish a policy for reimbursement of the designated members attending meetings out of state to represent the Chapter.

Section 2. Procedure.

The designated member intending to travel for the benefit of the Chapter must submit a request to the Executive Board for approval prior to expecting any reimbursement for such travel. This request, along with a cost estimate, shall be presented to and approved by the membership present at the quarterly meeting prior to any anticipated travel. A travel reimbursement request should include a comparison between air fares and vehicle mileage. One engaged in travel for the benefit of the Chapter has the responsibility of keeping accurate, substantial cost records and to submit such records to the Executive Board following such travel. Vehicle mileage shall be paid if the use of a personal automobile is used and intended primarily for trips instate or short distance, because air transportation is not available or appropriate.

Section 3. Advance for Expenses.

Upon approval of the travel request by the Executive Board, a travel advance may be obtained from the Treasurer.

Section 4. Transportation.

The lowest available advance air fare (coach rate) will be considered the standard cost for reimbursement purposes for travel. The expense of using a personal automobile or city vehicle shall be paid at the rate that the Federal Government has in use at the time. Mileage shall be determined by consulting an accepted reference such as the Rand-McNally Road Atlas. Reimbursement will be based on the cost of the lowest available air-fare or the established mileage reimbursement rate, whichever is less. In-route meal and lodging expenses will be reimbursed only to the extent they would have been incurred had travel been via air. Reasonable parking costs are also reimbursable. A letter from the Chapter Secretary should be sent to the Administrator of the designated member's jurisdiction informing them that the Chapter will pay for designated expenses of such designated member if they are allowed to attend the meeting out of state to represent the Chapter.

Section 5. Lodging.

Hotel accommodations shall be appropriate for the purpose of the trip. Receipts for all lodging costs shall be secured. Reimbursable lodging costs per person should not exceed that of a single room rate. Receipts are required to be submitted with the final expense report.

Section 6. Meals.

Reasonable expenses for meals, including tips, will be reimbursed as per current IRS Reimbursement Schedule. The value of convention or group sponsored meals should be deducted from the allowed meal expenses. In the final expense report, it should indicate which meals were provided by the convention.

Section 7. Local Transportation.

Local transportation costs included such costs as rental car and taxi fare (including tips) to and from the conference may be reimbursed. Parking expenses for a personal or city car may also be included. If receipts can be obtained, they should be submitted with the final expense report.

Section 8. Telephone and Fax's.

Expenses incurred for telephone and faxed messages may be reimbursed, within reason, when necessary for Chapter business. Receipts are required to be submitted with the final expense report.

Section 9. Registration Fee.

Fees for the registration at the conference, hearing, and/or convention are allowed to be reimbursed. A receipt for the registration fee is required.

Section 10. Final Expense Report.

A final expense report must be submitted to the Treasurer no later than two weeks after returning from such approved travel. The Treasurer is then responsible for reviewing the completed report for proper documentation and reasonableness of expenses. If any portion of the travel advance is unspent, the unspent portion must be repaid to the Chapter when the final expense report is submitted.

**ARTICLE XII
AMENDMENTS**

Proposed amendments to these By-Laws to be considered at any Chapter Business Meeting shall be signed by at least five (5) Government Individual Active Members and shall be presented to and

accepted by the Executive Board at any Chapter Business Meeting. The Board shall cause them to be printed in the next Chapter Business Meeting notice and shall present its recommendations. These proposed amendments may be discussed and amended at that next Chapter Business Meeting and passed by a two-thirds vote of the Active Government Individual Members present.

ARTICLE XIII EFFECTIVE DATE.

The above amended "Constitution and By-Laws" of the Nebraska Code Officials Association, Inc., which were voted on and approved by the membership shall become effective upon approval by the International Code Council.

On January 23, 1998, the Constitution and By-Laws were extensively revised

On October 7, 1999, Articles IV & V were voted to propose adding a second Director

On December 1, 2000, Articles I, II, XI, & XIII were amended by vote of the membership.

On January 12, 2006, the Constitution and By-Laws were extensively revised and approved by a majority vote of the membership.

On July 8, 2008, the Associations name was changed by a majority vote of the membership from NebraskaLand Conference of Building Officials and Inspectors Inc. to Nebraska Code Officials Association
