

NEW HAMPSHIRE BUILDING OFFICIALS ASSOCIATION

BY-LAWS

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The New Hampshire Building Officials Association
BY-LAWS

ARTICLE 1 - NAME

This Association shall be known as "The New Hampshire Building Officials Association".

ARTICLE 2 – PURPOSE and RESPONSIBILITY

The purpose and responsibility of this Association shall be to promote the acquaintance of the membership; to gather and disseminate all matters of interest; establish, foster and maintain a professional spirit; promote good fellowship among its members; offer its expertise as needed to its membership or to any New Hampshire town or city, or other code enforcement agencies interested in the protection of public safety, health, and welfare from the hazards of fire or other dangers resulting from unsound construction or code violations.(amended 2019)

SECTION 1 - Purpose: (added 2019)

The fundamental purpose of the association shall be:

- A. To promote the interests and welfare of the building related code administration agencies through education and to promote a more unified relationship among those engaged in the profession of building code administration and enforcement within the State of New Hampshire.
- B. To establish and maintain consistent communication so the members' desires on matters relating to building codes and regulations governing the design, construction and maintenance of buildings and structures and their appurtenances may be transmitted in an organized and coordinated manner to the General Assembly, elected officials, and other appropriate agencies. These matters shall include but are not limited to building, electrical, mechanical, plumbing, energy, and maintenance codes.
- C. To coordinate the rules, interpretations and procedures applicable to the administration of such codes and regulations to promote greater uniformity in all communities of the State of New Hampshire.

SECTION 2 – Responsibility(added 2019)

With the assistance and cooperation of its members and of the professional, industry, and trade associations, and in so far as it affects the New Hampshire State Building Code and related Regulations, Codes, Standards, this organization will be responsible for:

- A. Developing recommendations to promote and foster uniformity and professionalism in administration, enforcement and interpretation.
- B. Cooperating and enhancing relationships with other related industries and federal or state agencies in advancing uniformity and understanding in building codes matters.
- C. Assisting, developing, and expanding educational opportunities for association members and related industry groups.
- D. Recommending, fostering and promoting modernization of codes, regulations, procedures, training of personnel, and inspection techniques considering technological improvements affecting the building construction and maintenance industry.
- E. Encouraging, promoting and facilitating improved communications among public, governmental agencies, professional, commercial, industrial, and other interest groups in matters of building construction and maintenance and their regulations.
- F. Educating the public and elected or appointed local and state leaders about the association and code administration's role and purpose in the community.

ARTICLE 3 – CHARTER (May 1965)

The Association shall be registered in the State of New Hampshire as a non-profit organization and its charter shall be filed with the Secretary of State.(amended 2019)

- A. The association shall function on a statewide basis, making provisions for the various codes that are its proper concern.
- B. Nothing in these by-laws is intended to prohibit the formation of organizations at a more local level. If such organizations are formed and they are affiliated with the state chapter they shall support and be compatible with the structure of the state chapter.
- C. Local chapters shall parallel the structure of the State Chapter, establishing by-laws compatible with those of the State Chapter and in support of the Chapters purpose and responsibilities. Such by-laws shall be reviewed by the Board of Directors of the State Chapter and Local Chapter for compatibility.

ARTICLE 4 - MEMBERSHIP

The Association shall have membership as herein defined:

Active Member: Active membership shall be open to employees of state or local governmental agencies which administer, formulate or enforce laws, ordinances, rules or regulations effecting construction, fire safety, building maintenance. All active members in good standing shall have a vote in the affairs of the Association. (amended 2019)

Retired Member: Retired membership shall be open to any active member in good standing upon retirement from official duty, provided however, that a retired member shall not have a vote.(amended 2019)

Subscribing Member: Only such persons or firms as approved by the Membership Committee or Governing Board shall be eligible for subscribing membership, provided however, that a said member shall not have a vote.

Honorary Member: Any person meriting the gratitude or recognition of the Association may be eligible for honorary membership, provided however, that an honorary member shall not have a vote. Eligibility for honorary membership shall be voted on by the membership.

Interim Member: Any active member in good standing, who shall become temporarily an inactive official may apply in writing to the Governing Board for "Interim Membership" for the duration of the fiscal year, provided however, that an interim member shall not have a vote. No dues shall be assessed against interim members for that period. The Governing Board may accept or reject the request and shall have the power to extend the time period beyond the fiscal year and may waive or assess any dues.

Associate Member: All active code officials outside the State of New Hampshire, charged with specific duties related to the purpose of the Association, shall be eligible for associate membership and all associate members in good standing shall have a vote in the affairs of the Association. Associate members shall not be eligible for election to any position on the Association's Governing Board.

Special Government Organization: Reserved for Federal or State government agencies and employees as approved by the Membership Committee or Governing Board provided however, that said members shall not have a vote in the affairs of the Association. (added May 2015)

ARTICLE 5 – APPLICATION

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Every application for membership shall be submitted on such forms as provided by the Secretary.(amended 2019)

Such application shall be referred to the Governing Board for review and approval. The Board shall submit a report quarterly to the Association of added membership. Should one member in good standing object to the acceptance of an applicant, such objection shall be referred to the Governing Board for investigation and report. (amended 2023)

The objector shall not be required or allowed to give reason for such objection in open meeting but may be required to appear before the Governing Board and give testimony relative thereto. The Governing Board shall then vote to accept or reject each application. (amended 2023)

It shall be incumbent upon all members to thus protect the Association against all undesirable membership, provided that the grounds for such objections shall be for other than personal enmity.

ARTICLE 6 - GOVERNING BOARD

The Association shall have a governing board which shall consist of a President, a Vice-President, an Immediate Past-President, a Secretary, a Treasurer, an Assistant Treasurer, an Education Committee Chairperson, four directors as elected by the Active Membership at the annual meeting and a director held by an appointed member from each Local Chapter recognized by NHBOA as an active member of NHBOA. The members of the Board shall serve such terms as herein specified, provided that no more than two members from the same jurisdiction may serve the Board at any time. The Secretary and Treasurer positions may be filled by the same individual. All terms shall be for two years. The above officers shall continue to hold office until their successors are duly qualified. (amended 2019)

Vacancies

Any vacancy occurring on the Governing Board, because of death, termination of membership, resignation, removal, or otherwise, shall be filled by the President, with approval from the Governing Board. Anyone appointed to fill such a vacancy shall hold office only until the next election of the Association. (amended Dec 2015)

It shall be a requirement of this Association that only Active Members be allowed to serve as a member of the Governing Board.

ARTICLE 7 - DUTIES OF THE GOVERNING BOARD

Any member of the Governing Board (hereafter "Board") shall be considered to have abandoned his/her position if absent from two or more consecutive Board meetings. Any Board member absent from three or more Board meetings may be removed from the Board by a majority vote of the remaining Board members after notice by mail to the affected Board member, as to the date, time, and place such vote shall be taken. Any member may be excused from any meeting by contacting another Board member, prior to the meeting to be held, and requesting the reason for absence be communicated to the remaining Board members at the meeting in question. The excused member's request shall be entered into the minutes of that Board meeting.

The President shall set the date, time, and place for any such meeting and the Secretary shall make all such notifications. Should either of these officers be the subject of the meeting, the next presiding officer shall assume the responsibilities of setting the meeting date, time, and place and sending the required notice.

President: The President shall preside at all meetings; enforce due observance of the By-Laws; require all officers to properly discharge their respective duties; appoint all committees not otherwise provided for; place all nominations and appeals before the membership for its consideration; cast a vote only in case of a tie, and perform all duties as usually relate to the office in like associations.

The President shall make every effort to become involved on a national level. This effort shall be made in order to bring information to the Association members on changes and benefits in the ICC organization. The President or his/her designee shall be reimbursed up to \$600 to attend the ICC's spring meeting and \$600 to attend ICC's annual conference, for a maximum of \$1,200 per annum.

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The President shall report to the membership on information he has received upon his return. The President shall receive a \$200 stipend annually.

Immediate Past-President: The Immediate Past-President shall assist the newly elected President and Governing Board in making an orderly and cohesive transition for the good of the Association. The Immediate Past-President shall transfer all Association documents as soon as possible after the election of the new Association President. The Immediate Past-President shall not be a voting member of the Board, but shall act to guide the new President and Board. This position shall serve a term limit of one year minimum. The Immediate Past-President shall receive a \$100 stipend annually. (amended Dec 2015)

Vice President: The Vice-President shall assist the President in the performance of his duties and in the absence of the President shall preside. In the event of a vacancy in the office of the President, the Vice-President shall succeed to such office until the next regular meeting or until an election as herein before provided for shall be held and a new President installed in the office. The Vice-President shall receive a \$150 stipend annually.

Secretary: The Secretary shall keep accurate minutes of all meetings and a record of all transactions of the Association; keep a roll of the members with their addresses and place of business as well as their date of admission; notify all members when appointed to committees; notify all committees of meetings; notify the membership of general meetings; file the annual ICC Chapter report, and perform such other duties as may be required by the office of the Secretary. The Secretary shall maintain all official records in a modern, electronic format that is accessible by Board members. The Secretary shall submit a report of his/her duties at the annual meeting. The Secretary at the expiration of his/her term shall deliver to his/her successor, or The Board if no successor, all books, records, papers and other properties of the Association in their possession. The Secretary shall receive a \$100 stipend annually. (amended Dec. 2015) (amended 2019)

Treasurer: The Treasurer's books shall at all times be open to inspection by the President, Vice-President or any audit committee appointed by the President or by resolution of the Active Membership. The Treasurer at the expiration of his/her term shall deliver up to his/her successor, or the Board if no successor, all books, records, papers, and other properties of the Association in their possession. The Treasurer may be bonded, in the amount of \$10,000.00, for faithful performance of the office's duties, provided however, that the expense of such bond shall be borne by the Association. The Treasurer shall account of all monies received and disbursed, and approve all bills after the same have been approved by the President. At each meeting, the Treasurer shall render a statement of the financial condition of the Association as well as of all monies received and expended. At the termination of his/her office, the Treasurer shall forthwith render an account and deliver up to the successor, or the Board, all monies, books, papers, and other properties of the Association in his/her possession. At the termination of his/her office and every 3rd year, a review of the Association's account(s) by the Board is required. The Treasurer shall receive a \$100 stipend annually. (amended Dec 2015)

Assistant Treasurer/Secretary:

The assistant treasurer/secretary will assist the treasurer or secretary in all aspects of his/her job. The treasurer and secretary shall work cooperatively to produce all reports and statements, minutes, record keeping and other tasks necessary to aid the association. The treasurer/secretary shall assume all duties of the treasurer and or secretary when either is not available. The assistant treasurer/secretary shall receive a \$100.00 stipend annually. (amended 2020)

Education Committee Chairperson: Chairperson-will provide the Board with an updated training schedule. The Chairperson shall oversee the education committee and be responsible for developing and coordinating all training events. The Chairperson is responsible for maintaining the Associations Preferred Provider account through ICC. The Education Chairperson shall receive a \$100.00 stipend annually. (added 2019)

Directors: The Directors shall assist the President in the performance of the office's duties, and assume such other duties as may be deemed necessary by the President. Directors shall receive a \$50 each stipend annually.

Governing Board: The Board shall have general charge of all affairs of the Association and, during the time intervening between the adjournment of one annual meeting and the opening of the next, it

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shall in conjunction with the President, have the entire control of such affairs. It shall at such time authorize and direct the contracting of all debts and provide means of their payment, not to exceed the funds on deposit with the Treasurer. No contract, debt, other obligation or agreement shall be entered into on behalf of the Association by an officer or committee without the signature of the President and Treasurer or others as authorized by the Board; excepting such cases as are otherwise provided for in the By-Laws.

The Board shall perform all such other duties as are required of it by these By-Laws. The Governing Board shall vote on proposals brought before it and shall carry out such proposals after a two-thirds vote by the members present. 50% + 1 Members shall be considered a quorum. (amended 2020)

Each voting member of the Board shall be responsible to oversee the duties of and act as liason to the committee chairman. Each board member shall provide a report on all committee happenings at each Board of Directors meeting. At time of committee activity the overseeing Board member may ask the committee charmain to attend Board of Directors meetings. (added 2019)

ARTICLE 8 - COMMITTEES

Membership Committee: (repealed 2019)

Education Committee: The President shall appoint an education committee Chairperson and may appoint up to five active members to serve on the committee. The education committee shall be responsible for developing, approving and coordinating a program intended to train and educate association members in keeping with the purpose of the association as outlined in these bylaws. The chair of this committee shallserve on the Board of Directors. (amended 2019)

Scholarship Committee: The President may appoint a scholarship committee of up to five active members. (amended 2019)

Nominations Committee: The nominations committee shall be chaired by the Immediate Past President and composed of two members in good standing from the general membership and two members of the Association Board appointed by the board. Any person running for office shall be prohibited from sitting on the Nomination Committee. The committee shall conduct interviews of all candidates seeking a position on the Governing Board. The committee shall recommend a slate of officers to the to the Association membership at the Annual Bussiness meeting for election. Nothing herin shall exclude nominations from the floor. (added 2019)

Legislative Affairs Committee: The Legislative Affairs Committee responsibilities shall consist of monitoring all legislation that effects code adminsitration, document concerns and to formulate positions of support, non-support or no position. The committee shall forward, verbally or in writing, any concerns or positions to the legislature and any recommendations to improve proposed legislation. The committee shall communicate with other organizations or agencies that also have an interest in specific legislation. The President shall apoint a chair and co-chair to the Legislative Affairs Committee. (added 2019)

Other Committees: Other committees shall be those as appointed by the President and for such terms as he/she may deem necessary. The President shall designate all committee chairs. The President and the Secretary shall be ex-officio members of all committees.

ARTICLE 9 – DUES (amended May 2015, October 2016)

Active Membership: The dues for active membership shall be \$75.00 per annum. Communities having more than four (4) active members shall be assessed a membership fee at a rate of \$65.00 per annum, per member.

Retired Membership: The dues for inactive membership shall be \$5.00 per annum. (amended 2019)

Honorary Membership: No dues shall be assessed against honorary members.

Subscribing Membership: The dues for Subscribing membership shall be \$75.00 per annum.

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Associate Membership: The dues for Associate membership shall be \$75.00 per annum.

Special Government Organization: The dues for Special Government Organization membership shall be \$75.00 per annum.

Per annum shall mean January 1 through December 31.

ARTICLE 10 - FUNDS

All receipts of the Association shall be kept in an account in the name of the Association and shall be known as the General Fund. Said fund shall be raised and maintained in the manner specified in these By-Laws. All receipts from dues, social events, entertainment, and the net profits from all committees, and all other receipts of the Association shall be received and be paid into the General Fund. The General Fund shall be used to pay all necessary expenses for the general maintenance of the Association. All monies belonging to the General Fund shall be deposited in the bank or banks designated by the Treasurer.

ARTICLE 11 - SUSPENSIONS

The Association may suspend any member for just cause.

Any member who is in arrears for non-payment of dues for more than one year shall not be entitled to a vote. The Secretary shall notify such member, and if payment is not received, such matter shall be referred to the Membership Committee.

ARTICLE 12 - REINSTATEMENTS

Any membership which has been severed for any reason may be reinstated when application is made in the regular form. Such application shall then be referred to the Membership Committee for consideration. If severance was for non-payment of dues, all dues then in arrears shall need to accompany the application.

ARTICLE 13 - MEETINGS

Annual Meeting: The Association shall meet in conference at least once each year at such time and place as the Board shall designate.

Regular Meeting: The Association may meet at regular intervals as it deems necessary.

Training Meeting: The association shall provide for regular scheduled training for members. Non-members of the association are encouraged to attend. Training Meetings and regular meetings may be combined. (added 2019)

Governing Board Meetings: The Board shall meet for the transaction of business at such time and place as indicated by the President.

Special Meetings: The President may call a Special Meeting if deemed to be in the best interest of the Association. The Board shall have the power to instruct the President to call a Special Meeting of the Association or of the Board. Ten active members in good standing may call a Special Meeting if in their judgement it is deemed necessary, provided the call be in writing to the President.

Quorum: A meeting shall be deemed official when a quorum of the Board exists. A simple majority shall constitute a quorum.

Notice of Meeting: The call to any meeting shall be issued at least five (5) days before such meeting, and the time and place for same shall be named in such notice.

Nothing herein shall be construed as prohibiting the Board in case of an extra-ordinary emergency, from changing the time and place of meeting provided due notice is given.

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Cancelations/Change of venue: The Board shall in good faith attempt to hold all meetings in person however, under certain man-made or natural circumstances ie; inclement weather, natural disaster, health pandemic, Governor's order, etc. the Board shall have the right to cancel, postpone or change the meeting venue to include but not be limited to telephonic or remote/virtual using technology readily available. The Board shall keep the life, safety and welfare of the association members a priority when making any such decisions. (added 2020)

ARTICLE 14 - ORDER OF BUSINESS

The Order of Business for any meeting shall be as follows:

1. Call to order
2. Calling of the roll of officers and determination of a quorum
3. Reading of the minutes of the previous meeting
4. Reception of applications for membership
5. Communications and bills
6. Report of officers
7. Report of committees
8. Election of directors and other officers at annual meetings, the President first naming the tellers
9. Unfinished business
10. New business
11. The good and welfare of the Association, and
12. Adjournment

ARTICLE 15 - PROCEDURE

In the conduct of meetings or any other transaction of business, the proper procedure shall be as delineated in "Roberts Rules of Order".

ARTICLE 16 - AMENDMENTS

The By-Laws herein or any part thereof may be amended, provided that any proposed amendment shall be submitted in the following manner:

The proposed amendment shall be in writing and be presented to the Governing Board at any duly noticed meeting where it shall be read into the record, but not considered or acted upon at that time. The Governing Board shall serve meeting notice on the membership,, with at least five (5) days notice prior to the next meeting that a By-law change shall be acted upon. Service of said notice may be wither by hard copy or by electronic delivery and shall include the actual proposed amendment. It shall require a favorable vote of two-thirds (2/3) of the members present at the noticed meeting to adopt the change. (amended April 2011)

ARTICLE 17 - SCHOLARSHIP

The Association may create and maintain a scholarship and Grant fund(s).-(amended 2019)

ARTICLE 18 – DISSOLUTION STATEMENT

Upon the dissolution or termination of this Association, no officer, director, or member shall receive any profit from or share in any of the assets of the Association. All property, assets, or surplus of the Association shall be delivered to an existing Association or corporation organized for purposes as nearly similar to this Association's as possible, and containing in its charter provisions with the same effects as the provisions of Article 2 of these bylaws.

In the case of all the assets of this Association being expended or distributed in accordance with its purposes, then the existence of the Association may be terminated by two-thirds majority vote of the general membership present at the meeting. In such an event, all Association officials and committee members shall be relieved of all further responsibility hereunder. (amended December 2011)

ARTICLE 19 - CODE OF ETHICS

Members shall conduct themselves in accordance with the Association Code of Ethics adopted as part of the Association By-Laws December 10, 2014:

- I shall place public safety and the health and welfare of the community I serve above all other interests.
- I shall place public interest above individual, group or special interests and shall consider my profession as an opportunity to serve society.
- I shall maintain the highest standards of integrity.
- I shall treat all persons courteously, equally, and fairly.
- I shall not harbor ill will toward any individual that challenges my authority.
- I shall enforce only the minimum code requirements.
- I shall conduct myself at all times in such a manner as to create respect for myself, the jurisdiction I represent, the New Hampshire Building Officials Association and the International Code Council.
- I shall refrain from the use of my position to secure advantage or favor for myself, my family or my friends.
- I shall refrain from representing any private interests in any business or technical affairs of the organization.
- I shall refrain from using unfair means to secure an advantage in the organization or to knowingly injure any individual, company or association to gain such advantage.
- I shall not accept, nor offer, any gift, favor or service that might tend to influence me in the discharge of my duties.

ARTICLE 20 - Document Retention and Destruction Policy

General

The Document Retention and Destruction Policy identifies the record retention responsibilities of members of the board of directors, committee members, general membership and outside organizations for maintaining and documenting the storage and destruction of the organization's documents and records. The organization's members of the board of directors, committee members, general membership and outside organizations are required to honor the following rules:

- a. Paper or electronic documents indicated under the terms for retention in the following section will be transferred and maintained by NHBOA & NHBOA Board authorized business management service or firm;
- b. All other paper documents will be destroyed after three years;
- c. All other electronic documents will be deleted from all individual computers, data bases, networks, and back-up storage after one year;
- d. No paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation.
- e. No paper or electronic documents will be destroyed or deleted as required to comply with government auditing standards.

Record Retention

TYPE OF DOCUMENT MINIMUM REQUIREMENT

Accounts payable ledgers and schedules	7 Years
Audit reports	Permanently
Bank reconciliations	2 years
Bank Statements	3 years
Checks (for important payments and purchases)	Permanently
Contracts and leases (expired)	7 years
Contracts (still in effect)	Contract period
Correspondence (general)	2 Years
Correspondence (legal and important matters)	permanently
Correspondence (w/ customers and vendors)	2 years
Year-end financial statements	Permanently
Internal audit reports	3 years
Invoices	7 years
Minute books, bylaws, and charter	Permanently
Tax returns and worksheets	Permanently

Article 21 - Whistleblower Policy

The New Hampshire Building Officials Association (NHBOA) requires directors, officers and members to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As members and representatives of the NHBOA, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable members, elected board members, employees, if any, and others to raise serious concerns internally so that NHBOA can address and correct inappropriate conduct and actions. It is the responsibility of all board members, members, officers and volunteers to report concerns about violations of NHBOA's code of ethics or suspected violations of law or regulations that govern NHBOA's operations.

No Retaliation

It is contrary to the values of NHBOA for anyone to retaliate against any board member, member, officer, or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, suspected fraud or suspected violation of any regulation governing the operations of NHBOA. A member who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of position, membership or employment.

Reporting Procedure

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NHBOA has an open-door policy and suggests that members share their questions, concerns, suggestions or complaints with one of the association Directors. If you are not comfortable speaking with a director or you are not satisfied with a director's response, you are encouraged to speak with the President or Vice President. Members with concerns or complaints may also submit their concerns in writing directly to the Executive Board.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The NHBOA President or Vice President will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. Upon conclusion of the investigation, the President or Vice President will notify the person who filed the complaint of the investigation determination and of what actions, if any, were taken.

Honorary Member Considerations

When considering a member for Honorary Member nomination consider the following:

- Years of NHBOA membership
- Participation on the NHBOA Board of Directors
- Participation with a NHBOA Committee
- Leadership in the State for Code Administration
- Leadership in Regional and/or State Code Development
- Volunteerism with NHBOA events