

**CONSTITUTION AND BY-LAWS OF THE
BUILDING OFFICIALS ASSOCIATION OF SOUTH CAROLINA**

ARTICLE I – NAME, PURPOSES, AND RESTRICTIONS

SECTION 1. NAME. This organization shall be known as the Building Officials Association of South Carolina; ~~Incorporated~~, hereinafter in these Bylaws referred to as the “Association”, and shall be ~~in-an affiliate~~ association ~~with_of~~ the Municipal Association of South Carolina ~~and the South Carolina Association of Counties~~.

SECTION 2. OBJECTIVES. The objectives of the Association shall be:

- (a) To promote maximum safety to life, health, and property at minimum cost through the encouragement of uniformity in the application, interpretation, and enforcement of the building codes and related ordinances adopted in the State of South Carolina.
- (b) To promote a better public understanding and appreciation of the proper enforcement and administration of the International Codes and local zoning ordinances and their importance to the safety, welfare, and prosperity of the municipalities and counties of the State of South Carolina.
- (c) To promote a better understanding and appreciation of the Association and its individual member’s responsibilities to the public through the Association’s sponsorship and promotion of Building Safety Week.
- (d) To improve the prestige of the code enforcement professional by the promotion of high standards of efficiency in the enforcement and administration of the International Codes and local zoning ordinances through continuing education, and the professional certification of enforcement personnel within the various jurisdictions represented by this Association.
- (e) To develop courses of instruction concerning new materials and methods of construction in cooperation with recognized educational institutions.
- (f) To assist South Carolina municipalities and counties in the organization and maintenance of building inspection and zoning departments.
- (g) To promote professional assistance and technical advice to legislative and other governmental bodies in the promulgation and administration of the building codes and related regulations.
- (h) To promote the objectives of the International Code Council.
- (i) To resist efforts of usurpation of jurisdiction and administration of regulations by any governmental agency.
- (j) To support the chapters of the International Code Council in the State of South Carolina.

SECTION 3. RESTRICTION. The restriction on this Association shall be that it shall not make any effort or attempt to formulate any building code or other related code or building

ordinance for adoption by any legislative authority. This section shall not prohibit the recommendation of the revisions to any South Carolina Code or International Code, provided however, that any recommended revision must be approved by a majority of the Board of Directors at any regular or special meeting of the Board.

ARTICLE II – MEMBERSHIP AND VOTING

SECTION 1. MEMBERSHIP CATEGORIES. There shall be the following classes of membership:

- (a) Active Member. Any full time employee of a governmental unit or agency or a private contractor engaged in the administration, formulation and enforcement of codes and ordinances relating to building construction. Such employees shall be actively engaged in the enforcement or administration of the adopted building codes and related ordinances of the governmental unit.
- (b) Active Voting Member. Each governmental unit shall appoint one of its Active Member representatives as the Active Voting Member. In no case shall any governmental unit have more than one Active Voting Member, except state governments having separate agencies engaged in the activities set forth in item (a) above, in which case the Board of Directors may grant each separate agency one Active Voting Member.
- (c) Associate Member. Any research organization, institute, architect, engineer, building or mechanical contractor, manufacturer or dealer in building materials or equipment, or other individual, partnership, association or corporation that is interested in the purposes and objectives of the Association shall be eligible for associate membership upon approval of the Board of Directors and payment of dues at the rate fixed herein.
- (d) Honorary Member. Any person, firm, association or corporation rendering outstanding services to the Association may be approved by the Board of Directors for honorary membership.
- (e) Retired Member. Any former active member who has retired and still desires to be affiliated with the Association, each such retired member shall be listed on the membership roster and shall have all of the rights and privileges of an active member, except that of voting and holding office in this association.
- (f) Contract Employee. An individual directly retained by a governmental unit or agency or a private firm retained to perform enforcement or administration of the adopted building codes and related ordinances.

SECTION 2. VOTING. Only Active Voting Members shall be entitled to vote on any question in the meetings of the Association, but all members shall be entitled to participate in meetings and discussions, and to serve on committees except as otherwise provided herein. A contract employee shall only be entitled to vote upon submission to BOASC of written authorization, from the jurisdiction being represented, to cast such votes on behalf of the jurisdiction. Any authorized contract employee representing more than one jurisdiction shall only be entitled to cast one vote identifying which jurisdiction is represented at the time of such vote. For the purpose of assuring fair and definitive consideration of all pertinent questions, any

member may make or second a motion in any meetings.

SECTION 3. MEMBERSHIP DUES. The membership dues for each category of membership shall be established by the Board of Directors. In order to vote on any question of the Association, the Active Voting Member must not be in default of dues payment.

— (a) Annual dues shall be due and payable on May 1/January 31 of each year. Any member failing to pay dues within sixty (60) days after being billed by the Secretary or Treasurer shall be dropped from the membership roll.

ARTICLE III - BOARD OF DIRECTORS

SECTION 1. DUTIES. Subject to the limitations of the Articles of Incorporation, the Bylaws and the laws of the State of South Carolina, all corporate powers shall be exercised by a Board of Directors. The Board of Directors may, by a majority vote of its members, adopt any program or procedure, or authorize any administrative action in the best interest of the Association and its membership.

SECTION 2. NUMBER AND QUALIFICATIONS. The Board of Directors shall consist of a President, Vice President, Secretary, Treasurer, seven Directors and the Immediate Past President. The Immediate Past President shall be a non-voting member of the Board. Each voting member of the Board of Directors shall, at all times during his or her tenure in office, meet all requirements for active membership set forth in these Bylaws.

SECTION 3. OFFICERS. The officers of the Association shall be the President, Vice President, Secretary and Treasurer who shall be elected at the Annual Business Meeting by a majority vote of the Active Voting Members present and voting. To be eligible for the office of President, Vice President, Secretary or Treasurer, a person shall have served for at least one year in an elected position. Specific duties of the officers are as follows:

- (a) President. The president shall preside at all Association and Board of Directors meetings. He/she shall be responsible for administering the policies of the Board of Directors and the Association, and for planning and organizing, in conjunction and cooperation with the Board of Directors; annual, special and educational meetings of the Association. He/she shall appoint, with the approval of the Board of Directors, such standing, special, or advisory committees as may be deemed necessary, naming the Chairman of each such committee, as required, and shall serve as member ex-official of all such committees and Chairman of the Legislative Committee. He/she shall be assigned as an alternate to sign checks written on the account of the Association.
- (b) ~~Vice-President~~ Elect. The ~~Vice-President~~ Elect shall preside at meetings in the absence of the President. He/she shall assist the President in the administration of the affairs of the Association and serve as Chairman of the Codes Committee.
- (c) ~~Secretary~~ First Vice President. The ~~Secretary~~ First Vice President shall preside at meetings in the absence of the President and ~~Vice-President~~ President Elect. He/she shall ensure maintenance of a record of all proceedings and policies of the

Association and the distribution of records as required to the members. He/she shall ensure maintenance of records of any policies, forms, member/contact lists, historical data of awards, recognitions, past officers, and board of directors. Upon expiration of term, all records of the Association shall be ~~delivered~~ made available by the Municipal Association to his/her successor.

- (d) ~~Treasurer~~ Second Vice President. He/she shall ensure maintenance of accurate records of the business affairs of the Association, and ensure the Municipal Association accounts to the Board of Directors for all funds of the Association. Upon expiration of his term, all records and funds of the Association shall be made available by the Municipal Association ~~delivered~~ to his/her successor. ~~He/she shall serve as Chairman of the Membership Committee. He/she shall sign all checks written on the account of the Association.~~

SECTION 4. BOARD OF DIRECTORS. The Board of Directors, hereinafter referred to as the “Board”, shall be elected at the Annual Business Meeting by a majority of the Active Voting Members present and voting. The number necessary to fill all vacancies shall be elected at each Annual Conference.

SECTION 5. TERMS OF OFFICE. The terms of the Board of Directors shall be:

- (a) President - One year and shall serve no more than two consecutive terms.
- (b) ~~Vice~~-President Elect - One year and shall serve no more than two consecutive terms.
- (c) Immediate Past-President - The same as the term(s) of the newly elected President.
- (d) ~~Secretary~~ First Vice President - Two years and serve no more than two consecutive terms.
- (e) ~~Treasurer~~ Second Vice President- Two years and serve no more than two consecutive terms.
- (f) Directors – Three years and serve no more than two consecutive terms.
 - 1. A Director from the Upper State Code Enforcement Association of South Carolina.
 - 2. A Director from the Central Building Inspectors Association of South Carolina.
 - 3. A Director from the Coastal Code Enforcement Association of South Carolina.
 - 4. A Director-at-Large.
 - 5. A Director from the Tri County Building and Fire Officials Association.
 - 6. A Director from the SC Association of Plumbing, Mechanical and Gas Inspectors.
 - 7. A Director from the SC Permit Technicians Association.

SECTION 6. VACANCIES. Vacancies occurring on the Board of Directors, or Officers, or Committees may be filled by the Board of Directors. Such appointees shall serve only until the next general election at which time the balance of the term shall be filled by election of the active voting members.

SECTION 7. REMOVAL. A member of the Board of Directors or Officers may be

removed for cause by a two-thirds majority vote of the members present at a quorum meeting of the Board of Directors. The removal of a member of the Board of Directors shall be mandatory when he/she has missed three consecutive meetings of the Board of Directors upon recommendation of the President. The member in question shall be given 20 days notice of such action and shall be afforded a hearing before the Board of Directors. Failure upon the part of the member to attend the hearing shall be cause for removal by default and shall not be subject to an appeal. Removal actions are effective immediately upon action of the Board of Directors. A member of the Board of Directors not actively employed as defined in Article II Section 1(a) for a period of sixty calendar days shall be removed as a Board Member.

SECTION 8. QUORUM. ~~Five-Seven~~ members of the Board of Directors present, either physically or electronically, at a meeting shall constitute a quorum. A member of the Board of Directors shall not act in his or her official capacity by proxy.

ARTICLE IV- NOMINATIONS

The Nominations Committee shall select a slate of candidates to fill positions on the Board of Directors, as required herein. The candidates shall be selected from the active membership of the Association. The slate of candidates shall be submitted during the Annual Business Meeting. Additional nominations may be made from the floor.

ARTICLE V – ASSOCIATION CHAPTERS

The Building Official Association of South Carolina shall encourage and recognize the establishment of regional chapter organizations of its members, the purpose of which shall be the furtherance of the objectives of the Association in the region or locality.

ARTICLE VI – COMMITTEES

SECTION 1. STANDING COMMITTEES. The Association shall have the following Standing Committees:

- (a) Legislative Committee. Shall consist of the President as Chairman and five active members with representation from each of the regional chapters.
- (b) Codes Committee. Shall consist of the ~~Vice-President~~ Elect as Chairman and five active members with representation from each of the regional chapters.
- (c) Membership Committee. Shall consist of the ~~Treasurer~~ Second Vice President as Chairman and five active members with representation from each of the regional chapters.
- (d) Education Committee. Shall consist of five active members with one from each regional chapter. The Board may appoint Associate Members as it deems necessary to provide advice to the Committee.
- (e) Nominations Committee. Shall consist of five active members with one from each regional chapter.
- (f) Bylaws Committee. Shall consist of the Past Presidents of the Association and

representatives of at least three of the regional chapters.

SECTION 2. OTHER COMMITTEES. In addition to the Standing Committees, there shall be such other special or advisory committees as may be appointed by the President, subject to the approval of the Board of Directors.

SECTION 3. DUTIES OF COMMITTEES. The duties of Committees shall be:

(a) Legislative Committee. The Legislative Committee shall keep informed as to any legislation proposed or pending in the State Legislature which pertains to the objectives of the Association. The Committee shall advise the Board and Association members of any such legislation shall propose action through the Board of Directors. The Committee may propose to the Board of Directors any legislation deemed necessary to aid in the accomplishment of the objectives of the Association. The Committee shall also establish and maintain effective lines of communication with appropriate Committees of the State Legislature.

(b) Codes Committee. The Code Committee shall review all proposed State or International Code changes relating to the objectives of the Association and present a recommendation of Association position on each such change to the Board of Directors for approval.

(c) Membership Committee. The Membership Committee shall review all membership applications of all categories, shall recommend approval or disapproval to the Board of Directors, shall hear any and all evidence in action toward revoking of membership and shall submit their recommendation to the Board of Directors, and shall plan, recommend, and pursue a program towards increasing the membership of the Association.

(d) Education Committee. The Education Committee shall define the educational needs of the membership and develop courses of instruction as required in cooperation with recognized educational institutions and the International Code Council; shall promote or schedule courses of instruction which will lead to the certification of personnel through the International Code Council or other recognized institutions; shall promote Building Safety Week on an annual basis in cooperation with all local and state jurisdictions, media, and the International Code Council; and shall develop the educational agenda for the Annual Conference by arranging for speakers and presentations.

(e) Nominations Committee. The Nominations Committee, in addition to the responsibilities of Article IV, Section 1, shall, thirty (30) days before the Annual Conference notify the membership of all elected positions to be considered at the Annual Conference and request the submission of candidates to be considered by the Committee. The Committee shall announce the time and place of the Nominations Committee Meeting where candidates can be interviewed and where the membership may present comments. The meeting shall be held the day before the Business Meeting. The Nominations Committee shall receive and consider nominations, and recommend to the Board of Directors whenever the situation warrants, an Active member for excellence in performance Award in recognition of outstanding accomplishments and service to the Building Official Association of South Carolina; and Active, Associate, or Honorary Member for the Marion L. Clement Award in recognition of outstanding leadership and contributions to the

advancement of the code enforcement profession. The Committee shall establish, upon approval of the Board of Directors, additional awards as are in the interest and purpose of the Association

ARTICLE VII - MEETINGS

SECTION 1. ANNUAL CONFERENCE. An Annual Conference shall be held each year at such time and place as may be designated by the Board of Directors, for the purpose of training, information, exchange of ideas, discussion of mutual problems and the Annual Business Meeting.

SECTION 2. SPECIAL MEETINGS. Special meetings may be called by the President at the direction of the Board of Directors, and shall be called at the request, in writing, of not less than one-third of the active members.

SECTION 3. BOARD of DIRECTORS MEETINGS. At the conclusion of each Annual Conference, the Board of Directors shall meet to organize and transact such business as may be necessary. The Board of Directors shall meet at such other times as may be called by the President, and shall meet upon the request of three (3) members of the Board of Directors.

SECTION 4. COMMITTEE MEETINGS. Each Standing Committee shall meet at least once a year and shall meet at such other times as meetings may be called by the Chairman or at the request of one-third of the members of the committee. Unexcused absences from any three (3) meetings in one year shall constitute a resignation.

SECTION 5. NOTICES. The First Vice President, through the Municipal Association, ~~Secretary~~ shall give each member not less than thirty (30) days notice, of any Association meeting. The ~~Secretary/Treasurer~~ First Vice President, through the Municipal Association, shall notify the BOASC Board members and the Secretary/Treasurer of each Regional Chapter at least ten (10) days in advance of Board of Directors meetings.

SECTION 6. QUORUM. A quorum for the transaction of business at any duly called Association meeting shall be twenty (20) Active Voting Member representatives.

ARTICLE VIII ORDER OF BUSINESS

SECTION 1. REGULAR MEETINGS. At regular meetings of the Association, the order of business, so far as the character and nature of the meeting may permit, shall be as follows:

- (a) Approval of Minutes of the last meeting
- (b) Report of the President
- (c) Report of ~~Secretary~~ First Vice President
- (d) Report of ~~Treasurer~~ Second Vice President

- (e) Report of Committees
- (f) Election of Officers and Directors (at Annual Business Meeting)
- (g) Unfinished Business
- (h) New Business
- (i) Adjournment
- (j) A change in the order of business may be proposed by the presiding officer when he/she deems it advisable and in the interest of the Association. Such change in the order of business shall be approved by the membership.

SECTION 2. BOARD OF DIRECTORS MEETINGS. At meetings of the Board of Directors, the order of business, unless otherwise directed by the majority vote of those present, shall be as follows:

- (a) Approval of Minutes of the last meeting
- (b) Report of ~~Secretary/Treasurer~~ First and Second Vice Presidents
- (c) Reports of Committees
- (d) Unfinished Business
- (e) New Business
- (f) Adjournment
- (g) A change in the order of business may be proposed by the presiding officer when he/she deems it advisable and in the interest of the Association. Such change in the order of business shall be approved by the Board of Directors.

SECTION 3. RULE OF ORDER. At all meetings of the Association, matters of parliamentary procedure shall be governed by Robert's Rules of Order.

ARTICLE IX- AMENDMENTS TO BYLAWS

The constitution and by-laws may be changed or amended by two-thirds vote of the Active Voting Member representatives present and voting at any meeting of the Association, or the Board of Directors may order any proposed amendment to be submitted by mail to all active voting members, and it shall become effective upon the receipt of the affirmative vote of a majority of such active voting members. Proposed amendments shall be submitted to the membership, at least 30 days prior to the meeting of the Association.

ARTICLE X - LIABILITY

There shall be no personal, individual, or other liability whatever on the part of any member of the Association either for debts of the Association or the acts of omission or commission of the Association, or of any officer, agent, or employee thereof. ~~The Treasurer shall be bonded in the amount of \$25,000.00 at the expense of the Association.~~

ARTICLE XI- NON-POLITICAL STATUS

The Building Officials Association of South Carolina shall be a ~~nonprofit, non-~~politicalnonpartisan organization, and no member thereof, Active or Associate, shall in any Association, Board or Committee meeting, advocate or discuss any political or sectarian subjects.