



# **New York State Building Officials Conference, Inc. Mid-Hudson Valley Chapter**

## **CONSTITUTION**

### **ARTICLE 1**

#### **Name**

**Section 1 - Name.** The Chapter is a regional affiliate of the New York State Building Officials Conference Inc. (hereafter referred to as “N.Y.S.B.O.C.”). The name of the Chapter shall be “The New York State Building Officials Conference, Inc. Mid-Hudson Valley Chapter” (hereafter referred to as “the Chapter” or “this Chapter”).

**Section 2 - Location.** The area of recruitment and activity for the Chapter shall be generally the Counties of Dutchess, Putnam, and Westchester.

**Section 3 - Incorporation.** Pursuant to the New York State Membership Corporation Law, a Certificate of Incorporation of N.Y.S.B.O.C. was filed with the Secretary of State on November 21, 1947.

**Section 4 - Charter.** The Chapter was established under charter as an affiliate branch of N.Y.S.B.O.C. in the year 1958. (*Earliest known date*)

### **ARTICLE II**

#### **Purpose and Methods of Attainment**

##### **Section 1 - Purpose.**

The purpose of the Chapter shall be:

- a) to cooperate and assist the Eastern States Building Officials Federation, the Building Officials and Code Administrators International, the New York State Conference of Mayors and Other Municipal Officials, the New York State Assessors Association, Council of American Building Officials, the Fireman’s Association of the State of New York (FASNY) the New York State Fire Marshall’s Association and the Association of Towns of the State of New York and the International Codes Council in achieving their aims and ideals, to the extent that same shall not be inconsistent with the purposes herein expressed; (amended 2004)
- b) to provide assistance to members, in various ways, in the performance of their duties as public officials;
- c) to elevate the position the Building Official, making his position compatible with the responsibilities and obligations placed upon the member;
- d) to promote efficiency in the administration of Building Departments;

- e) to foster cooperation between the members and others directly and indirectly allied with the building industry;
- f) to exchange ideas, information and facts concerning matters and problems of common interest;
- g) to create good fellowship and mutual understanding among members and officials of all new York state municipalities;
- h) to create good fellowship and mutual understanding among members and all officials of all New York State municipalities.
- i) to foster the acceptance of performance standards for building materials, building equipment and construction methods; and
- j) in collaboration with other interested agencies and organizations, to formulate and conduct programs, in the field of building construction, for the edification of the membership.

**Section 2 - Methods of Attainment.**

The methods of achieving the purposed and aims of the Chapter shall be:

- a) by distributing information to the members and the general public;
- b) by sponsoring legislation of benefit to members and the general public;
- c) by holding meetings at various times;
- d) by publicizing the existence and activities of the Chapter through contact with public officials in other branches of government and with the general public;
- e) by collection of dues;
- f) by such other means as the Chapter Governing Body may, from time to time, determine as consistent with the expressed purposes of N.Y.S.B.O.C. and the Chapter;
- g) by enrolling, as a N.Y.S.B.O.C. affiliate, with the following: the Building and Code Administrators International, the Eastern States Building Officials Federation, the Association of Towns of the State of New York, the New York State Conference of Mayors, Council of American Building Officials, the Fireman’s Association of the State of New York (FASNY), the New York State Fire Marshall’s Association and the International Codes Council.  
(amended 2004)

**ARTICLE III**

**Membership**

**Section 1 - Active Membership.**

Active Membership in the Chapter shall be restricted to public officials actively engaged in an official capacity, within the State of New York, in any governmental department or bureau engaged in the enforcement, administration, or formulation of laws, codes or ordinances relating to buildings and other structures. Active members who retire, or otherwise discontinue service as a public official, may continue to hold active membership status for the remainder of the year in which the service ceases.

**Section 2 - Associate Membership.**

Associate Membership shall be restricted to former members who are no longer eligible for Active Membership, and to public officials and public employees other than building officials.

**Section 3 - Cooperating Membership.**

Cooperating Membership shall be restricted to architects, engineers and representatives of non-profit technical and professional organizations involved in building codes and building construction standards.

**Section 4 - Participating Membership.**

Participating Membership shall include representatives of manufacturers, contractors, financial institutions, insurance companies and other persons or firms similarly engaged in the building industry.

**Section 5 - Honorary Membership.**

Honorary Membership may be conferred upon individuals of distinction who have rendered outstanding services in the furtherance of the purposes and objectives of the Chapter. Such membership shall be conferred by a majority vote of the active members present at any regular or special meeting. Nominations for such membership shall be made to the Governing Body of the Chapter, and their approval obtained before said nominations are brought before the membership for approval. Active members in good standing, who were elected to honorary status, shall retain all privileges of active membership.

**Section 6 - Election of members.**

An application for membership to the Chapter, and the type membership selected for a prospective member, shall first be reviewed by the Membership Committee for conformance with the provisions of this Article. At the next regular meeting of the Chapter, following at least ten days from the date of application, the Membership Committee shall present the application to and notify the general membership as regulated under Article IV, Section 1. The Chapter Secretary shall promptly notify an applicant of the results of the vote and his membership status, and shall provide the names of the new members to the N.Y.S.B.O.C. Secretary for recording.

**Section 7 - N.Y.S.B.O.C. Membership.**

Pursuant to Article III, Section 8 of the Constitution and By-Laws of N.Y.S.B.O.C., who are members of this Chapter, must also be members of N.Y.S.B.O.C.

**Section 8 - Form of Application and Certificate of Membership.**

The Chapter shall use the form of application for membership prescribed and/or provided by N.Y.S.B.O.C. Each new member shall receive, and shall be entitled to retain, a Certificate of Membership in the Chapter. A copy of the Chapter Constitution and By-Laws, and a current list of membership, shall be provided to each new member by the Secretary of the Chapter.

## ARTICLE IV

### Voting Rights

#### **Section 1 - Voting.**

Only Active Members of the Chapter, or Honorary Members who were formerly Active Members of the Chapter, shall have the right to vote.

#### **Section 2 - Discussion of Privileges.**

At all meetings of the general membership of the Chapter, members of all classes shall be entitled to the privileges of the floor, but only those qualified may vote.

## ARTICLE V

### Dues

#### **Section 1 - Annual Scale of Dues.**

The annual dues for each class of membership in the Chapter shall be as determined from time to time by the Governing Body, and must be sustained by a majority vote of the voting membership. The current scale of dues is as follows: (amended 2012)

Active Member .....	\$55.00
Associate Member .....	\$55.00
Cooperating Member .....	\$70.00
Participating Member .....	\$70.00
Honorary Member .....	no fee
<i>Dual Member is less \$15.00 from class type.</i>	

#### **Section 2 - Payment of Dues.**

Dues shall become due and payable on January 1 for the calendar year, for membership from January 1 through and including December 31.

#### **Section 3 - Default in Dues Payment.**

Any member, who defaults in payment of the annual dues by the first regularly scheduled meeting of the N.Y.S.B.O.C. Board after the start of the calendar year, shall not thereafter be considered in good standing. Members who are in default on dues payments by April 1<sup>st</sup> shall not be considered members in good standing. Failure of a member to pay such dues, within thirty days (30) following payment due notification by the Treasurer, shall be deemed to constitute suspension, and such person may thereafter be registered as a member only by a majority vote of the membership.

#### **Section 4 - Multiple Chapter Membership.**

Any member participating in two or more Chapters of N.Y.S.B.O.C. is regarded, under the N.Y.S.B.O.C Constitution, as possessing only a single N.Y.S.B.O.C. Corporation membership. The dues paid to N.Y.S.B.O.C. by such a member shall be remitted from only one Chapter, to be determined by agreement between the Chapters and the member.

## **ARTICLE VI**

### **Meetings**

#### **Section 1 - Regular Meetings.**

Regular meetings of the Chapter shall be held on a monthly basis, at various locations at the pleasure of the membership, usually on the second Wednesday of the month. The Secretary shall notify the members, in writing, of such coming meeting at least ten (10) days in advance. A quorum for a regular meeting shall consist of at least two (2) elected officers and at least nine (9) other members.

#### **Section 2 - Special Meetings.**

Special Meetings of the Chapter may be called by the Governing Body or by petition of at least ten (10) members. The President shall establish a time and place for the meeting, and shall direct the Secretary to notify all members of the meeting not less than ten(10) days prior to the meeting and not more than fifteen (15) days from receipt of the petition. A quorum for a special meeting shall be the same as required for a regular meeting, except that one (1) of the Officers present must be the President or Vice-President.

## **ARTICLE VII**

### **Governing Body**

#### **Section 1 - Governing Body.**

The property, business and affairs of the Chapter shall be managed by the Governing Body, composed of the following officers of the Chapter:

1. President
2. Vice President
3. Secretary
4. Treasurer
5. Delegates and Alternates (as determined in Section 7 of this Article)
6. Historian
7. Immediate Past President

#### **Section 2 - Term of Office.**

The officers of the Chapter shall be elected and hold office until their successors are elected. The term of office shall be one (1) year. The Immediate Past President shall automatically assume membership on the Governing Body upon election of a new President.

#### **Section 3 - Change of Membership Status.**

Any officers, whose membership changes during his term of office, may continue in such official capacity for the remainder of his term of office with the consent of the Governing Body, but he shall not be re-nominated for office, nor shall he hold any future office in the Chapter unless his status reverts to that of an active member.

#### **Section 4 - Vote of the Governing Body.**

All decisions and acts of the Governing Body, which do not require a vote of the general membership, shall require the assenting vote of a majority of the Body. The Delegate's Alternate shall not vote when the Delegate is present. Votes must be rendered at a meeting of the Governing Body, and may be rendered at a meeting of the general membership.

### **Section 5 - Meetings of the Governing Body.**

The Governing Body shall meet at regular meetings of the general membership, and may meet upon advance call of the President.

### **Section 6 - Expenditures.**

- a) The Governing Body shall determine, control, authorize and approve all expenditures to officers and others for services, travel, or otherwise, in the furtherance of the business of the Chapter.
- b) All ordinary expenditures necessary or required in the conduct of the regular business of the Chapter shall be authorized by the President and noted in the regular report of the Treasurer.
- c) Requests for expenditures which are beyond the normal operating expenses of the Chapter, shall first be submitted to the President for his review, and his recommendations shall be subsequently presented to the Governing Body for approval.
- d) All expenditures exceeding \$200.00 shall require prior approval by a majority vote of the general membership present at a regular or special meeting. (amended 2000)

### **Section 7 - Records.**

The records of the Secretary, Treasurer and Historian shall be the exclusive property of the Chapter. Archival records shall be kept in a permanent file, in chronological order, by the Historian.

## **ARTICLE VIII**

### **Officers and Their Duties**

#### **Section 1 - President.**

The President shall preside at all meetings of the Chapter and the Governing Body. He shall appoint all committee chairmen, except as hereinafter provided, and shall perform such other duties as may be required of him by the Governing Body or these rules. The president shall be Chairman of the Program Committee, and shall be an ex-officio member of all other committees except the Nominating Committee.

#### **Section 2 - Vice-President.**

The Vice-President shall perform the duties of the President in the latter's absence or inability to serve, and shall perform such other duties as may be required of him by the President or Governing Body.

#### **Section 3 - Secretary.**

The Secretary shall perform the duties of the Vice-President in the latter's absence or inability to serve. He shall keep the minutes and records of all meetings of the Chapter and the Governing Body, and shall conduct the correspondence thereof as directed by the President. He shall be responsible for keeping in stock and available, copies of this Constitution and By-Laws, to be given to new members. At the end of his term of office, the Secretary shall prepare an updated list of the entire Chapter membership, for distribution to the general membership. The Secretary shall keep in stock, and available, Certificates of Membership for distribution to members.

**Section 4 - Treasurer.**

The Treasurer shall receive and administer the funds of the Chapter in accordance with the provisions of these rules, and shall give a current financial report at all regular meetings and upon request of the Audit Committee.(Amended 2012)

**Section 5 - Historian.**

The Historian shall collect, preserve and correlate all data of historic importance connected with the Chapter. He shall pass on all such data to his successor, upon completion of his term.

**Section 6 - Immediate Past President.**

The Immediate Past President shall perform such duties as may be required of him by the President or Governing Body.

**Section 7 - Delegates.**

A Delegate shall serve on the State Board of Delegates, and represent the interests of the Chapter. He shall also perform such other duties as may be required of him by the President or Governing Body. A Delegate’s Alternate shall assist the Delegate, and in the event of the Delegate’s absence or inability to serve, shall perform the duties of the Delegate. At his own discretion, the President may choose to serve as a Delegate’s Alternate, during his term of office as President, without further requirement of election. As prescribed in the N.Y.S.B.O.C. constitution, the number of delegate votes assigned to the Chapter shall be in accordance with the total number of paid members as provided in the schedule below:

# of members:	10-50	51-125	126+
# of Delegates:	1	2	3

The N.Y.S.B.O.C. constitution further provides that a local Chapter may be removed from N.Y.S.B.O.C. membership for failure to have at least one Chapter Delegate or Alternate attend four consecutive Board of Delegate’s meetings.

**Section 8 - Reports.**

The President, Treasurer and Committee Chairmen shall submit annual reports to the Chapter at the June meeting. All reports shall be filed with the Secretary. Annual reports shall also be filed with the Historian.

**Section 9 – Removal.**

Any Officer or Committee Chairmen may be removed from office by a two thirds (2/3) vote of the voting members present at a regular or special meeting, provided that: (Amended 2012)

- a. a quorum is present;
- b. advance notification has been sent, to the membership, of the impending action;
- c. all charges have been presented, in writing to the involved party; and
- d. said Officer has been given a reasonable time to present his defense case.

**Section 10 - Vacancies.**

A vacancy in office, except the Presidency, may be filled by appointment by the President, with the approval of the Governing Body, for the remainder of the unexpired term of office.

## **ARTICLE IX**

### **By-Laws**

#### **Section 1 - Amendments.**

- b. These By-Laws may be amended at any regular or special meeting of the Chapter by a three-fourths (3/4) vote of the voting membership, provided that at least one-half (1/2) of the total Chapter voting membership is present. Notice of any proposed amendment shall be provided to the membership not less than thirty (30) days prior to the meeting at which the vote is to take place. Notice of the proposed amendment shall contain the section and article numbers and a verbatim quote of the contents of such section, clearly indicating the matter sought to be eliminated, and the matter to be added or substituted. It is hereby established that it is considered unnecessary to publish the entire Constitution or By-Laws to enact an amendment. A blank page has been provided in this document for noting any amendments. (Amended 2012)
- c. Changes may be made to any proposed amendment on the floor at the meeting, without further notice, by a three fourths (3/4) majority vote of the voting membership, provided that at least one-half (1/2) of the total Chapter membership is present.

#### **Section 2 - Committees.**

The following permanent committees shall be appointed:

1. Membership Committee
2. Entertainment Committee
3. Program Committee
4. Sunshine Committee
5. Legislative Committee
6. Audit Committee (Amended 2012)

Each committee shall consist of at least three (3) members, with one member acting as chairman. The term of office for each committee member shall correspond to the term of office for elected officers, and he may be reappointed or replaced at the discretion of the new or re-elected President.

#### **Section 3 - Duties of Committees.**

- a) Membership Committee. The Membership Committee shall contact building officials and other related fields, in an effort to enroll them as members of the Chapter, and encourage active participation by members who are not presently active. The Membership Committee shall also review membership applications for conformance with the provisions of Article III.
- b) Entertainment Committee. The Entertainment Committee shall arrange for social functions deemed advantageous to the camaraderie and good spirit of the Chapter, with the approval of the membership.

- c) Program Committee. The Program Committee shall arrange, in advance, monthly luncheon meeting programs, seeking suggestions from the membership, and shall contact and invite program guests.
- d) Sunshine Committee. The Sunshine Committee shall report to the Chapter, at each meeting, the plight of any members who are ill, in distress or incarcerated, or the birth of a member's child. The committee shall be empowered to act with Presidential approval, in any reasonable manner to convey to the member, or said member's family, the best wishes of the membership. This may be accomplished by sending cards, flowers, or fruit (etc.). The Treasurer is empowered to finance such actions to a maximum of Fifty dollars (\$50.00) for each occasion.
- e) Legislative Committee. The Legislative Committee shall draft proposed rules, regulations, Constitutional amendments, and By-laws amendments. Such drafts shall be submitted to the Secretary for distribution to the membership, as provided under Article IX, Section 1.
- f) Nominating Committee. (See Article X, Section 2, paragraph a.)
- g) Audit Committee. The audit Committee shall conduct an accounting and audit of the Chapter finances, to verify the accuracy of the Chapter's financial records, to insure its continued solvency, and to determine its ability to meet annual membership dues and other financial obligations to N.Y.S.B.O.C. and private entities with which the Chapter transacts business. The audit shall be conducted at least once each calendar year and at such times as the Governing Body shall direct for cause. As least one member of the Audit Committee shall be a Chapter member with access and signing privileges to all Chapter financial accounts. (Amended 2012)

**Section 4 - Additional Temporary Committees.** Additional Committees may be appointed, from time to time, by the President or Governing Body, whenever such committees are deemed advisable to carry on the work of the Chapter. (Amended 2012)

## ARTICLE X

### Elections

#### **Section 1 - Election Year.**

The election of Officers shall be held during the month of November each year.

#### **Section 2 – Election Procedures.**

- a) At the October meeting, the President shall appoint a nominating committee, consisting of three (3) active members in good standing, one of whom the President shall designate as chairman. The nominating committee members shall not be designated or anticipated applicants for elective office. The nominating committee shall canvass the membership for prospective candidates for office. All candidates must be active members in good standing, and must give assurance that, if elected, they will fully perform the duties of their office.

- b) At the November meeting, the nominating committee shall announce its' choice of nominees for Officers of the Chapter. There may also be nominations from the floor provided that all candidates must be nominated by an active member in good standing. A general election shall then take place (in accordance with the following Section c.) and, upon completion of the election, the nominating committee shall be automatically dissolved.
- c) Voting Procedure. The nominating committee shall distribute ballots to the general membership present for voting. The committee shall then collect the marked ballots, proceed with the count, and announce the winners. If there are no contestants for office, the President may direct the Secretary to cast one ballot for the entire slate of Officers.
- d) At the December meeting, the newly elected Officers shall be sworn into office. The retiring officers shall, in a timely manner, present all Chapter material and records, in proper order, to the newly elected officers.
- e) The newly elected Officers shall assume office on the first of January.

## **ARTICLE XI**

### **History of the Chapter**

(Yet to be drafted)

### **ADOPTED**

September 21, 1994

Includes 1995, 2000, 2004 & 2012 Amendments

### **LEGISLATIVE COMMITTEE:**

2012

Glen Gary Sneyd, Chairman/Historian

Mark Liebermann: Chapter President:

Wayne M. Cichon, Past-President