

## ARTICLE I. Name

The name of this organization shall be "**Maryland Building Officials Association.**"

## ARTICLE II. Purpose – Objective

*Section A.* The primary purpose of the Association will be to stimulate progress and improve the standards of building code compliance practices within the municipalities and counties throughout the State of Maryland.

| *Section B.* To improve the professionalism of code-building officials and inspectors by promoting the high standards of efficiency in the administration of building and related codes and ordinances through continuous education and training.

*Section C.* To create a better public understanding of the proper administration of building and related codes and ordinances, and their importance to the safety, welfare and prosperity of the municipalities and counties within the State of Maryland.

| *Section D.* To assemble with code-building officials, inspectors and related organized groups concerned with codes and ordinances to exchange ideas and discuss mutual issues.

*Section E.* To develop courses of instruction concerning codes, new materials and methods of construction in cooperation with recognized educational institutions.

*Section F.* To promote proper interpretation, compliance and administration of building codes, related codes and ordinances.

*Section G.* To assist Maryland municipalities and counties to organize and maintain adequate building codes, code compliance departments and related ordinances.

| *Section H.* To represent code-building officials and inspectors in all matters which further the development of the Maryland Building Performance Standards and Codes within the building industry.

*Section I.* To promote public health, safety, and welfare along with protection of property by promoting the most recently adopted regulations and referenced standards through education and the training of codes.

*Section J.* This organization will not attempt to formulate any building code or related ordinances for adoption by any Maryland municipality or county; however, this restriction shall not prohibit the recommendation of revisions to any legal or organized building code department or the State of Maryland provided that any recommended revisions must be approved by the Executive Committee.

### **ARTICLE III. Non-Profit**

The Association is not organized for profit, and no part of the income shall inure to the benefit of any member or officer except as reimbursement for necessary expenses actually incurred for the Association. The Executive Committee may, by majority vote, approve any other expenses that will benefit the goals and objectives of the association and/or furthers the promotion of the profession.

### **ARTICLE IV. Membership**

#### *Section A. Active Membership*

Active membership shall be open to employees of State or local governments which administers formulate or enforce laws, ordinances, rules, or regulations effecting building construction, fire safety, building maintenance, or land use. A retired State or local government employee may remain an active member provided the member would not qualify for any other membership.

#### *Section B. Professional Membership*

Professional membership shall be open to any individual, organization, or firm engaged directly or indirectly in the construction industry who is interested in the promotion and improvement of code compliance.

#### *Section C. Honorary Membership*

Honorary membership shall be restricted to individuals who have rendered outstanding service in the furtherance of the purposes and objects of the Association.

Prior to each Annual Meeting, the current Board President shall appoint a committee of at least 3 Executive Committee members to solicit nominations for Honorary membership. The Committee shall consider all nominations and prepare a final report to be submitted to the President. The nominations for Honorary membership shall be considered by the Executive Committee. A final confirmation shall be established by a minimum 2/3 vote of the Executive Committee. Such Honorary Members shall retain the right and privileges of their previous class of membership, if any, and shall be exempt from the payment of any annual dues.

#### *Section D. Application*

Applications for each class of membership shall be made in writing or via the website and referred to the Membership Committee for consideration. Upon review of the application, the Membership Committee Chair or any other member of the Executive Committee is authorized to accept the applicant.

#### *Section E. Forfeiture of Membership*

Any member shall forfeit his or her membership whose conduct has proved detrimental to the welfare, interest or good name of the Association, by a vote of two-thirds of the members of the Executive Committee. Such vote or action shall be taken only after a hearing at which the member accused shall be given the opportunity to appear in his or her own defense or to reply in writing to the charges of which he or she shall be advised in writing. The member if expelled, shall have the right to request a review of the action by the general membership at a regular meeting and a majority vote of the members present shall be final.

#### *Section F. Voting*

##### Association Matters

Only individual active members (in-person or virtually), present at an Association Meeting, shall have sole and exclusive right to vote, and at no time shall voting by proxy be permitted. If an active member shall call for a written ballot on any issue at an Association meeting, and if approved by a two-thirds vote of the active members present, the voting shall be conducted in such a manner. Whenever the number of nominees for election to an office or to the Executive Committee exceeds the number of vacancies, voting for the contested position or positions shall be by written ballot.

Virtual members located within the same room will have one vote for the virtual group. A group representative shall be designated to determine the groups majority decision and cast votes on their behalf.

## Executive Committee

Each Executive Committee member shall have a vote on matters before the Executive Committee. Voting shall occur during a meeting of the Executive Committee and at no time shall voting by proxy be permitted. When authorized by the President for matters of a time sensitive nature, the President may authorize a vote of by the Executive Committee ~~matter~~ to be taken via email. Email votes shall be recorded and certified by the Secretary. All email votes shall be reflected in the consent agenda of the next Executive Committee Meeting

### *Section G. Privileges of the Floor*

Active members, or the representative of active members of all classes, shall be entitled to the privileges of the floor for discussion at all Association meetings.

## **ARTICLE V. Officers**

*Section A.* The officers of the Association shall be active members of the Association, elected as provided in the Bylaws and shall consist of a President, a First Vice President, a Second Vice President, a Secretary, and a Treasurer, who shall be elected at the Fall meeting of the Association in each odd numbered year.

*Section B.* The terms of all Officers shall be for two years and end on the 31st day of December in each odd numbered year, at which time the Officers elected at the preceding annual meeting of the Association shall take office.

*Section C.* In the event of a vacancy occurring in the office of President, the unexpired term shall be filled by the First Vice President. In the event of a vacancy in the office of Vice President or any other office, the Executive Committee shall elect, by a majority vote, a member of the Association to fill the unexpired term.

## **ARTICLE VI. Executive Committee**

*Section A.* There shall be an Executive Committee which shall be ~~composed~~ comprised of the President, the First Vice President, the Second Vice President, the Secretary, the Treasurer, the immediate Past President, and the four-five Directors who are active members of the Association and who shall be elected at the Annual Business meeting in each odd numbered year. The terms of the four-five directors shall be for two years and end

on the 31st day of December in each odd numbered year at which time the Directors elected at the preceding annual meeting of the Association shall take office.

*Section B.* The Executive Committee shall be responsible to the membership for the management of the affairs of the Association, for the promotion of the purposes of the Association, and for the meetings of the membership. The Executive Committee shall outline policies and present recommendations concerning matters of interest for action by the Association. The President of the Association shall preside as Chair~~man~~ of the Committee.

## **ARTICLE VII. Amendments**

*Section A.* Any amendments to this constitution may be adopted by a two-thirds vote of the representatives of the active members present at any meeting of the Association, provided written notice of the proposed amendment shall have been given by mail or email to the members at least two (2) weeks prior to the meeting.

## **ARTICLE VIII. Nominations and Elections of Officers**

### *Section A. Election of Officers*

The election of officers and directors shall be held at the Fall meeting in each odd numbered year. Only representatives of active members in good standing may vote.

### *Section B. Nominating Committee*

Not less than one month before the Annual Business meeting, the President shall appoint a committee consisting of three members to be known as the Nominating Committee. The duties of this committee shall be to make nominations with the consent of those nominated, and to prepare a ballot for the election of such officers. Said ballot will be presented to the members at the meeting.

*Section C.* On the day of the Annual Business meeting, the President shall appoint a committee to be known as the Committee on Elections. The duty of said Committee on Elections is to supervise all necessary activities to facilitate an orderly election.

*Section D.* Any active member in good standing may be nominated from the floor for an office and if duly seconded, may participate in the election.

*Section E.* A majority of all votes cast by active members present during the Association Meeting shall be necessary to determine the choice of any Officers and Directors to be elected.

## **ARTICLE IX. Duties of Officers and Directors**

### *Section A.* The President

The President shall preside at all meetings of the Association. He or she shall appoint such standing or special committees as he or she considers necessary or as instructed by the Executive Committee and shall be an ex officio member of such committees. He or she shall be responsible to the Executive Committee for the functioning of said committees. He or she shall be empowered to sign all checks and shall sign on behalf of the Association all contracts and other formal instruments. He or she shall perform such other duties as may from time to time be assigned to him or her by the Executive Committee. He or she shall be responsible for calling meetings of the Executive Committee and other prescribed meetings of the Association.

### *Section B.* The First Vice President

The First Vice President shall have and exercise all of the powers and duties of the President in the event of his or her absence or inability to act and perform such duties as the President may direct and also shall be empowered to sign checks as an alternate in the absence of either the President or the Treasurer.

### *Section C.* The Second Vice President

The Second Vice President shall have and exercise all the powers and duties of the First Vice President in the event of his or her absence or inability to act and perform such duties as the President may direct.

### *Section D.* The Secretary

The Secretary shall receive and process all official communications addressed to the Association, he or she shall keep the records of membership, attendance at meetings, membership dues paid, minutes of the regular meetings of the members, Executive Committee meetings, and Special meetings. The Secretary will reproduce and distribute minutes of the above meetings. He or she will prepare and affix his or her signature to all official correspondence.

### *Section E. The Treasurer*

The Treasurer shall mail, email or post on the members website the annual dues statement to the members, receive and record all funds, deposit same in an accredited banking institution, disburse funds on order of the Executive Committee, ~~he or she~~and shall be empowered to sign all checks. ~~His or her accounts~~Accounts and books shall at all times be open to the President, Executive Committee, and any authorized auditors. He or she shall present all bills to the Executive Committee for approval, give a financial report at all meetings, and an annual report at the Annual Business meeting. The fiscal year of the Association shall end December 31st. The Treasurer will be bonded at the expense of the Association.

During the third quarter of each calendar year, the Treasurer in conjunction with the President shall draft a budget for the upcoming year. The draft budget shall outline all anticipated expenses and revenue. The draft budget shall be presented to the Executive Committee during an Executive Committee meeting prior to the end of the calendar year for approval. Approved expenditures outlined in the budget shall need no further approval of the Executive Committee. At any time, a member of the Executive Committee may present a motion to amend the budget to address an unanticipated expense for consideration during an Executive Committee meeting.

### *Section F. The Directors*

Each of the ~~four~~five Directors shall serve as the Chair~~man~~ of a standing committee as designated by the President.

## **ARTICLE X. Meetings**

### *Section A. Association*

There shall be at least one meeting per year of the Association, in the last quarter of each calendar year. During the Annual Meeting held in each odd numbered year, the Association shall hold an election for ~~confirmation~~confirmation of the Executive Committee. The time and place of all meetings of the Association shall be designated by the President and with the approval of the Executive Committee. Notice of meetings shall be given to the membership thirty (30) days prior to such meetings.

### *Section B. Executive Committee*

There shall be at least eight (8) meetings of the Executive Committee; one meeting prior to each regular meeting of the members; these meetings and any other Special meetings shall

be called by the President who shall specify the time and place for said meetings. Meetings of the Executive Committee may also be called by the Secretary upon written or email request of at least three (3) members of the Executive Committee. At least seven (7) days' notice of the time, place and purpose of all Committee meetings shall be given to Committee members.

#### *Section C. Special*

When deemed necessary, special meetings of the Association may be called either by the President, by any three (3) members of the Executive Committee or by fifteen (15) active members, provided that the entire Association membership is notified at least fifteen (15) days in advance.

#### *Section D. Terminations*

A member of the Executive Committee absent from three (3) consecutive meetings shall no longer be a member of the Executive Committee. In situations of unforeseen circumstances or hardship, the President may waive this requirement.

### **ARTICLE XI. Committees**

#### *Section A. Codes and Standards Committee*

The President shall appoint a Codes and Standards Committee to review and evaluate building codes and related standards. The Committee shall review and evaluate proposed code changes developed by local jurisdictions. The Committee will review state-sponsored legislation impacting the interest of the Association. Where practical, the Committee shall recommend the position of the Association to promote public safety, uniformity, and consistency in code compliance.

#### *Section B. Education and Training Committee*

The President shall appoint an Education and Training Committee to develop and promote educational programs for the membership. It will prepare seminars and the Annual Business meeting seminar to offer CEU's for its members. The Committee shall promote professionalism through the national certification program for construction ~~code-building~~ Officials.

#### *Section C. Code Compliance and Interpretation Committee*

The President shall appoint a Code Compliance and Interpretation



Committee to address issues relevant to the application and interpretation of the codes and standards. The Committee will promote uniformity in code compliance and application practices of the jurisdictions. The Committee will provide code interpretations to assist the membership in providing consistency throughout the State.

#### *Section D. Membership Committee*

The President shall appoint a Membership Committee to seek prospective members and inform them of the function and objectives of the Association and who shall also act as a screening committee to process applications and recommend or disapprove acceptance to the membership.

#### Section E. Permit Technician Committee

The President shall appoint a Permit Technician Committee to develop and promote Permit Technicians throughout the State to host regular meetings and to discuss various topics as related to their jurisdictional duties.

#### *Section ~~E~~F. Special Committees*

The President may appoint at his or her discretion such other committees as necessary to achieve the objectives of the Association.

### **ARTICLE XII. Dues**

#### *Section A.*

Annual dues for Active Members shall be: \$20.00

Annual dues for professional members shall be: \$50.00

Annual dues for honorary members shall be: Gratis

Annual dues for MBOA Board Members shall be: Gratis

*Section B.* Each calendar year, at the discretion of the President and in consultation with the Board, the President may award up to five (5) gratis membership renewal(s) and/or new membership(s). For membership renewal(s) the gratis membership will be applied at the next renewal period.

*Section C.* Members shall be considered in good standing when in compliance with either A or B.

*Section D.* Any member, whose dues have not been paid on or before the first (1st) day of November, loses all benefits, and if after notification, any member fails to pay his or her dues within thirty (30) days, he or she shall forfeit membership.

*Section E.* The board may modify or suspend Annual dues at any time for existing members and/or new members with a unanimous vote by all board members present during a regularly scheduled meeting.

### **ARTICLE XIII. Quorum**

*Section A.* ~~Four (4)~~Five (5) members of the Executive Committee shall constitute a quorum thereof. Twenty (20) representatives of the active members shall constitute a quorum to transact business at a meeting of the Association.

### **ARTICLE XIV. Authority of Bylaws**

*Section A.* "Roberts Rules of order" shall be the parliamentary authority for all matters of procedures not specifically covered by the Bylaws.

### **ARTICLE XV. Amendments**

Article II, Section A, B, C, D, E, F, G, H, I, J modified December 4, 2018

Article III, modified December 4, 2018

Article IV, Section A modified December 8, 2005, December 4, 2018

Article IV, Section B, C, D, E, G modified December 4, 2018

Article IV, Section F modified December 8, 2005, December 4, 2018

Article VI, Section A modified December 4, 2018

Article VII, Section B, C, E modified December 4, 2018

Article VIII, Section D and E modified December 4, 2018

Article IX, Section E and F modified December 4, 2018

Article X, Section A, B, C, modified December 4, 2018

Article X, Section D approved September 19, 1996, modified December 4, 2018

Article XI, Section A, B, C, D, E modified December 2018,

Article XII Section C modified 12/2005, 12/2018, 12/2021 (a,b,c,d)

Article XII Section D deleted December 4, 2018

Article XV Section A modified December 4, 2018