

CONSTITUTION OF THE F.B.O.A.

ARTICLE I -ORGANIZATION

Section I.

The name of the organization shall be F.B.O.A., also known as Five County Building Officials Association.

Section 2.

The principal office shall be located within the Five-County area, defined as Wayne, Summit, Medina, Portage and Stark, or in such other place as the members may designate. The organization may have such other office, as the business of the organization may require as determined by the members.

ARTICLE II – PURPOSE

Section 1.

The purpose of this organization shall be:

- A. To cooperate with and assist all Building Officials and all administrative officials in their aims and objectives to the extent they shall be consistent with the purposes herein expressed;
- B. To promote the efficiency and seek improvement in administrative organization techniques and methods as related to the regulation of zoning, housing and building construction;
- C. To promote better public understanding of the advantages, purposes and functions of the regulation of zoning, housing and building construction;
- D. To foster cooperation between all building officials, the construction industry and government;
- E. To promote closer understanding and cooperation between the planning, housing, fire prevention, health, sanitation and other governmental departments having functions related to the planning, construction and use of buildings and the installation and maintenance of service equipment in them, for the benefit of the public and the promotion of safety;
- F. To promote the acceptance of performance requirements for building materials, equipment and construction methods without prejudice or bias;

- G. To participate in and promote the establishment of congruity of building regulations, especially in metropolitan areas, for the promotion of public safety against the hazards of life and health; the advancement of better methods of building construction; better fire prevention and protection; and relief from the confusion and uncertainty of conflicting building laws and regulations and to the protection of the homeowner and occupants of buildings and structures;
- H. To aid, educate, and assist members in the pursuit of the goals and objectives set forth by this organization.

Section 2.

The methods of achieving the purposes of this organization shall be:

- A. By cooperation with other recognized officials associations;
- B. By exchanging and disseminating, through whatever means directed or approved by the Board of Directors, ideas and information on administrative procedures and techniques;
- C. By maintaining in public office a high degree of integrity and public relations;
- D. By creating good fellowship and mutual understanding, among members and with the industry through meetings and similar activities;
- E. By publicizing the purposes and activities of this organization through contact with public officials in other branches of government;
- F. By recognizing and accepting recommendations of established building code organizations and standards authorities so long as they are consistent with sound safety practices;
- G. By recommending the adoption of coordinated building codes by every community in any metropolitan area based on the unbiased judgment of the majority of the communities involved;
- H. By moral, and such practical help as the Board of Directors may deem appropriate in each individual case;
- I. To establish and collect dues, fees and other income for the furtherance of the objectives of the organization.

ARTICLE III – POWERS

The organization shall have the power to adopt bylaws which may provide for:

- A. Various classes of membership and fixing the qualifications therefore;
- B. Amount and conditions of payment of dues;
- C. The designation of Officers, Board of Directors, their duties, methods of election and term of office;
- D. The establishment of committees and the employment of personnel;
- E. The holding of meetings;
- F. Amending this constitution and bylaws;
- G. Such other matters as may be necessary to the fulfillment of the objectives of the organization.

ARTICLE IV – ASSETS

Section 1.

All assets of this organization shall be exclusively used in furtherance of its purpose herein set forth. No officer, member or employee of the organization, nor any other individual, corporation or interest shall at any time receive or be lawfully entitled to receive any pecuniary profit from the operation or activities of this organization, nor any net earnings thereof, except reasonable compensation for services and reimbursement of necessary travel and incidental expenses incurred in furtherance of the objectives of the organization, as approved by The Board of Directors.

Section 2.

Upon the dissolution or termination of this organization, no officer, member or employee of the organization, nor any other individual shall receive any profit from or share in any of the assets or property of the organization; but all assets, property and surplus of the organization shall be delivered to vest in an existing organization as nearly similar as may be possible and containing in its constitution provisions having the same effect as those contained in Article II of this constitution.

Section 3.

In case of all the assets of this organization are expended or distributed in accordance with the provisions of this constitution, the organization may be dissolved or terminated.

**BY-LAWS
OF THE
FIVE-COUNTY BUILDING OFFICIALS ASSOCIATION
(AMENDED 5/3/06 & 9/3/08)**

ARTICLE I – MEMBERSHIP

Membership shall be classified as active, associate, honorary and retired.

Section 1.

Active membership shall be limited to persons actively employed or contracted in governmental departments that are actively engaged in the enforcement of building, zoning, and fire codes. (Amended 9/3/08)

Section 2.

Associate membership shall be limited to national or regional organizations, manufacturers of building materials, architects, engineers and similar interests and individuals concerned with the construction industry. Such members may attend regular meetings, may serve on any committee, but may not otherwise vote or hold office, except as defined in Article VI, Section I.

Section 3.

Honorary membership shall be limited to individuals who have rendered meritorious service in the furtherance of the objectives of this organization. Honorary membership shall be conferred upon an individual by majority vote of active members present at any regular meeting of the organization only upon the recommendation of the Board of Directors.

Section 4.

Retired membership shall be limited to individuals who have retired and at the time of retirement were active or associate members in good standing.

Section 5.

Except in the case of honorary membership, applications for membership shall be filed with the secretary of the organization on forms prescribed by the Board of Directors. In case of doubt of the qualifications of any applicant for membership for the classification shown on the application, the concurring vote of any three of the five officers shall determine the classification.

ARTICLE II – DUES

The amount of dues for the various classes of membership shall be fixed by the Board of Directors.

Section 2.

Honorary and retired members shall be exempt from payment of dues.

Section 3.

Dues shall be paid for the calendar year, January 1, to December 31.

Section 4.

Any member whose dues are not paid by March 1, shall be considered delinquent and shall not be entitled to receive benefits or membership.

ARTICLE III – PRIVILEGES

Section I.

Active members only shall hold the offices of President, First Vice President, and Treasurer and vote on matters pertaining to building code changes and amendments to the constitution and bylaws.

Section 2.

Honorary and retired members shall have full privilege of associate members.

Section 3.

Associate members shall have the right to serve on committees, to serve as 2nd Vice President, Secretary, or director representing any Home Builders' Association or building Industry Association chapter, to make recommendations to the officers or the body, or to vote when such actions are not in conflict with the provisions of Article VI, Section 1.

ARTICLE IV – MEETINGS

Section I.

The organization shall hold regular monthly meetings except during June, July and August, at such time and place as selected by the Board of Directors. The November meeting shall be the annual meeting at which officers and members of the Board of Directors shall be elected. New officers to assume positions shall be installed in office in January.

Section 2.

Special meetings may be called by the Board of Directors or such meetings may be called upon the request of one-third of the active membership of the organization.

Section 3.

Notice of meetings shall be sent to all members 50 as to be received not less than one week in advance of the meeting. In the case of special meetings, the purpose of the meeting shall be stated in the call thereof.

Section 4.

The body shall vote on recommendations made by the Board of Directors. For the purposes of conducting business at the scheduled meetings of the body, a quorum shall consist of eight active members and a majority vote shall be necessary for transaction of business. Notwithstanding any of the foregoing, any active member in good standing may bring business before the body in accordance with Robert's Rules of Order.

Section 5.

The order of business at all meetings of the body shall follow Robert's Rules of Order.

ARTICLE V – DIRECTORS

Section 1.

The affairs of this organization shall be managed and transacted by the Board of Directors consisting of the Officers, six elected active members at large, one associate member representing any Home Builders' Association or Building Industry Association chapter, and the immediate past president of this organization, who shall be a voting, ex-officio member of this organization as long as he retains his status as an active member of this organization.

Section 2.

The Officers shall be elected for a term of one year. At no time shall all Officers - excluding the immediate Past President - be from the same jurisdiction. Three of the active members of the Board of Directors shall be elected each year for a term of two years, except that three of the members first elected shall serve for one year and the other three for two years. The Director representing any Home Builders' Association or Building Industry Association chapter shall be elected for a term of two years. If the status of any member at large, the Director representing any Home Builders' Association or Building Industry Association chapter, or the immediate past president of this organization changes during this term in office, the Board of Directors shall name a successor.

Section 3.

The Board of Directors shall meet at such time and in such places as it shall determine or upon call of the Chairman or a majority of the active members of the organization. At any meeting of the Board, a majority of the members thereof shall constitute a quorum. Each members of the Board shall receive notice of meetings not less than 10 days prior to the meeting unless waived by the majority of the Board members. The President, Vice-President, Secretary and Treasurer of the organization shall be Chairman, Vice-Chairman, Secretary and Treasurer of the Board of Directors, respectively.

Section 4.

The Board of Directors shall propose new items of business and make recommendations to the body at the regular meetings. Such business and recommendations shall be consistent with the purposes of the organization as outlined in Article II, Section 1 of the constitution.

Section 5.

The Board of Directors shall authorize the depository of all funds of the organization and designate the Treasurer to draw on such funds, to be countersigned by the President. The Board of Directors shall determine expenditures by an approved budget. Ordinary expenses, necessary to the conduct of the business of the organization, shall be approved by the President in the interim between meeting of the Board of Directors, and an accounting thereof presented to the Board of Directors for approval at the next meeting of the Board. The Treasurer shall be bonded by at least a minimum bond. The financial affairs shall be audited and certified annually by the incoming Board of Directors.

Section 6.

The order of business at all meetings of the Board of Directors shall follow Robert's Rules of Order.

ARTICLE VI – OFFICERS

Section I.

The Officers of this organization shall be President, First Vice-President, Second Vice-President, Treasurer and Secretary. The President, First Vice-President and Treasurer shall be active members. The Secretary and Second Vice-President may be associate members.

Section 2.

The duties and powers of the Officers shall be the duties normally prescribed to their respective offices. It shall be the responsibility of the Officers to plan and pursue policies which will promote the purposes of the organization.

Section 3.

The order of succession to the Presidency of this association shall be Vice-President, Secretary, and Treasurer, which shall be used by the Board of Directors to name a successor to any officer whose status changes during such officer's term of office. If a vacancy is caused in the ranks of the officers by the exercise of the order of secession, then in such event the Board of Directors shall name a successor.

ARTICLE VII – COMMITTEES

Section 1.

The Board of Directors shall, from time to time, determine and establish the standing and special committees necessary to effectively carryout the program of the organization. The duties, responsibilities, limitations and other directives to the committees shall be clearly stated in the resolutions establishing them.

Section 2.

In the interim between regular meetings of the Board of Directors, the President may establish "ad hoc" committees for such purposes as he considers desirable to further the activities of the organization. The continued existence of such committees, or the establishment of them as special committees shall be determined by the Board of Directors regular meeting thereof.

Section 3.

In the event that the Treasury of the organization should reach the limit permitted by the Internal Revenue Service regulations for non-profit organizations, but in no event more than 2 1/2 times the yearly average operating expenses for the Five-County Building Officials Association based on the most current two year average, then the President shall appoint a committee who will recommend a means of spending these monies so long as no member of this committee, the Board of Directors, or the President, nor any member of their families shall benefit in any way from the disbursement of this money.

Except as provided in Section 4 and 5, the President shall appoint the members of all committees with the advice and consent of the Board of Directors.

The recommendations will be presented to the membership for their approval by 2/3 vote of those in attendance at the first monthly meeting of the membership after the appointment of the committee by the President.

Section 4.

The program committee of this organization shall consist of the Second Vice-President, the Secretary and the Treasurer of this organization.

Section 5.

- A. The election Committee shall be a standing committee consisting of three members. The Chairman shall be the immediate past president. The Chairman and the currently President shall appoint one member at large. The Election Committee shall oversee all aspects of the election of officers and directors of this organization.
- B. Written notice shall be sent to the members at least sixty (60) days in advance of the election that an election is to be held and soliciting nominees.
- C. The slate of candidates shall be announced in the meeting notice to be sent to the membership at least five (5) days prior to the election.
- D. Nominations shall be taken in writing only and shall be submitted to the Chairman of the Election Committee no later than the October Board of Director meeting (the third Wednesday in October). However nominations will be taken from the floor of the meeting where the elections take place.

ARTICLE VIII – ADOPTION AND AMENDMENTS

Section 1.

The constitution and bylaws of this organization shall become effective upon their adoption by a two-thirds majority vote of the active members of the organization in good standing. Such vote may be mail addressed to the Secretary provided a copy of the constitution and bylaws has been mailed to each member of the organization.

Section 2.

The revision of the Constitution or By Laws, adopted in Article VIII, Section 1, of this organization shall require an affirmative vote of 2/3 of the active members present at any meeting of this association provided that not less than 10 days notice of any proposed changes shall have been mailed to each active member.