

INTERNATIONAL CODE COUNCIL REGION XI

Arizona, Colorado, New Mexico and Utah

International Code Council

Region XI

BY-LAWS

ARTICLE I – NAME OF ORGANIZATION

- 1-1.0 The name of this organization shall be known as "Region XI of the International Code Council."
- 1-2.0 Where elsewhere in these by-laws the term "Chapter" may be substituted for the full name.
- 1-3.0 Address: Correspondence should be directed to the Chairperson of the Executive Board.
- 1-4.0 Web Address: The web site address of this Chapter shall be www.iccsafe.org Region XI Bulletin Board.

ARTICLE II – PURPOSES AND OBJECTIVES

- 2-1.0 The objectives of this Chapter are:
 - 2.1-1 To assist and encourage the education and certification of code officials by the regional ICC Chapters in order to advance professionalism in code enforcement.
 - 2.1-2 To support the effort by the ICC to regionalize the nation and provide better service for the state chapters and coordinate efforts within the code change process.
 - 2.1-3 To promote the health, safety and welfare of all people in matters relating to building occupancy and construction.
 - 2.1-4 To promote higher professional and ethical standards in the field of building inspection and code enforcement.
 - 2.1-5 To establish and maintain a good working relationship within the construction industry, with design professionals and with other interested parties.
 - 2.1-6 To encourage and provide a forum for the free exchange of ideas and information among its members and to monitor and disseminate information to our membership regarding the national model code process and associated public safety issues.
 - 2.1-7 To promote and protect the International Codes through lobbying efforts and other means for the protection of the citizens of Region XI and the advancement of code enforcement.

ARTICLE III – MEMBERSHIP

- 3-1.0 Any member of any Region XI ICC Chapter shall be entitled to membership in Region XI. Honorary membership may be granted by a majority vote of the Board to an individual that has made significant contributions to the furtherance of the purposes and objectives of the chapter. Voting Representation in Region XI is as outlined below.
 - 3-1.1 Voting Representative/Board: Each state shall be entitled to three (3) Board members with voting rights as part of the Board. Each State shall determine the selection process for Board voting rights. The Board shall govern the affairs of the Chapter.
 - 3-1.1.1 Proxy Voting: In the event a voting representative is not able to attend a Board meeting, the State Chapter shall provide the name of the proxy voter.
 - 3-1.2 Committee Members: Each Chapter or organization holding membership in the Chapter shall be entitled to as many as three additional members to hold positions on the principle committees of the Region, such as the Code Change Committee and Regional Structure Committee, Education Committee and any other committee duly formed by the Board.
- 3-2.0 Application for Membership.
 - 3-2.1 Submit a completed and signed petition for membership form.
 - 3-2.2 The Board shall review said application for correctness, qualifications, as well as other criteria, and take action to approve, deny, or table at the next regular meeting.
- 3-3.0 Funding Region XI Activities.
 - 3-3.1 Normal Region XI activities shall be funded by annual member dues.
 - 3-3.2 Annual member dues shall be set per Member State by the Board. Dues shall be payable by the first Region XI meeting of a new calendar year.
 - 3-3.3 If the demands of Region XI are being met without the annual dues, the Board may authorize a suspension or reduction of dues on an annual basis in order to not exceed the funding necessary to support the Chapter.
 - 3-3.4 If dues required by this section are not paid by the first annual meeting, then that State would forfeit their voting rights and membership in this Chapter until dues are paid in full.
- 3-4.0 The affairs of this Chapter shall not be conducted for profit.
- 3-5.0 No member shall utilize the Chapter name for private gain.

3-6.0 Neither members nor officers shall receive any fee, salary or remuneration of any kind for their services as provided; however, officers may be reimbursed for reasonable expenses incurred in a preapproved budget line item or with special approval of the Board upon presentation of vouchers.

3-7.0 Termination of Membership.

3-7.1 Any chapter may resign from Region XI by giving written notice. Withdrawal or resignation from this Chapter shall not be deemed to waive liability for the payment of any dues or other amount owing this Chapter at the effective date of such withdrawal or resignation.

3-7.2 Membership is not transferable. All rights and privileges of any individual serving as an officer, trustee or other position with the Chapter shall be forfeited upon termination of membership.

ARTICLE IV – APPOINTMENTS

4-1.0 Each state shall appoint three representatives to serve on the Board. The Host State shall also appoint a Chairman to serve over the 12 Board representatives. Each year Chairmanship shall rotate per 4-2.0 to the next Host State.

4-2.0 Chairmanship Rotation for Region by State*

- 1.) New Mexico
- 2.) Colorado
- 3.) Utah
- 4.) Arizona

* Any State that is not a member in accordance with Article 3-2 during their term of Chairmanship will forfeit that right and the next represented state will assume Chairmanship responsibility for the coming year. The State so passed over will assume their normal position on the Chairmanship list. The Host State shall be the State the Chairman represents.

4-3.0 In the case of a vacancy on the Board, the vacancy shall be filled by an appointment of the representative's State.

4-3.1. In the case where a Board member is unable to attend a meeting of the Board, the representative's State may appoint an alternate to fulfill the duties of that member for the term of that meeting.

4-4.0 The Chairman shall serve for one year.

ARTICLE V – VOTING

5-1.0 Each active member present, that has voting rights at a meeting of the Board, shall be entitled to one vote.

- 5-2.0 No member may vote by proxy or absentee ballot except as allowed for in sections 3-1.1.1 or 4.3-1 respectively allowing the use of an alternate.
- 5-3.0 Upon motion duly made, seconded, and voted by a majority of members present and voting, the vote upon any question or election shall be cast by ballot.
- 5-4.0 Any eligible member may waive their right to vote on any matter.

ARTICLE VI – MEETINGS

- 6-1.0 This Chapter shall meet annually at ICC ABM conference at room and time provided by ICC, and such meetings shall begin promptly and close promptly at the set time. Membership shall be notified of the date, time and place of all meetings with adequate previous notice and the notice timeframe is to be determined by the Board.
- 6-2.0 The regular meetings shall be devoted to the theory, promotion and practice of the principals of code enforcement and standards and the purposes and objectives of the Chapter.
- 6-3.0 Unless specified otherwise in the by-laws, Robert's Rules of Order (current edition) shall be the authority on Chapter meeting conduct.

ARTICLE VII – SPECIAL MEETINGS

- 7-1.0 A special meeting of the members may be called at any time by the Chairman or by a majority of the Board then in office.
- 7-2.0 Assent in Lieu of Members Meeting: Any action required or permitted to be taken at any meeting of the members may be taken without a meeting if all members entitled to vote on the matter assent to the action by a writing or email filed with the records of the meetings of members. Such assent shall be treated for all purposes as a vote at a meeting.
- 7-3.0 Place of Meeting. Any special meeting of the members held in the place of the annual meeting, and any other special meeting of the members, shall be held at such place as is stated in the announcement, and may include any meeting conducted through electronic or telecommunication means. Any adjourned session of any annual or special meeting of the members shall be held at such place as is designated in the vote of adjournment.
- 7-4.0 Quorum: At any meeting of the members, a quorum for the election of any officer, or for the consideration of any question shall be 51% of the Board members. In any case, any meeting may be adjourned from time to time by a majority of the votes properly cast upon the motion, whether or not a quorum is present, and the meeting may be adjourned without further notice.

When a quorum for an election is present at any meeting, a plurality of the votes properly cast for any office shall elect to such office, except where a larger vote is required by law or by these by-laws. When a quorum for the consideration of a question

is present at any meeting, a majority of the votes properly cast upon the question shall decide the question except in any case where a larger vote is required by law or by these by-laws.

ARTICLE VIII – BOARD

- 8-1.0 Officers. The Officers of this Chapter (Executive Board) shall consist of a Chairman, Vice-Chairman, Secretary, Treasurer, and Past Chair who shall begin their service at the election of officers to be conducted at the annual ICC ABM. The officers shall be elected from the members in good standing of the organization by a majority of the membership at the annual meeting.
- 8-2.0 A majority of the Board shall constitute a quorum at any meeting of the Board.
- 8-3.0 A Treasurer shall be elected by a majority vote of the membership for a maximum term of five years.
- 8-4.0 A Secretary shall be elected by a majority vote of the membership for a maximum term of five years.

ARTICLE IX – POWERS AND DUTIES

- 9-1.0 Duties of Executive Board. The Executive Board shall provide guidance to act on such matters as are specifically delegated to the Board by the by-laws.
- 9-2.0 Duties of the Chairman. The Chairman shall preside at all meetings of this Chapter and with the approval of the Board shall appoint or replace all chairpersons and members of committees not otherwise specifically provided for herein. The Chairman shall perform all other and such usual duties as are performed by the president of an association. In the event the Chairman is absent for a meeting, the Chair shall appoint his/her designee from the host state to preside over the meeting during his/her absence.
 - 9-2.1. The Chairman shall determine location, date, and time of annual meeting of the Board to be held in the Chairman's home state.
 - 9-2.2. The Chairman may call any number of special meetings of Region XI that may be deemed necessary to carry out the goals or objectives of Region XI.
- 9-3.0 Duties of the Vice-Chairman. The Vice-Chairman shall assist the Chairman with the administration and or delegation of the duties of the Board and Committees.
- 9-4.0 Duties of the Secretary. The Secretary shall record notes of all public meetings.
 - 9-4.1. The Secretary shall maintain a distribution list of key contacts for the region and save documentation digitally at a location approved by the Board.
 - 9-4.2. The Secretary shall assist the Chairman in the distribution of information to the membership as needed.

9-5.0 Duties of the Treasurer.

9-5.1. The Treasurer shall accurately record and post all funds received and disbursed.

9-5.2. The Treasurer shall pay all bills that have been approved as per the budget or by the Executive Board.

9-5.3. The Treasurer shall submit an annual report of the Chapters finances to the Board unless waived by the Board.

9-5.4. The Treasurer shall submit a report of the Chapters finances at all meetings, except special meetings unless included in the special meeting agenda.

9-6.0 The Board shall have the authority to carry on the business of Region XI between Annual Business Meetings. It shall read, correct, and approve the minutes of the Annual Business Meeting.

9-6.1. The Board shall meet not less than once a year carrying on the business of Region XI. Seven Board members shall constitute a quorum of the Board. However, action by the Board shall require not less than six affirmative votes for creation of a budget, expenditure of funds, approval or denial of contracts and agreements or establishment of policy. A full budget shall be presented for approval by majority of members present.

9-6.2. The Board shall have the power to employ or enter contract with any person as may be deemed necessary to carry out the objectives of Region XI. Such individual(s) shall serve at the pleasure of the Board.

9-6.3. The Board shall fix compensation for any contract. The Board may, at the expense of Region XI, cover any officer or member or contractor having access to its funds, with a fidelity bond.

ARTICLE X – COMMITTEES

10-1.0 There shall be the following standing committees appointed by the Chairman:

10-1.1 Regional Structure Committee: This committee shall include State representatives to ICC Region XI and provide guidance in the structure and by-laws of the Chapter. This committee shall review and evaluate organizational policy and process issues. The committee's findings and recommendations shall be reported to the Executive Board at scheduled meetings.

10-1.2 Code Review Committee: This committee may review any existing or proposed code provisions and formulate changes or additions which they feel are necessary and make recommendations in support or in opposition to proposed changes. The committee's recommendations shall be posted on the Region XI website, or other mass notification medium at least 10 calendar days prior to ICC hearings and be approved by the board members to carry the Chapter name at ICC hearings.

10-2.0 The Chairman shall appoint such other committees as he/she deems necessary, or as he/she is directed by the Executive Board. Said committees, upon appointment, shall be given a specific charge and a specific function to perform.

ARTICLE XI – CHAPTER ACTIVITIES

11-1.0 It shall be the right of this Chapter to communicate with any person or organization in pursuit of its objectives on matters that are not in direct conflict with Article II.

ARTICLE XII – CODE OF ETHICS

12-1.0 A member of Region XI shall:

- 12-1.1 Place public safety above all other interests.
- 12-1.2 Place public interest above individual, group or special interest and shall consider their profession as an opportunity to serve society.
- 12-1.3 Maintain the highest standards of integrity.
- 12-1.4 Treat all persons courteously, equally and fairly.
- 12-1.5 Conduct themselves at all times in such a manner as to create respect for themselves and the jurisdiction they represent and the Chapter.
- 12-1.6 Refrain from the use of their position to secure advantage or favor for oneself, one's family or one's friends.
- 12-1.7 Refrain from representing any private interest in business or technical affairs of the Chapter.
- 12-1.8 Refrain from using unfair means to secure an advantage in the Chapter or to knowingly injure any individual, company or association to gain such advantage.
- 12-1.9 Not accept, nor offer, any gift, favor or service that might tend to influence them in the discharge of their duties.
- 12-1.10 Carry on their contacts with other members of the organization in a spirit of fairness with loyalty and fidelity to the aims and purposes of the Association.

12-2.0 Any violation of the above sections may be brought to the attention of the Executive Board. After an investigation of the complaint the Executive Board may recommend to the general membership expulsion from this Chapter. Expulsion to be determined by majority vote at the next regularly scheduled meeting.

A member expelled from this Chapter will no longer be a voting member, nor be allowed to participate in any Region XI sponsored activity.

An individual expelled from this Chapter shall not be allowed to rejoin this Chapter for a period of twelve months from the expulsion, and until a majority vote of general membership present votes to approve the reinstatement, at the annual meeting to be held at the ICC ABM.

12-3.0 Any individual member of this Chapter who is charged with conduct unbecoming, may result in loss of membership as voted by the Executive Board.

ARTICLE XIII – EXECUTION OF PAPERS

13-1.0 Except as the Executive Board may generally or in particular cases authorize the execution thereof in some other manner, all documents made, accepted, or endorsed by the Chapter shall be signed by the Chairman and one additional member of the Executive Board. Signatures may be achieved electronically through email.

ARTICLE XIV – DISSOLUTION

14-1.0 Region XI may be dissolved only by action of the Executive Board. Action may be initiated by the Executive Board or in response to a petition from the membership. A petition for the dissolution shall be made only at a public meeting by a majority vote of the voting members present. No proposition for dissolution shall be acted upon unless written notice thereof has been given to the Secretary at least sixty (60) days prior to the meeting. A copy or summary of such proposition shall be sent to every member Chapter of the Region at least thirty (30) days before the date of the meeting in which the petition is voted upon. No action shall be taken by the Executive Board on their own initiative to dissolve the Region.

ARTICLE XV – DISBURSEMENT OF FUNDS

15-1.0 In the event this Chapter is disbanded and/or dissolved, all monies remaining in the treasury, after remaining bills are paid, shall be equally distributed among the member Chapters from each Chapter that has paid their annual membership dues.

ARTICLE XVI – AMENDMENTS

16-1.0 Amendments to the by-laws may be proposed by the Board or by written or email petition by twenty (20) percent of the voting membership.

16-2.0 These By-laws may be altered, amended or repealed at any legal meeting of the members entitled to vote at which a quorum is present by a vote representing a majority of the members present and voting; provided notice is given in the announcement for the meeting that an alteration, amendment or repeal of the By-laws will be proposed.

16-2.1 The Executive Board, to ensure continuity of operations during times of a national emergency, catastrophic event or pandemic, may at an advertised meeting at which a quorum is present, may by a (2/3) majority vote amend,

alter, reduce or extend timelines as specified within the Constitution and Bylaws. These amendments, alterations, reductions or extensions of timelines may only be in place for a specified time not to exceed one year. These temporary actions shall be enacted as a Special Executive Board Order and not be included in the body of the Constitution & By-Laws.

16-3.0 Procedure.

- 16-3.1 Properly edited proposals must be delivered by mail or email to the Chairman. The proposed amendment will be posted at the ICC Region XI website, or other approved mass notification and open to discussion by the general membership. The proposal will be ratified (with revision, if any) or stricken entirely by majority vote at the next advertised public meeting.
- 16-3.2 The final vote shall require a two thirds (2/3) majority for adoption. The amendment shall then become effective immediately upon its approval.
- 16-3.3 Revisions. The date of revision of any amendments shall appear in the footer of the document. A strikethrough or underline shall appear in the location of said change and remain until ratified by an approving vote. The last page of these bylaws shall contain a chronological list of all changes and their date of adoption.

REVISIONS

October 2020 Revisions

- Header/footer style altered to increase available page space.
- All headings and numbering converted to outline format and adjusted for style where needed.
- Converted hyphens in article titles to dashes.
- Corrected numbering for Article XVI.
- 16-2.1 added.

October 2019 Revisions

- Replaced Executive Council with Executive Board throughout.
- 2-1.1 replaced inspectors with "code official"
- Article III Membership removed Executive throughout
- 3-1.0 removed individual membership, forcing membership through a chapter
- 3-2.1 inserted "to approve, deny, or table"
- 3-3.3 replaced Organization with "Chapter"
- 3-3.4 replaced Organization with "Chapter"
- Article IV title change to "Appointments"
- 4-1.0 appointments defined
- 4-2.0 rotation of leadership, host state is explained
- 4-3.0 replaced a vote with "an appointment"
- 4-3.1 clarified absentee appointment
- 5-1.0 grammar correction
- 5-5.0 removed section to provide flexibility
- Article VI replaced Organization with "Chapter" throughout
- 6-1.0 Stated annual meeting to coincide with ICC ABM
- 6-3.0 clarified limits of Robert's Rules
- 7-1.0 removed Executive
- 7-3.0 clarified acceptable meeting participation
- 7-4.0 removed Executive, replaced question with "motion", removed held as
- Article VIII moved all duties to article IX and renumbered/organized as needed
- 8-1.0- Officer elections clarified
- 8-2.0- Chairman duties moved to article IX
- 8-3.0- Duties of the Board moved to article IX
- 8-5.0 clarified that Treasurer is elected
- 8-6.0- terminology correction, clarified that a Secretary is elected
- 8-6.1- moved duties of treasurer to article IX
- Article IX inserted "Powers and Duties" and bumped all remaining articles by one (1)
- 9-1.0- Duties of the Executive Board
- 9-2.0- Duties of the Chairman
- 9-3.0 Duties of the Vice-Chairman
- 9-4.0 Duties of the Secretary
- 9-5.0 Duties of the Treasurer
- 9-6.0 Duties of the Board
- 10-1.1 removed "the", replaced President with "Chairman", replaced Coalition with "Chapter"
- 10-1.2 added allowance for means of mass notification, require board to approve code development work prior to carrying Chapter name, clarify 10 calendar days notice
- 10-1.2 reduced the days of notice and give committee authority to make code changes.
- 10-2.0 inserted politically correct grammar
- Article XI replaced Association with Chapter

International Code Council Region XI BY-LAWS

- 12-1.5 replaced association with "Chapter"
- 12-1.7 replaced organization with "Chapter"
- 12-1.8 replaced organization with "Chapter"
- 12-2.0 clarify expulsion parameters
- 13-1.0 replaced President with "Chairman"
- 14-1.0 Replaced Executive Committee with "Executive Board", grammar, and paragraph space removed.
- 15-1.0 clarification of member chapters
- 16-3.1 notification clarification
- 16-3.4 revision identification guidelines