

Big Sky Country – Montana’s ICC Chapter By-laws 2024

ARTICLE I - ORGANIZATION

1.1

This organization shall be known as the Big Sky Country – Montana’s ICC Chapter and may be referred to as "*Chapter*" or "*Corporation*" throughout the remainder of this document.

ARTICLE II - PURPOSE

2.1

The Chapter is a nonprofit corporation and is not organized for the private gain of any person. The Corporation is organized exclusively as an organization described in Section 501(c)(6) of the Internal Revenue Code of 1986, as amended, or the corresponding provision in any future United States Internal Revenue law (the "Code"). Notwithstanding any other provision herein, the Corporation shall not engage in a regular business activity of a kind ordinarily carried on for profit and shall not carry on any other activity not permitted to be carried on by a corporation exempt from federal income tax under Section 501(c)(6) of the Code. It is organized under the Nonprofit Public Benefit Corporation Law for public and charitable purposes.

2.2 – Purpose.

The purpose of this organization shall be:

- A. To promote maximum safety of life, health, and property at minimum cost through the encouragement of uniformity in the application, interpretation, and enforcement of the building and related codes, ordinances, and regulations.
- B. To promote a better understanding and appreciation of the proper enforcement and administration of the International Codes and related codes and ordinances and their importance to the safety, welfare, and prosperity of the state, counties, municipalities, and other certified jurisdictions.
- C. To discuss and evaluate the construction methods and principles underlying safety in construction.
- D. To bring together individuals engaged in the administration, enforcement, and implementation of codes regulating the built environment and other related codes to share information, experience, and policy; exchange ideas; discuss mutual problems; and promote the uniform interpretation of all applicable codes.
- E. To improve the prestige of code enforcement professionals by the promotion of high standards of efficiency and knowledge in the enforcement and administration of International Codes and related building ordinances and regulations through continuous education and training.
- F. To assist the state, county, municipalities, and other certified jurisdictions in the organization and maintenance of building inspection and code enforcement departments.
- G. Promote professional assistance and technical advice to legislative and other governmental bodies in the administration of the building code and related regulations.

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- H. To support cooperation between the chapter and other entities with similar interests and objectives relating to the enforcement of the building codes.
- I. To aid, educate, and assist members in the pursuit of the goals and objectives of this Chapter.

2.3 – Methods.

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

- A. By establishing communications with Montana Jurisdictions, other Chapters, public officials, and associations.
- B. By exchanging and disseminating information through whatever means directed or approved by the Chapter.
- C. By promoting and elevating the status of Code Professionals to decision-makers and the general public.
- D. By creating good fellowship and mutual understanding among members and with related industry through meetings and similar activities.
- E. By publicizing the purposes and activities of this Chapter through contact with public officials in other branches of government and representatives of the construction industry.
- F. By promoting to every jurisdiction in Montana, the adoption of coordinated building and related codes based on unbiased judgment and developed in a public forum.
- G. By supporting state-wide representation on international boards and committees of code organizations and standards authorities.
- H. By establishing and collecting dues, fees, and other income for the furtherance of the objectives of the Chapter.

ARTICLE III - POWERS

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

- A. Classes of membership and fixing the qualifications thereto.
- B. Amount and conditions of payment of dues.
- C. The designation of officers, their duties, methods of election, and term of office.
- D. The establishment of committees as determined by the Chapter.
- 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 Chapter.

ARTICLE IV – ASSETS

4.1 – Assets of the Chapter.

All assets of this Chapter shall be used in furtherance of its purposes herein set forth. No Officer, member, or employee of the Chapter, nor any other individual or corporation of interest, shall profit from the operation or activities of this Chapter except insofar as they may receive reasonable compensation for services and reimbursement of necessary travel and incidental expenses incurred in furtherance of the objectives of the Chapter, as approved by the officers.

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4.2 – Dissolution of the Chapter.

Upon the dissolution or termination of this Chapter, no Officer, member, or employee of the Chapter, nor any other individual, shall receive any profit from or share in any of the assets or property of the organization; all assets, property, and surplus of the organization shall be delivered to the International Code Council Foundation General Scholarships Fund.

There shall be no personal, individual, or other liability whatsoever on the part of any member of the Chapter either for debts of the Chapter or the acts of omission or commission of the Chapter or any Officer, agent, or employee thereof.

4.3 – Disbursement of Funds of the Chapter.

The disbursement of any monies from this account shall be for official chapter business. Any other disbursements shall be by a majority vote of the chapter officers.

ARTICLE V – MEMBERSHIP

5.1 – Membership.

The membership shall consist of active building officials and inspectors, plans examiners, plumbing officials and inspectors, electrical officials, and inspectors, fire marshals and inspectors, engineers, architects, materials suppliers and manufacturers, banking institutions, insurance institutions, realtors, private home inspectors, home builders associations, and any other individuals with an interest in the construction related industry that pursues public safety goals, not contrary to the goals of the chapter.

5.2 – Membership Classifications.

All members shall be classified as one of the following:

- A. **Active Member** - Any municipal, county, state, or federal employee engaged in the administration and enforcement of building codes, ordinances, and related regulations shall be eligible to become an active member upon payment of dues and in good standing with this chapter.
- B. **Associate Members** - Any design professional, engineer, architect, contractor, banking institution representative, insurance agent, realtor, private home inspector, or home builders' association, shall be eligible to become an associate member upon payment of dues and in good standing with this chapter.
- C. **Corporate Members** - Any research group, manufacturer, retailer, or wholesaler of building material or equipment related to the building industry, or any other individuals with an interest in any construction-related industry, upon payment of membership dues and good standing with this chapter.
- D. **Honorary Life Member** - Any retired municipal, county, state, or federal employee designated by the Board of Directors as having rendered outstanding service to this Chapter shall be eligible to become an honorary Life Member and shall be exempt from payment of membership dues.

5.3 – Member Rights.

Member Rights – Only Active Members shall be entitled to vote on any question at regular or annual meetings, however, all members shall be entitled to and are encouraged to

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participate in meetings, and discussions to serve on committees and shall have voting privileges on those committees. Any member may make or second a motion in a regular or annual meeting, but only Active Members may vote on such motions.

5.4 Member Liability.

Member Liability – Members of the Chapter shall not, as such, be liable for obligations of the Chapter.

ARTICLE VI - CODE OF ETHICS

6.1 – Code of Ethics

Members of this Chapter shall:

- A. Place public safety above all other interests.
- B. Place public interest above individual, group, or special interest.
- C. Maintain the highest standards of integrity.
- D. Always conduct themselves in such a manner as to create respect for themselves and the jurisdiction they represent and the Chapter.
- E. Refrain from representing any private interest in the business of the Chapter.
- F. Refrain from using unfair means to secure an advantage in the Chapter or to knowingly injure any individual, company, or association to gain such advantage.
- G. Not accept, nor offer, any gift, favor, or service that might tend to influence them in the discharge of their duties.
- H. Carry on their contacts with other members of the Chapter in a spirit of fairness with loyalty and fidelity to the goals and purposes of the Chapter.

6.2 – Violation of the Code of Ethics

- A. Any violation of the above sections may be brought to the attention of the Officers. After an investigation of the complaint, the Officers may recommend to the Coordinating Council expulsion from this Chapter to be determined by majority vote at the next meeting of the Chapter.
- B. A member expelled from the Chapter shall not be allowed to rejoin this chapter for a period of twelve months from the expulsion, or until the Coordinating Board votes to approve the reinstatement.

ARTICLE VII – DUES

7.1 – Due Amount.

The amount of dues for membership shall be set by the Chapter.

7.2 – Membership Term.

The fiscal period shall follow the calendar year, January 1 to December 31.

7.3 – Dues Delinquent.

Any Chapter whose dues are not paid by March 1 shall be considered delinquent and shall not be entitled to receive the benefits of membership.

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7.4 – Payment of Dues

Dues shall be payable to this chapter through the Treasurer and shall be deposited into the chapter account.

ARTICLE VIII - OFFICERS

8.1 - Officers:

The Officers shall be as follows:

- President
 - Immediate Past-President
 - Vice-President
 - Treasurer
 - Secretary
- A. The initial placement of Officers shall be determined by the board. Article VIII, Section 5, shall determine succession thereafter.
- B. The immediate Past President shall be a voting member of the Officers. If the immediate Past President cannot fulfill his duties to the Board, the most recent available immediate Past President shall assume the position.
- C. In the event any Officer position is vacated before the completion of the term, the rules of succession shall apply, and the resulting vacant position will be filled under Article VIII, Section 5.

Officers shall be elected from the membership at large.

Four (4) Directors at Large shall be appointed by the Officers and will be voting members of the Board. Officers shall be elected by a majority vote of the active Officers present at the meeting and following Section 3 of this Article.

8.2 - Qualifications

All Officers shall be active members and shall be in good standing with this chapter. Any active member may seek any Officer position by stating intent to be considered at any meeting.

8.3 - Terms:

- The President – two-year term, election to be held odd ending years.
- Vice-President - two-year term, election to be held even ending years.
- Secretary - two-year term, election to be held odd ending years.
- Treasurer - two-year term, election to be held even ending years.
- Directors at Large 1 & 3 – two-year term, election to be held odd ending years.
- Directors at Large 2 & 4 – two-year term, election to be held even ending years.

Officers and Directors are elected at the Annual Business Meeting (ABM) of every term calendar year and take office at the end of that Annual Business Meeting (ABM). Officers and Directors shall be limited to two consecutive terms in their current positions.

8.4 - Duties:

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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 that will promote the purposes of the organization.

8.5 - Succession:

The order of succession to the position of President of this association shall be Vice President, Treasurer, and Secretary, which may be used by the Chapter to name a successor to any Officer whose eligibility changes during such Officer’s term of office.

8.6 - Vacancies and Removal:

If the position of any Officer becomes vacant for reasons of death, resignation, disqualification, removal, or other cause, the President (or in the case the position of president is vacant, the Vice President) shall appoint a successor for the unexpired term and until his or her successor is elected at the next annual business meeting.

When an officer ceases to be an active member or shows just cause as to why he or she can no longer perform the duties of that office, then he or she will automatically be relieved from office.

ARTICLE IX – COMMITTEES

Section 1.

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

Section 2.

The President, after consultation with the Officers, shall appoint all committee chairs.

Section 3.

Standing Committees:

ARTICLE X - MEETINGS

Section 1.

Regular meetings will be held a minimum of three times yearly at a time and place selected by the president to transact such business as the chapter may select. These times and places shall reflect the interests of all chapter members. Special meetings shall be held as and when called by the president or by any Officer with the approval of the Officers by a majority.

Annual Business Meeting shall be held yearly in conjunction with the annual state education conference week. (Springtime)

Section 2.

A quorum shall consist of a combination and a minimum of five (5) active Officers or Directors and will constitute a regular or special meeting of this chapter.

Section 3.

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The president shall cast a vote only in the event of a tie vote by the board or membership vote.

Section 4.

An agenda shall be sent to each chapter member by the Secretary for any regular or special meeting indicating set agenda items and shall include any old or new business, scheduled or otherwise.

The Order of business at all meetings shall be as follows:

1. Attendance Roll Call
2. Approval of minutes from previous meeting
3. Reports of Officers & Committees
4. Old Business
5. New Business
6. Guest Speakers
7. Other Discussion
8. Adjournment

The order of business may be altered for any individual regular or special meetings by a majority of the active members present.

Complete records shall be kept by the secretary, and or treasurer of all proceedings and actions that transpire at all regular or special meetings.

The treasurer shall render a financial report to the chapter members at all regular meetings.

Section 5.

Special meetings of the Board may be called at any time by the President or by an Officer with approval of two-thirds of the Officers.

The President shall call a special meeting upon the receipt of a valid request, specifying the purpose of the special meeting and bearing the names, and titles, of twenty percent of the Coordinating Board Members.

Section 6.

The order of business at all meetings of the body shall follow Robert’s Rules of Order. Electronic means of communication and balloting are acceptable to conduct business of the organization.

ARTICLE XI – ADOPTION AND AMENDMENTS

Section 1.

The bylaws of this organization shall become effective upon their adoption by resolution and submittal of such resolution to the Secretary by a majority of the membership.

Section 2.

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Amendments to the bylaws must be proposed by a minimum of two Board representatives. Properly edited bylaw amendment proposals must be delivered by mail or email to the President. The President will post the amendment on the chapter's website and notify the members that there is a proposed amendment for review and comment. The amendment will be open for discussion by the members for a minimum of 30 days. After the required posting has expired, the President shall place the amendment on the agenda for a vote at the next scheduled Annual Business Meeting. A two-thirds majority of the ballots submitted by Coordinating Council Representatives is required for adoption. The amendment shall then become effective immediately upon its approval.

Section 3.

The date of revision of any amendments shall appear in the lower left-hand corner of the page, which is affected, and a vertical bar shall appear in the outboard margin showing the location of said change. The last page of these bylaws shall contain a chronological list of all changes and their date of adoption.

Ben Abbey
President

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 9/4/2024
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Lucas Sobeck
Vice-president

Signed by:
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Rhea Papke
Secretary

Signed by:
 9/5/2024
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Michael Nasheim
Treasurer

Signed by:
 9/9/2024
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