

**FLORIDA ASSOCIATION OF CODE ENFORCEMENT, INC.  
BY-LAWS**

**ARTICLE I. NAME, TERRITORY, AND PURPOSE**

**Section 1.**

- a. **Name.** The name of this organization is the Florida Association of Code Enforcement, Inc. In this document, the Florida Association of Code Enforcement, Inc., is referred to as “F.A.C.E.” or the “Association”. This shall be a non-profit organization and shall be self-supporting.
- b. **Territory.** The geographical area that F.A.C.E. represents shall be all participating municipal, county and state agencies within the boundaries of the State of Florida.
- c. **Purpose.** The purpose of F.A.C.E. shall be to study and advance the science and practice of code enforcement through certification, to further the interests of the profession, and to promote fellowship and understanding among its members.

**ARTICLE II. MEMBERSHIP**

**Section 1. Voting Delegates.** Each participating agency, as defined in Section 5 of this Article, shall be entitled to one vote and shall designate one active member to be the primary 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 voting delegate must be an active member of the participating agency he/she represents as the voting delegate. Such designation shall be in writing and signed by the appropriate representative of the participating agency.

**Section 2. Active Member.** 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 who resides or is employed in the State of Florida shall be eligible for regular membership and upon payment of established dues shall be known as an “Active Member”. Honorary Members, retired, and Associate Members shall not be considered “Active Members” for purposes of voting and holding office.

**Section 3. Associate Member.** Any student, non-resident or individual interested in code enforcement.

**Section 4. Charter Agency.** A participating governmental agency shall be considered a Charter Agency with a \$150.00 contribution.

**Section 5. Participating Agency.** Any municipality, county, sheriff’s office, state agency, and special district, which employs one or more active F.A.C.E. members.

**Section 6. Honorary Member.** The Board of Directors may, by majority vote, designate Honorary Members of the Association.

**Section 7. Retired Members.** Any F.A.C.E. member who retired from his/her position in code enforcement may remain in the membership of F.A.C.E. subject to payment of the dues prescribed in Article III.

**Section 8. Termination of Membership.**

- a. Any member leaving the code enforcement profession for a period in excess of three months will cease to be an active member and will be considered an associate member.
- b. Any member may be suspended by the Board of Directors, upon written recommendation by the Legislative and Judicial Review Committee, and may be removed from the roll of F.A.C.E. membership upon a finding that such member has acted in such a manner as to bring discredit upon F.A.C.E. Any member so suspended or removed shall have the right of appeal to the membership

assembled at the next regular annual meeting. Such appeal shall be in writing and addressed to the President.

- c. Any member in default of his/her financial responsibilities to F.A.C.E. for a period of three months shall no longer be entitled to the benefits of membership in F.A.C.E. This section does not preclude reinstatement upon payment of dues.

### **ARTICLE III. FISCAL ADMINISTRATION.**

**Section 1. Fiscal Year.** The F.A.C.E. fiscal year shall be from June 1 through May 31 of each following year.

**Section 2. Annual Budget.** The annual budget shall be prepared and presented by the budget and finance committee, appointed by the President.

**Section 3. Dues.** Annual membership dues for active members, associate members, and retired members shall be set by the Board of Directors. The dues of all members shall be due and payable by October 1<sup>st</sup> of each year. The membership year shall extend from October 1<sup>st</sup> through September 30<sup>th</sup> of the following year.

**Section 4. Vouchers.** All claims for payment by F.A.C.E. shall be submitted together with supporting receipts to the Treasurer on forms approved by the Board of directors and signed by the individual seeking payment. All expenditures from F.A.C.E. funds shall be subject to review by the Board of Directors. All checks must be signed by the Treasurer and either the President or 1<sup>st</sup> Vice President. The establishing of the F.A.C.E. bank account shall be the responsibility of the Treasurer with the concurrence by the President, such account being placed within the State of Florida.

### **ARTICLE IV. OFFICERS AND BOARD OF DIRECTORS.**

**Section 1. Number and Type of Officers.** The officers of F.A.C.E. shall be eight (8) in number and shall be a President, 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Vice Presidents, Secretary, Treasurer, Sergeant-at-Arms and Past President.

(This Section Amended 2021)

#### **Section 2. Eligibility for Office.**

- a. Any active, certified member in good standing for at least one year shall be eligible to run for office, provided that in order to be eligible to run for the following offices, the candidate shall meet the additional minimum qualifications:
  - i. For the office of 1<sup>st</sup> Vice-President, an active member must additionally have previously served on the Board of Directors for a period of no less than one year or served on various committees specified in Article VII section 3 of these bylaws for a combined period of no less than three years.
  - ii: For the office of 2<sup>nd</sup> Vice President, an active member must additionally be certified in Fundamentals of Code Enforcement, Administrative Aspects of Code Enforcement, Legal Aspects of Code Enforcement, and Officer Safety and Field Applications (ended 2020).
  - iii. The position pf Past President is not an elected board position but must be filled by an active member of the association who has previously served in the capacity of President. If the position cannot be fulfilled by the immediate Past President, the Board of Directors may choose to fill this position with an active member that meets the requirements
- b. An “active member in good standing” is defined as a member meeting all requirements for active membership as set forth in Article II.
- c. A “certified member in good standing” is defined as a member who has completed a F.A.C.E Certification course, has passed the required certification exam and as required, has maintained certification through recertification.

(This Section Amended 2008, 2009, 2020)

### **Section 3. Terms of Office.**

- a. The normal term of office shall be one (1) year for President, Past President and 1st Vice President, and a two (2) year term for all other officers commencing upon installation at the annual meeting.
  - i. Election for Secretary and Treasurer will be in even numbered years, commencing in 2018
  - ii. Election for Sergeant at Arms, 2nd Vice President and 3rd Vice President shall be in odd numbered years commencing in 2019.
  - iii. The position of Past President is not an elected board position but must be filled by an active member of the association who has previously served in the capacity of President. If the position cannot be fulfilled by the immediate Past President, the Board of Directors may choose to fill this position with an active member that meets the requirements. (Added 2021)
  
- b. No officer shall be elected to more than two (2) consecutive full terms (Amended 2020).

### **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 F.A.C.E. The President shall enforce the By-Laws 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 Administrative Office as set by the Board of Directors.

**1<sup>st</sup> Vice President** – The 1<sup>st</sup> Vice President shall be President-elect and will preside over all meetings in the absence of the President. The primary duty of the 1<sup>st</sup> Vice President shall be to chair the Program Committee.  
(Amended 2008)

**2<sup>nd</sup> Vice President** – The 2<sup>nd</sup> Vice President shall preside in the absence of the 1<sup>st</sup> Vice President and President at all F.A.C.E. functions. The primary duties of the 2<sup>nd</sup> Vice President shall be to chair the Certification Committee and to keep the President informed of the current progress and future plans of the committee.

**3<sup>rd</sup> Vice President** – The 3<sup>rd</sup> Vice President shall be responsible in the absence of the 2<sup>nd</sup> Vice President, 1<sup>st</sup> Vice President, and the President to preside over any F.A.C.E. function. The primary duty of the 3<sup>rd</sup> Vice President shall be to chair the Membership Committee. This position shall involve a continuous effort and drive throughout the year in order to attract and maintain active and associate members. This position shall maintain a current list of active, associate, retired and honorary members. This position shall also serve as editor of the Newsletter.  
(Amended 2008)

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

**Treasurer** – The Treasurer shall be the custodian of all financial records of this Association and chair the Finance and 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 meeting, and shall report same to the President. Records of all collections and expenditures from the F.A.C.E. treasury shall be reviewed and signed by the Treasurer. The Treasurer's books and records shall be audited each year by an outside firm retained by the Board of Directors prior to the annual conference and business meeting. A report of all revenues and expenditures shall be made available to all members of the Association at the annual business meeting of F.A.C.E. The Treasurer shall present appropriate financial statements for all members to view if desired. The Treasurer shall investigate all tax laws and procedures to insure this Association maintains its non-profit status.

**Sergeant-at-Arms** – The Sergeant-at-Arms shall maintain order during all meetings and functions of this Association. The Sergeant-at-Arms shall be Chairman of the Legislative and Judicial Review Committee and shall keep the President informed of all actions and progress the committee makes and maintain a list of primary voting delegates and alternates.

(This Section Amended 2008)

*Past President*- The Past President shall assist the Board of Directors as needed. (Added 2021)

**Section 5. Board of Directors.**

- a. There shall be a Board of Directors comprised of the President, 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Vice Presidents, Secretary, Treasurer, Sergeant-at-Arms, and the Past President. (Amended 2021)
- b. Except as otherwise provided by these By-Laws, the Board of Directors may transact Association business in the interim between annual business 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 shall be determined by a majority. Each member of the Board of Directors shall have one vote.
- d. The Board of Directors may authorize the existence of Chapter Organizations under such guidelines as may be adopted by the Board.

## **ARTICLE V. NOMINATION AND ELECTION OF OFFICERS; VACANCIES IN OFFICE**

### **Section 1. Nomination of Officers.**

- a. At least ninety (90) days prior to the annual meeting, the President 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 for the offices of the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Vice Presidents, Secretary, Treasurer, and Sergeant-at-Arms.
- c. The nominating committee may select and recommend more than one person for all offices.
- d. Nominations from the floor will be accepted at the opening session of the annual meeting.
- e. 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 unanimous ballot for the full number of qualified voters at the meeting for said nominee. Upon passage of such motion, the President shall declare such person elected by acclamation.
- f. The President shall announce the results of all balloting and shall declare all elections.
- g. Formal notification of the election results shall be prepared by the Secretary and provided to each F.A.C.E. member.

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

- a. In the event a vacancy is created in the office of the President; the 1<sup>st</sup> Vice President shall immediately vacate his/her office and assume the office of the President at which time the Board of Directors shall have the power to fill such vacated office of 1<sup>st</sup> Vice President until the regular election is held; provided, however, in the event the 1<sup>st</sup> Vice President becomes unavailable to serve as President for the ensuing term, and such discovery is made during the annual meeting, then and in that event the President shall immediately call a special meeting of the membership for the sole purpose of receiving nominations from the floor for the office of President.
- b. In the event a vacancy is created in any other office, the Board shall have the authority to fill the vacancy until the next regular election.
- c. In the event a member is appointed to fill a vacancy, that appointment shall not constitute a term as defined in article IV, section 3. b.
- d. 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 meetings shall be deemed abandonment of office which shall result in a vacancy to be filled as set forth above. In addition, an abandonment of office shall occur if a Board Member: (1) Fails to communicate with, or to respond to communications from, another Board Member pertaining to F.A.C.E. business; or (2) is absent from the State of Florida for an extended period of time (in excess of ninety [90] days); or (3) otherwise fails to perform the duties of the office as set forth in these By- Laws. The Board shall, by majority vote, make a specific finding that one or more of the above conditions has occurred. Upon that majority vote, an abandonment of office shall be deemed to exist which shall then constitute a vacancy to be filled as set forth above.

- e. In the event that no one is nominated for a specific office(s) then the Board shall appoint, by a majority vote, a member to serve in that office(s) at the post conference Board meeting. Such appointment shall last until the next election.
- f. In the event that a member of the Board of Directors runs for another office at a conference where their current term of office does not expire, then they shall be considered to have vacated their current office and the Board of Directors shall have the authority to fill it as defined in Article I, Section 2.b (Amended 2020).

**Section 3. Election of Officers.**

- a. Only voting delegates or alternates may cast ballots for election of officers. The election shall be conducted by written secret ballot during the annual conference prior to the annual business meeting under such rules and at such times as may be established by the Board of Directors.
- b. In order to be elected, a candidate must receive the most votes cast.
- c. There shall be no proxy or absentee ballots.
- d. The Sergeant-at-Arms shall maintain a list of the primary voting delegates and alternates and supervise the registration of voting delegates and alternates.
- e. By majority vote, The Board of Directors may retain the services of an outside person, firm, or organization not associated with F.A.C.E. to supervise the casting of ballots, and tabulation of election results for presentation at the annual business meeting.
- f. In the case of a tie vote, the election shall be decided by the flip of a coin, US Currency, conducted by the President or, in the absence of the same, by the Past President. (Amended 2021)

**ARTICLE VI. MEETINGS**

**Section 1. Annual Meetings.**

- a. There shall be an annual business meeting held during the month of June or July of each year.
- b. The primary purpose of the annual business meeting shall be:
  - 1. To receive the annual report from the current Association officers.
  - 2. To adopt a budget for the ensuing year.
  - 3. To install new officers for the ensuing year.
  - 4. To conduct such other business as may be placed on the agenda by a majority vote of the Board of Directors.

**Section 2. Special Meetings.**

- a. The Board of Directors and/or the 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 active members of the Association, the President shall call a special meeting. (Amended 2009)

**Section 3. Notice of Meetings.** A written notice of the annual meeting shall be provided to each F.A.C.E. member no later than thirty (30) days prior to the annual meeting.

**Section 4. Programs.** It shall be the responsibility of the Board of Directors 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 this Association.

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

- a. Minutes shall be recorded of each business meeting by either the Secretary or some other qualified member of F.A.C.E. designated by the Secretary to serve in his/her absence.
- b. All minutes, once recorded and subsequently 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.

**Section 6. Voting.**

- a. For the normal transaction of business, and except as noted in “b” below, each active member shall have one (1) vote, cast vive voce.
- b. Only voting delegates or alternates may vote for election of officers and in those circumstances where a voice vote by the general active membership is deemed by the President to be inconclusive. In either of these circumstances, voting by delegates or alternates shall be by secret written ballot.

**ARTICLE VII. COMMITTEES**

**Section 1. Appointment.** The President shall, whenever necessary and appropriate, appoint special committees to perform specific and limited duties. The President shall, with input from committee chairs, also appoint members not otherwise designated herein to the following standing committees: Finance and Budget, Certification, Legislative and Judicial Review, Program, and Membership. The Chairman of each of each of these standing committees is listed in the duties of each Board of Directors member (Article IV, Section 4, Duties of Officers).

**Section 2. Tenure.** The tenure of each special committee shall be for the duration of the specific duty assigned to it, but shall not extend beyond the end of the F.A.C.E. fiscal year in which the particular committee was appointed, except that any special committee may be continued the following year by the succeeding President. Standing committees have specific functions and are appointed at the pleasure of the President to serve until the end of the F.A.C.E. 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 shall meet at least once yearly during the last quarter of the F.A.C.E. fiscal year to prepare and present a proposed budget to the Board of Directors for the ensuing F.A.C.E. fiscal year.
- b. The Program Committee shall meet as necessary and shall be responsible to the Board of Directors for the development and presentation of programs for the ensuing year.
- c. The Membership Committee shall meet as necessary and shall be responsible for the active recruitment of new members and the retention of present members.
- d. The Certification Committee shall promulgate rules and regulations pertaining to testing, certification, recertification, and award of the designation of Code Enforcement Professional (CEP). The committee shall meet as often as necessary to attain those goals and shall make a report to the Board of Directors of its progress and methods.

- e. The Legislative and Judicial review Committee will meet as necessary and is responsible for the review of state statutes and of ordinances throughout the State of Florida 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 also propose amendments to these By-Laws for transmission to the Board of Directors. This Committee shall be chaired by the Sergeant-at-Arms.
- f. Each committee shall keep minutes of all meetings and shall forward such minutes to the Board of Directors no later than thirty (30) days following such committee meetings.

## **ARTICLE VIII. AMENDMENTS**

**Section 1. Proposal.** Upon written petition officially transmitted to the Board of Directors from the legislative and Judicial review Committee or from ¼ of the active membership of F.A.C.E., or by a vote of six (6) of the eight (8) members of the Board, any proposed amendment to these By-Laws shall, after review by the Board of Directors, be prepared as a written ballot.

**Section 2. Adoption.** Any proposed amendment, together with ballot form, shall be provided to each active member. Only active members may cast ballots, in favor of or against such proposed amendment. The proposed amendment shall require a majority of votes cast for adoption. The ballots shall be returned within a reasonable time not to exceed thirty-five days. The results of such voting shall be published in the next official F.A.C.E. Newsletter. (Amended 2009)

**Section 3. Effective Date.** If approved, such amendment shall take effect thirty (30) calendar days from the date of publication of voting results as set forth above.

## **ARTICLE IX. ORDER OF BUSINESS AT THE ANNUAL BUSINESS MEETING**

**Section 1.** Parliamentary procedures shall be set forth in the current edition of Roberts Rules of Order.

**Section 2.** The order of business of this Association shall be as follows:

1. Roll call of Officers
2. Announcements
3. Reports of Officers
4. Adoption of budget
5. Unfinished business
6. New business
7. Installation of Officers
8. Adjournment

## **ARTICLE X. SEVERABILITY**

If any part of these By-Laws shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions are hereby declared to be severable and shall remain in full force and effect.

This revision of the By-Laws was adopted and became effective on July 2, 2021.