

BY-LAWS

OF THE
IOWA ASSOCIATION OF CODE ENFORCEMENT

ARTICLE I.

NAME, TERRITORY AND PURPOSE

Section 1. Name

The name of this organization is the Iowa Association of Code Enforcement. In this document, the Iowa Association of Code Enforcement is referred to as lowACE This shall be a non-profit organization and shall be self-supporting.

Section 2. Territory

The geographical area that lowACE represents shall be all participating municipal, county and state agencies within the boundaries of the State of Iowa.

Section 3. Purpose

The purpose of lowACE shall be to study and advance the science and practice of code enforcement through training and education leading to certification, to further the interests of the profession and to promote fellowship and understanding among its members.

ARTICLE II.

MEMBERSHIP

Section 1. Voting Delegates

The Code Enforcement Official for each participating governmental agency or his/her designee is the voting delegate. When the voting delegate is a member of the Board of Directors, (Executive Committee) his/her vote will be transferred to the designee. In the event the only member present for a vote is, a member of the Board of Directors (Executive Committee) that person shall be allowed to cast a vote. In the event of a tie, the highest-ranking member of the Board of Directors (Executive Committee) will cast the deciding vote. The highest-ranking order is as follows, President, 1st, 2nd, 3rd Vice Presidents, Secretary, Treasurer, Sergeant at Arms. In the event that the highest-ranking member of the Board of Directors (Executive Committee) is tied for elective office, then the next in line shall cast the deciding vote.

Section 2. Active Members

A person involved in the regulation of safety and health in the environment, both natural and man-made, or is otherwise responsible for enforcement of municipal, county, state or federal codes and who resides or is employed in the State of Iowa shall be eligible for regular membership and upon payment of established dues shall be known as an "Active Member".

Section 3. Associate Members

Any student, non-resident or individual interested in code enforcement, shall be eligible for associate membership upon payment of established dues and shall be known as an "Associate Member".

Section 4. Supporting Agency

Any governmental agency shall be considered a Supporting Agency with payment of an established contribution, renewable annually.

Section 5. Participating Agency

Any governmental agency in which there is one or more active lowACE member(s).

Section 6. Retired Membership

Retired membership shall be restricted to any person who was a member of this Association and is not qualified for membership in any other category as defined by this article. Retired Members shall be exempt from dues and shall be awarded such membership by a majority vote of any quorum meeting of the Board of Directors. Such members may attend regular meetings, may serve on any committee but may not otherwise vote or hold office.

Section 7. Termination of Membership

- a. Any member leaving the code enforcement profession for a period in excess of six months will cease to be an active member and will be considered an associate member.
- b. Any member in default of his/her financial responsibilities to lowACE for a period of six months shall no longer be entitled to the benefits of membership in lowACE. This section does not preclude reinstatement upon payment of dues.
- c. If any member shall commit any act prejudicial to the conduct of the affairs of the association or the purposes for which it is formed, or shall have changed his/her status so as to be ineligible for membership, such person shall be notified in writing to appear personally before the Board of Directors at a designated time not less than 30 days after such notification and at such time, be given a hearing. By a two-thirds vote of all the Board of Directors present at the meeting, the membership of such person in the association may be terminated or suspended.

ARTICLE III.

FISCAL ADMINISTRATION

Section 1. Fiscal Year

The lowACE fiscal year shall be from June 1, through May 31 of each successive year.

Section 2. Annual Budget

The annual budget shall be prepared and presented by a budget and finance committee, appointed by the Board of Directors (Executive Committee).

Section 3. Dues

Four membership options shall be offered: Student, Active, Associate and Supporting. Annual membership dues established by the Board of Directors (Executive Committee) shall be due on January 1st of each year.

Section 4. Vouchers

All approved claims owed for payment by lowACE shall be submitted to the Treasurer in the form of a written and signed statement. All expenditures from lowACE funds shall be subject to review by the Board of Directors (Executive Committee). All checks must be signed by the Treasurer upon approval of the Board of Directors (Executive Committee). The establishing of an lowACE bank account shall be the responsibility of the Board of Directors (Executive Committee) and the account shall be placed within the State of Iowa. Reconciliation of the bank account will be performed by the Finance and Budget Committee. There will be an annual independent audit of the records.

Section 5. Solicitation and Donations

All soliciting on behalf of the association for monetary donations to benefit the association shall be approved by the Board and all solicitations shall be sent to the Treasurer.

ARTICLE IV.

OFFICERS

Section 1. Number and types of Officers

The officers of lowACE shall be seven (7) in number and shall be a President, 1st, 2nd, 3rd Vice President, Secretary, Treasurer, and Sergeant-at-Arms.

Section 2. Eligibility for Office

- a. Any active member of lowACE in good standing shall be eligible for any office.
- b. A "member in good standing" is defined as a member meeting all requirements for membership as defined herein.

Section 3. Terms of Office

- a. The normal term of office shall be one (1) year coincidental with the lowACE fiscal year.
- b. No officer shall be elected to the same office for more than two (2) consecutive full terms with the exception of the 2nd Vice President and Treasurer who can serve up to four (4) consecutive terms.

Section 4. Duties of Officers

President - The President shall be directly responsible for the supervision and guidance of the affairs of this Association and shall preside over all meetings of lowACE. The President shall enforce the By-Laws (Constitution) of this association and perform other duties that would be recognized as being part of the office. The headquarters of the Association shall be the office of the President, so long as it is located in the State of Iowa.

1st Vice President - The 1st Vice President shall be president elect and shall accede to the Presidency and will preside over all meetings in the absence of the President. The primary duties of the 1st Vice President shall be to chair the Conference Committee and to assist the Treasurer in carrying out the duties of his/her office.

2nd Vice President - The 2nd Vice President shall preside in the absence of the 1st Vice President and in the absence of the President of all lowACE functions. The primary duty of the 2nd Vice President shall be to chair the Education/Certification Committee and to keep the President informed of the current progress and future plans of the committee.

3rd Vice President - The 3rd Vice President shall preside in the absence of the 2nd Vice President, 1st Vice President or President to preside over any lowACE function. The primary responsibility is to serve as the Membership Drive Chair. This position shall be a continuous effort and drive throughout the year in order to accomplish a larger capacity of active and associate members; as qualified in Article II, Section 1,2, and 3.

Secretary - The Secretary shall keep and maintain an accurate record of the proceedings of all official meetings and the names of all appointed committees and their functions.

Treasurer - The Treasurer shall be the custodian of all financial matters of this Association and chair the Finance/Budget Committee. He/she will be responsible to see that the dues of all members are paid in full prior to the opening of the annual business session, and shall report same to President. Records of all collections and expenditures from lowACE shall be reviewed and signed by the Treasurer. The Treasurer's book and records shall be audited each year by the Board of Directors (Executive Committee) prior to the annual conference. A report of all revenues and expenditures shall be made available to all members of the Association. At the annual meeting of lowACE, the Treasurer shall present a financial statement for all members to view if desired. The Treasurer shall sign all membership cards and shall keep an up-to-date

roster of all members. The Treasurer shall investigate all tax laws and shall keep the lowACE advised of any laws that directly affect the Association so that the Association may be in compliance with all such laws and procedures and advise this Association of its rightful and correct position.

Sergeant-at-Arms - The Sergeant-at-Arms shall maintain order during all meetings and functions of this Association. The Sergeant-at-Arms shall be responsible for ensuring that all voters are in accordance with the provisions of Article II. The Sergeant-at-Arms will chair the Legislative and Judicial Review Committee and will keep the President informed of all actions and progress, which the committee makes.

Section 5. Board of Directors (Executive Committee)

- a. There shall be a Board of Directors (Executive Committee) comprised of the President, 1st, 2nd, 3rd Vice President, Secretary, Treasurer and Sergeant-at-Arms with the immediate past president as an ex-officio member with voting rights.
- b. Except as otherwise provided by the lowACE By-Laws (constitution), the Board of Directors (Executive Committee) may transact Association business in the interim between annual meetings; shall determine when committee reports are to be issued; shall effectuate motions voted by the Association; and may adopt rules for the regulation of its proceedings.
- c. Official findings and recommendations of the Board of Directors (Executive Committee) shall be determined by a majority vote. All members of the Board of Directors (Executive Committee) shall have one vote.
- d. The Board of Directors (Executive Committee) may be empowered to authorize the existence of Chapter Organizations.
- e. The Board of Directors (Executive Committee) shall hold at least one meeting annually, which shall be open to attendance by any member in good standing of lowACE. Such open meeting shall be held immediately prior to, during, or immediately after the annual conference. The Board of Directors (Executive Committee) shall designate a portion of the meeting to hear comments and concerns of the members in attendance. The Sergeant-at-Arms is hereby authorized and empowered to enact rules for an open meeting to keep order and to permit the Board of Directors (Executive Committee) to conduct the meeting in an expeditious manner.

Section 6. Removal from Office

Officers may be removed from office for failure to satisfactorily perform the duties of the office by unanimous vote of the balance of the executive committee. A proposal to remove an officer may be presented by any member of the executive committee. Any officer proposed to be removed must be provided an opportunity for a hearing before the executive committee prior to their removal.

ARTICLE V.

ELECTIONS AND VOTING

Section 1. Nomination of Officers

- a. At least forty-five (45) days prior to the annual meeting, the Board of Directors (Executive Committee) shall appoint a nominating committee consisting of three or more persons who are active members, in good standing, of the Association.
- b. The nominating committee shall prepare a slate of nominees as follows:
1st Vice President, 2nd Vice President, 3rd Vice President, Secretary, Treasurer and Sergeant-at-Arms.
- c. The nominating committee may select and recommend more than one person for all offices, not to exceed three (3) persons per office.
- d. In the event there is only one nominee for any particular office, the membership assembled may instruct the Secretary by proper motion to cast a ballot for the full number of qualified voters at the meeting for the said nominee whereupon the President shall declare him/her elected by acclamation.
- e. The President shall announce the results of all balloting and shall declare all elections.

- f. Formal notification of the election results shall be prepared by the Secretary and mailed or e-mailed to each lowACE member.

Section 2. Vacancies

In the event a vacancy is created in the office of the President, the 1st Vice President shall immediately vacate his/her office and assume the office of the President and at which time the Board of Directors (Executive Committee) shall have the power to fill any vacated office until a regular election is held with an interim appointee and the President will succeed himself/herself. In the event a vacancy is created by any other officer in the Board of Directors (Executive Committee), the board shall have the authority to fill the vacancy until a regular election can be held.

Section 3. Voting

- a. For the normal transaction of business, all members present at the Annual Meeting shall have one vote with the following exceptions, for which voting delegates only will cast ballots: (1) Election of officers; (2) Adoption of by-laws and articles of incorporation amendments and proclamations; and (3) Items for which a voice vote proves inconclusive (at the discretion of the President or presiding officer).
- b. The Sergeant-at-Arms shall determine the eligibility for voting on specific business matters and the Secretary shall maintain a current list of voting eligibility by voting delegates.
- c. A quorum for a valid vote shall be a majority of those eligible delegates casting ballots, who attend the annual meeting. Proxy ballots will not be counted. Proxy ballots are expressly prohibited.

ARTICLE VI.

MEETING

Section 1. Annual Meeting

- a. There shall be an annual meeting held during March, April or May of each year.
- b. The primary purpose of the annual meeting shall be:
 - 1. To receive the annual report from the retiring Association officers.
 - 2. Adopt a budget for the next year of the Association operation, said year to commence June 1, of each successive year.

Section 2. Special Meetings

- a. The Board of Directors (Executive Committee) and/or President may call a special meeting at such time, date and place, as they may consider appropriate.
- b. At the written request of a minimum of 10% of the organization, the President shall call a special meeting.

Section 3. Notice of Meetings

- a. A written notice of the annual meeting shall be mailed or e-mailed to each lowACE member no later than thirty (30) days prior to the annual meeting.

Section 4. Programs

- a. It shall be the responsibility of the Board of Directors (Executive Committee) to appoint a program coordinator to ensure that each program provided for the membership shall be of the highest quality and consistent with the established purposes and goals of the Association.

Section 5. Minutes of the Business Meetings

- a. Complete minutes shall be recorded of each business meeting by either the Secretary or some other qualified member of lowACE designated by the Secretary to serve in his/her absence.

- b. All minutes, once recorded and approved by the appropriate body as to accuracy, shall become part of the permanent record of which the Secretary is the Custodian.
- c. The minutes of the annual meeting shall be recorded by the retiring Secretary.

ARTICLE VII.

COMMITTEES

Section 1. Appointment

- a. The President shall, whenever necessary and appropriate, appoint special committees to perform specific and limited duties and he/she shall appoint members not otherwise designated herein to the following standing committees: Finance and Budget, Education/Certification, Legislative and Judicial Review, Conference and Membership. The Chair of each of these standing committees is listed in the duties of each Board of Director (Executive Committee) (Article IV, Section 4, Duties of Officers).

Section 2. Tenure

- a. The tenure of each special committee shall be for the duration of the specific duty assigned to it, but shall not exceed beyond the end of the lowACE fiscal year in which the particular special committee was appointed, except that any special committee may be continued the following year by the succeeding President. Standing committees have a specific job description and are appointed at the pleasure of the President to serve until the end of the lowACE fiscal year unless the succeeding President continues their services for another year.

Section 3. Duties and Responsibilities of Standing Committees

- a. The Finance and Budget Committee is to meet at least once yearly during the last quarter of the lowACE fiscal year to outline the receipts to the Board of Directors (Executive Committee) for the coming lowACE fiscal year.
- b. The Conference Committee shall meet as necessary and is responsible to the Board of Directors (Executive Committee) for the development and presentation of programs to the board of Directors (Executive Committee) for the upcoming year.
- c. The Membership Committee shall meet as necessary and is responsible for the active recruitment of new members and the retention of present members.
- d. The Education/Certification Committee shall meet as often as necessary to plan, develop and present to the Board of Directors (Executive Committee) proposals for the educational programs of lowACE.
- e. The Legislative and Judicial Review Committee will meet as necessary and is responsible for the review of ordinances throughout the State of Iowa which pertain to Code Enforcement. Their ultimate responsibility lies in finding the most efficient and effective laws in place and working toward the establishment of these laws on a statewide basis. This Committee shall be chaired by the Sergeant-at-Arms. In making appointments to this committee, the President shall consider for appointment lay members and all practicing attorneys who are active members and available for service as well as any other active member who is interested.

Section 4. Past Presidents Committee

- a. The Past Presidents Committee shall be a standing committee and consist of the past presidents of lowACE.
- b. Any past president serving on the Past Presidents Committee shall be a member in good standing during his/her service on the Committee.
- c. Any past president wishing to decline to serve on the Past Presidents Committee may do so.
- d. The Past Presidents Committee shall meet at least once per year.
- e. The Immediate Past President shall serve as Chairman of the Past Presidents Committee.
- f. The Past Presidents Committee shall serve lowACE in an advisory capacity.
- g. The Past Presidents Committee shall draft an annual report of their recommendations for lowACE and present same to the Board of Directors (Executive Committee). The Board of

Directors (Executive Committee) shall review and consider the proposals and recommendations contained in the annual report of the Past Presidents Committee.

- h. The President and/or Board of Directors (Executive Committee) may call upon the Past Presidents Committee to perform special functions, as they may deem necessary and/or appropriate.

ARTICLE VIII.

AMENDMENTS

Section 1. Proposal

- a. Upon written petition officially transmitted to the Board of Directors (Executive Committee), from a standing committee or at least one-fourth (1/4) of the active membership of IowACE, any proposed amendment to these By-Laws shall, after full discussion by the Board of Directors (Executive Committee), be prepared as written ballot at the next annual meeting.

Section 2. Adoption

- a. Any proposed amendment shall require a majority vote for adoption. The vote shall be by secret ballot with those voting delegates so qualified as eligible to vote at the time of balloting being allowed to vote on the proposed amendment.

Section 3. Emergency Amendments

During the course of the year the Board can adopt an emergency amendment by a unanimous vote of the Board to carry out that amendment and that the amendment expire, at the end of the year unless it is voted on by delegates at the next annual meeting to become a permanent amendment to the by-laws.

ARTICLE IX.

ORDER OF BUSINESS

Section 1. Procedures

Parliamentary procedures shall be as defined in the current edition of Roberts Rules of Order.

Section 2. Order of Business

The order of business of this Association shall be as follows:

1. Roll call of officers
2. Approval of minutes of previous meeting
3. Announcements
4. Reports of officers and minutes
5. Programs
6. Unfinished business
7. New Business
8. Election of officers and seating of same
9. Adjournment

ARTICLE X.

SEVERABILITY

That if any part of these by-laws shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

IOWACE BY-LAWS EFFECTIVE AS OF THE CLOSE OF THE 2009 ANNUAL CONFERENCE

April 3, 2009