

BY-LAWS FOR INTERNAL ORGANIZATIONS AND MANAGEMENT

NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD

Adopted July 27, 1978
Revised October 24, 1995
Revised October 27, 2015
Revised October 25, 2022

I. GENERAL RULES

The North Carolina Code Officials Qualification Board (hereinafter referred to as "the Board") shall be governed by the terms of Article 9C of Chapter 143 of the General Statutes of North Carolina and by such other state laws as shall relate to its activities. In addition, it shall comply with these by-laws for its internal management, which it has adopted pursuant to G.S. 143-151.12(7).

II. OFFICERS AND DUTIES

A. **Chairman.** The Board shall elect a chairman from among its members at its first regular meeting after July 1 each year. The Chairman shall serve until his successor is elected and installed. The chairman shall be eligible for re-election. The chairman shall preside over all Board and executive committee meetings, shall appoint all committees of the Board, shall generally oversee the operations of the Board's staff, and shall officially represent the Board. While presiding at meetings, the chairman shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time.

B. **Vice Chairman.** The Board shall elect a vice-chairman from among its members in the same manner and for the same terms as the Chairman. The vice-chairman shall be eligible for re-election. The vice-chairman shall serve as acting chairman in the absence or disability of the chairman, and at such times the vice-chairman shall have the same powers and duties as the chairman.

C. **Secretary.** The Board shall elect a secretary from its membership, in the same manner and for the same term as the chairman. The secretary shall be eligible for re-election. The secretary, subject to the direction of the chairman and the Board, shall be responsible for keeping all records, and for generally supervising the clerical work of the Board. The secretary shall be responsible for keeping the minutes of every meeting of the Board, which minutes shall be a public record. The minutes shall show the record of all important facts pertaining to each meeting and hearing, every resolution acted upon by the Board, and all votes of Board members upon any resolution or the final determination of any question, indicating the names of members absent or failing to vote.

D. **Staff.** The staff of the Board shall consist of the Division of Engineering and Building Codes in the N. C. Department of Insurance, as provided by GS 143-151.19. The staff shall provide clerical and other services required by the Board and shall administer and enforce all provisions of Article 9C of Chapter 143 of the General Statutes and rules and regulations promulgated by the Board, subject to the direction of the Board.

III. COMMITTEES

A. General. The board may create and assign duties to whatever committees it deems necessary to carry out its functions most expeditiously. These may be standing committees, special committees, subcommittees for special purposes or advisory committees.

The chairman of the Board shall appoint members of all Board committees. From these appointees the Board shall elect chairmen of such committees, other than the Executive Committee.

The chairman of any standing committee creating subcommittees or advisory committees shall appoint the members of those subcommittees or advisory committees and may designate their chairmen.

B. Standing Committees. Standing committees are permanent committees, which continue in existence until formally abolished. Standing committees of the Board shall include an Education and Research Committee, a Policies and Procedures Committee, a Qualification and Evaluation Committee, an Executive Committee, and an Investigation Review Committee.

1. The Education and Research Committee shall be responsible for (a) developing and approving pre-service and in-service educational programs for code officials and (b) conducting and encouraging research in code enforcement, administration, and education.

2. The Policies and Procedures Committee shall be responsible for (a) developing rules and regulations applicable to the administration of Board functions, including disciplinary actions and (b) developing procedures for certifying code officials.

3. The Qualifications and Evaluation Committee shall be responsible for (a) developing qualifications for employment in various capacities as a code enforcement official, (b) developing an evaluation system for certification of code officials and (c) reviewing staff decisions concerning individual applications. Appeals of decisions of this committee concerning such applications shall be heard by the Board de novo.

4. The Executive Committee shall consist of the Board's chairman, vice-chairman, and secretary, and the chairman of each of the Board's other standing committees. It shall have general responsibility for planning and coordinating the operations of the other standing committees, and it may exercise such other functions as are directed by the Board.

5. The Investigation Review Committee shall review all investigation reports prepared pursuant to a consumer or board-initiated complaint; shall determine terms and conditions of proposed consent agreements; and shall make recommendations to the Board as to the disposition of cases. The IRC shall have authority to direct staff to initiate an investigation on behalf of the Board.

C. Special Committees. Special committees are created to exercise the particular, limited functions for a specified period of time. Unless otherwise provided by the Board, no special committee shall remain in existence for more than two years.

D. Advisory Committees. Advisory Committees are committees whose membership consists partially or totally of persons who are not members of the Board. They shall give the Board or its committees such advice and assistance as may be requested by the Board or standing committee which creates them.

IV. MEETINGS

A. Regular Meetings. The Board shall hold regular meetings at 1:00 pm on the fourth Tuesday of July, October, January and April. The chairman shall give written notice of the exact meeting place to each member no later than two weeks prior to the meeting. The chairman may reschedule a regular meeting by giving written notice to all members no later than two weeks prior to when the scheduled meeting would normally be held.

B. Special Meetings. Special meetings of the Board may be called at any time by the chairman, the vice-chairman, or any four members of the Board. Written notice of any special meetings shall be given to all members of the Board at least two weeks prior to the time of the meeting, setting forth the detailed time, date, and place of the meeting and the purpose for which it will be held. In the event of an emergency, the period of such notice may be shortened, provided that the feasible efforts are made to notify every member sufficiently in advance of the meeting that his attendance will not be precluded.

C. Quorum. A quorum shall consist of a majority of the members of the Board. A quorum of any committee shall consist of a majority of all the members of the committee.

D. Conduct of Meetings. All meetings of the Board shall be open to the public. The order of business at regular meetings shall be as follows: (1) roll call; (2) minutes of previous meeting; (3) reports of committees; (4) unfinished business; (5) new business.

E. Voting. The vote of a majority of those members present shall be sufficient to decide matters before the Board, provided a quorum is present. The chairman shall not be required to vote unless his vote is necessary to break a tie, but he may vote on any matter; he may not vote twice, creating a tie and then breaking it. No Board member shall participate in the decision of any matter in which he has a personal financial interest sufficient to influence his vote.

V. AMENDMENTS

These by-laws may be amended at any time by an affirmative vote of not less than two-thirds of the members of the Board, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken. If two-thirds of the members are not present at the meeting at which the vote is to be taken, a mail election shall be held on the proposed amendment.