

# SWACE By-Laws



## ***Article I Establishment of Organization***

**(Updated on 04/13/2016)**

**1. NAME:** The name of this organization is the Southwest Association of Code Enforcement. In this document, the Southwest Association of Code Enforcement is referred to as "SWACE" or as the "Association". This shall be a non-profit organization and shall be self-supporting.

**2. TERRITORY:** The geographical area that SWACE represents shall be all particular municipal, county and state agencies within the boundaries of Charlotte County, Collier County, Desoto County, Glades County, Hendry County, Highlands County, Lee County, and Incorporated Areas.

**3. PURPOSE:** The purpose of SWACE shall be:

- a. To increase Southwest Florida networking and coordination efforts among fellow professionals;
- b. To aggressively attack problem causes, ordinances and personnel issues we deal with daily;
- c. To create standard educational tools that would be beneficial to Southwest Florida citizens;
- d. To assist the Florida Association of Code Enforcement (FACE) with their goals, commit to publishing an article in the interface newsletters;
- e. To be a working organization creating solutions;
- f. To improve service and quality of life for citizens within Southwest Florida;
- g. To improve the prestige of Code Enforcement Officials by the promotion of higher standards of education and efficiency in the administration and application of environmental laws;
- h. To provide professional assistance and technical advice to governmental agencies in the promulgation and administration of environmental laws;
- i. To provide the public with general interpretation of codes and code enforcement procedures.

## ***Article II Membership***

**1. ACTIVE MEMBERS:** A person actively involved in the regulation of health and safety in the environment, both natural and man-made, or who is otherwise responsible for the enforcement of municipal, county, state or federal codes, and is an Active Member in good standing of FACE, and who resides or is employed in the territory of SWACE shall be eligible for regular membership and upon payment of established dues shall be known as an "Active Member".

**2. ASSOCIATE MEMBERS:** A student, non-resident, individual or group interested in the objectives of SWACE. Upon payment of dues established by SWACE, shall be recognized as an "Associate Member".

**3. VOTING DELEGATES:** Each organization shall have one vote and shall designate one Active Member to be the voting delegate together with one Active Member to serve as an alternate who may vote only in the absence or incapacity of the primary voting delegate. Such designation shall be in writing and signed by the appropriate representative of the participating agency. This will eliminate a large agency from having a majority voting power.

**4. HONORARY / RETIRED MEMBERS:** The Board of Directors may, by majority vote, designate Honorary and/or Retired Members of the Association.

**5. 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 SWACE for a period of six months shall no longer be entitled to the benefits of membership in SWACE. This section does not preclude reinstatement upon repayment of dues and a reinstatement fee;

C. Any member may be suspended from membership upon a finding by the Board of Directors, and may be removed or reinstated from membership upon such finding with a vote of the majority of the voting delegates taken by secret ballot, that said member has acted in such a manner as to bring discredit upon SWACE.

***Article III Fiscal Administration***

**1. FISCAL YEAR:** The SWACE fiscal year shall be from April 1 through March 31 of each succeeding year.

**2. DUES:** Annual membership dues shall be \$20.00 per member due and payable by April 1 of each year. membership dues over 6 months late will be subject to a \$10.00 reinstatement fee. No dues are required of Honorary / Retired members.

**3. VOUCHERS:** All approved claims owed for payment by SWACE shall be submitted to the Treasurer in the form of a written and signed statement. All expenditures from SWACE funds shall be subject to review by the Board of Directors. Administrative/Operational expenses not exceeding \$300 may be approved by 2 of 3 designated board member signatures. The establishing of the SWACE bank account shall be the responsibility of the Board of Officers and the

account shall be placed within Charlotte County, Collier County, Desoto County, Glades County, Hendry County, Highlands County, Lee County or Incorporated Areas.

#### ***Article IV Board of Officers***

**1. OFFICERS:** The officers of SWACE shall be six (6) in number and shall be a President, Vice-President, Secretary, Treasurer, Sergeant-at-Arms and an Immediate Past President.

**2. ELIGIBILITY FOR OFFICE:** Any active member of SWACE in good standing shall be eligible for office. A "member in good standing" is defined as a member meeting all requirements for membership as defined herein.

**3. TERMS IN OFFICE:** The normal term in office shall be two (2) years coinciding with the SWACE fiscal year. No officer shall be elected to more than two (2) consecutive full terms, unless no nominations are received/accepted; with the exception of Secretary and Treasurer who may serve up to four (4) consecutive terms.

#### **4. DUTY OF OFFICERS:**

a. 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 SWACE. The President shall enforce the by-laws of this Association and perform other duties that would be recognized as being part of this office. The headquarters of this Association shall be the office of the President.

b. Vice-President: The Vice-President will preside over all meetings in the absence of the President. He/she will also serve as program coordinator.

c. 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 and maintain a record of all members and their contact information.

d. TREASURER: The Treasurer shall be the custodian of all financial matters of this Association. He/she will be responsible for collecting dues from each member and reporting to the President. Records of all collections and expenditures from the SWACE shall be reviewed and signed by the Treasurer. The financial books and records shall be audited each year by the SWACE Officers. The Treasurer shall present a financial statement to all members at each meeting. The Treasurer shall sign all membership cards and shall investigate all tax laws and procedures and establish the Association in its rightful and correct position as so state in Article I.

e. SERGEANT-AT-ARMS: The Sergeant-at-Arms shall maintain order during all meetings and functions of this Association. This office will be responsible for maintaining an accurate record of primary voting delegates and alternates and shall coordinate the elections.

f. IMMEDIATE PAST PRESIDENT: The Immediate Past President will assist the Board of Officers as needed.

g. Except as otherwise provided by these by-laws, the Board of Officers may

transact SWACE business in the interim between regular bimonthly meetings, shall determine when committee reports are to be issued and shall effectuate motions voted by the SWACE Association and may adopt rules for the regulation of its proceedings.

h. Official findings and recommendations of the Board of Officers shall be determined by a majority. Each member of the Board of Officers shall have one vote.

## ***Article V Elections and Voting***

### **1. Section I Election Procedures**

- a. Regular elections shall be held at the March meeting as terms expire.
- b. The President will appoint a nominating committee consisting of three or more persons who are active members in good standing of the Association. The appointment shall be done at least 60 days prior to the scheduled election.
- c. The nominating committee shall prepare a slate of nominees for the offices of President, Vice-President, Secretary, Treasurer and Sergeant-at-Arms.
- d. The nominating committee may select and recommend more than one person for all offices, not to exceed three (3) per office.
- e. In the event there is only one nominee for any particular office, the membership assembled may instruct the Secretary by proper action 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 Association.
- f. The President will ask the floor for any late nominations.
- g. Only voting delegates or alternates may cast ballots for election of officers.
- h. There shall be no proxy ballots.
- i. The President shall announce the results of all balloting and shall declare all elections. In order to be elected; a candidate must receive the most votes cast.
- j. Voting will be by written secret ballot under such rules and at such times as may be established by the Board of Officers.
- k. Formal notification of the election results shall be prepared by the Secretary and mailed to each SWACE member.
- l. Officers shall be installed prior to the adjournment of the March meeting.

### **2. Section II Vacancies**

a. In the event there is a vacancy in the office of the President, the Vice-President shall immediately vacate his/her office and assume the office of President. At this time, the President shall have the power to fill any vacated office until a regular election is held. In the event there is a vacancy in any of the other offices, the President shall have the authority to fill the vacancy until a regular election can be held.

### **Section III Removal from Office**

a. Failure of a board member to attend at least 2/3 of scheduled board meetings for at least 2/3 of the duration of such meeting may be deemed abandonment of office which shall result in a vacancy to be filled as set forth above.

## ***Article VI Meetings***

### **1. Section I Bi-monthly Meetings**

a. There shall be a regular meeting held on the 2nd Wednesday of every other month beginning in January. The meeting time and place shall be designated at the previous meeting.

b. The primary purpose of the meeting will be to discuss all activities of SWACE

### **2. Section II Special Meetings**

a. The President may call a special meeting at such time, date and place as he/she may consider appropriated

b. At the written request of a minimum of 50% of the Association, the President may call a special meeting

c. A special meeting shall be called at the request of a majority of the Board of Officers.

### **3. Section III Notice of Meeting**

a. A written notice of the bi-monthly meeting agenda and minutes shall be delivered to all members at least two (2) weeks prior to the next meeting.

### **4. Section IV Programs**

a. The Vice-President shall serve as the program coordinator to insure that each program provided for the membership shall be the highest quality and consistent with the established purpose and goals of this Association.

### **5. Section V Minutes of Business Meetings**

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

b. All minutes, once read and approved by the appropriate body as to accuracy, shall be accepted and recorded.

## ***Article VII Amendments***

### **Section I Proposal**

a. Upon petition to the Board of Officers from a committee or at least ¼ of the active membership of SWACE, any proposed amendment to these by-laws shall after full discussion by the Board of Officers, be voted on by the voting delegates so qualified as eligible and shall require a majority vote of present and qualified delegates.

### ***Article VIII Order of Business***

#### **Section I**

- a. Call to order
- b. Pledge to flag
- c. Announcements
- d. Report of Officers and minutes
- e. Program
- f. Unfinished business
- g. New Business
- h. Adjournment

### **Article IX Severability**

a. If any parts 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.